

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 6th February 2017

**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

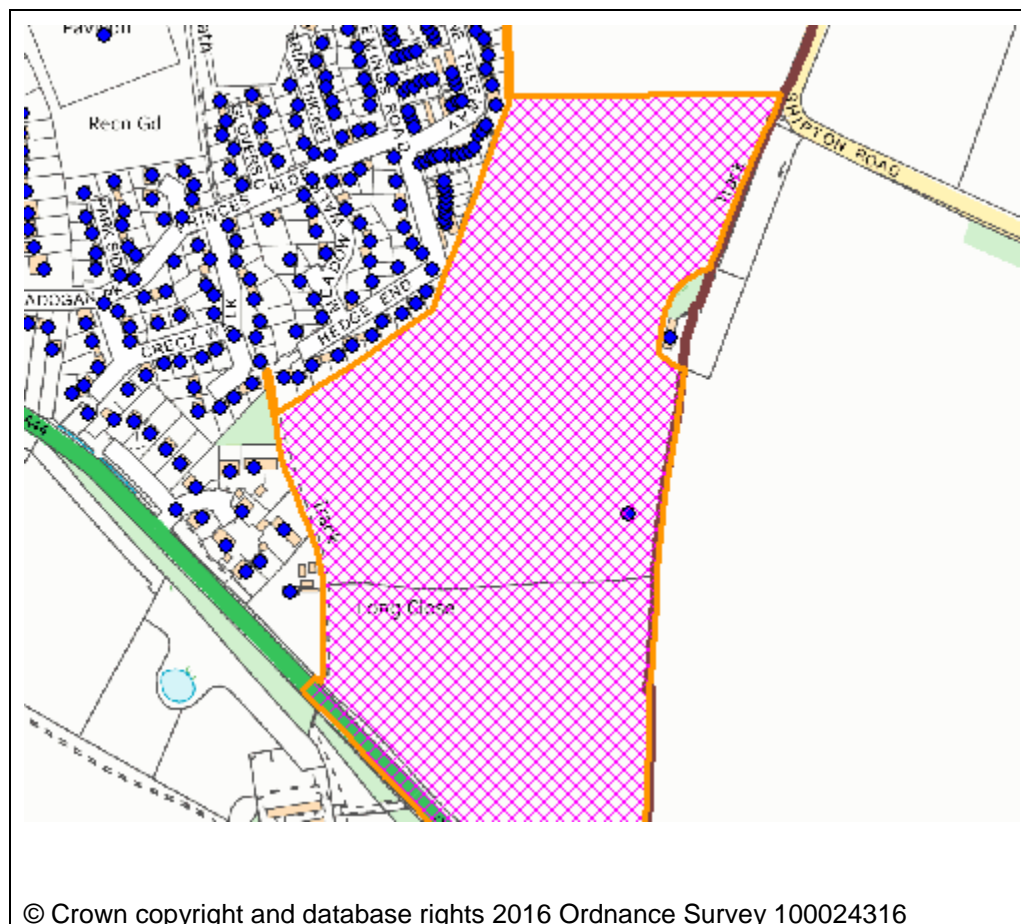
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
16/01364/OUT	<u>Land East Of Oxford Road, Woodstock</u>	3
16/02851/OUT	<u>Land South Of Milton Road, Shipton under Wychwood</u>	59
16/03297/FUL	<u>Court Farm, Mawles Lane, Shipton under Wychwood</u>	82
16/03302/OUT	<u>Land North Of A44 Worcester Road, Chipping Norton</u>	95
16/03601/FUL	<u>Land West Of Witney Road, Finstock</u>	108
16/03761/OUT	<u>Land West Of Quarhill Close, Over Norton</u>	122
16/03989/FUL	<u>42 Oxford Road, Burford</u>	136
16/04188/FUL	<u>Cuckoo Wood Farm, Eynsham Road, Freeland</u>	141
17/00005/HHD	<u>Elm Tree Cottage, Witney Lane, Leafield</u>	145
17/00006/LBC	<u>Elm Tree Cottage, Witney Lane, Leafield</u>	149

Application Number	16/01364/OUT
Site Address	Land East Of Oxford Road Woodstock Oxfordshire
Date	25th January 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

Location Map



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

I 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

I CONSULTATIONS

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| I.1 | Major Planning Applications Team | <p>In the light of revised information the following main observations are made. Detailed comments will be reflected in the main body of the report.</p> <p>Transport Development Control's objection has been withdrawn.</p> <p>Education have no objection to the application subject to conditions. In order to expand Woodstock Primary School on its existing constrained site, a new classroom block would be required and the Woodstock Under Fives Association (WUFA) would need to be relocated. The proposed development includes new build accommodation for early years education which could be used by WUFA. Other options may be available, but in any event OCC would require: alternative accommodation for WUFA to be available by the first occupation of the development; the accommodation to be acceptable to the County Council and the current provider and be on no less favourable terms than the current lease arrangements; a minimum of 24 full-time equivalent places; and the early years building to meet the requirements of the Early Years Foundation Stage Statutory Framework</p> <p>The above would need a legal agreement or other mechanism to secure this. The developer has indicated that they would be willing to enter into such an agreement.</p> <p>Property has no objection subject to contribution to local library.</p> <p>Archaeology has no objection subject to conditions.</p> |
| I.2 | WODC - Arts | A contribution of £210.00 per market dwelling is required. |
| I.3 | Wildlife Trust | No comments received. |
| I.4 | Ecologist | No objection subject to conditions. |
| I.5 | Cherwell District Council | No comments received. |
| I.6 | WODC Community Safety | No comments received. |
| I.7 | WODC Architect | Detailed observations on the plans for phase I have been taken on board in developing the revised submission. |

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| I.8 | WODC Drainage Engineers | No comments to make. This is a matter for OCC as lead authority for major applications. |
| I.9 | Environment Agency | Application assessed as low risk and therefore no comments. |
| I.10 | Historic England | <p>Three letters have been received dated 19.05.2016, 24.06.2016 and 24.08.2016. The comments will be reflected in the main body of the report.</p> <p>In summary, there remains a degree of harm to nearby heritage assets which is less than substantial. This harm needs to be justified and outweighed by public benefits and it is for the local planning authority to carry out this balancing exercise.</p> |
| I.11 | ERS Env Health – Uplands | No objection subject to conditions. |
| I.12 | WODC Head Of Housing | <p>From interrogation of the Council's Common Waiting List I can confirm that there are 170 households who would qualify for housing on this development were it available today. Of these 29 require affordable older persons accommodation, 70 x 1 bedroom accommodation, 40 x 2 bedrooms, 20 x 3 bedrooms and a small number seeking 4 bedroom housing.</p> <p>WODC seeks as a guide a unit mix of 65% 1 and 2 bedroom properties for single, couples, small families and older people, and 35% larger family homes for upwards of 4 people e.g 2 and 3 bedroom houses with a very small number of 4 bedroom homes. WODC also seeks a tenure split of 70 to 30 % affordable rent to shared ownership across the development, in line with policy.</p> <p>The development is proposed to be phased over in six stages. I recommend that we seek to ensure that this development provides 50% of the scheme in each phase as affordable housing, as close as possible to the policy mix outlined above.</p> |
| I.13 | WODC Landscape And Forestry Officer | The landscaping plans have been assessed and observations made which resulted in revised submissions. These are considered satisfactory as regards general open space and planting proposals. No comments are made regarding the overall impact of the development on landscape character. |
| I.14 | Natural England | <p>No objection subject to conditions. A key concern is that foul drainage capacity works are necessary to ensure that contamination of the surrounding hydrological regime and impacts on the Blenheim Park SSSI are avoided.</p> <p>It will be necessary to secure enhancements for biodiversity.</p> |

I.15	TV Police - Crime Prevention Design Advisor	Contributions are required to off-set the impact of growth and costs of policing in the area.
I.16	Oxford London Airport	No comments received.
I.17	WODC Planning Policy Manager	No comments received.
I.18	WODC - Sports	Contribution required towards off-site sport/recreation facilities. On-site or off-site play/recreation facilities contribution will also be required. The Council will liaise with the Town Council to establish the most appropriate form of provision.
I.19	Thames Water	No objection
I.20	Town Council	<p>The Town Council has submitted 2 letters via their agent Kemp and Kemp dated 31st May and 18th August 2016, a consultation response dated 25th July 2016, a "yellow card" (these cards are dealt with elsewhere in the body of the report) and two emails dated 15th September 2016.</p> <p>The summary and conclusions of the first letter is as follows: The proposal remains contrary to a number of reasons for refusal of the original scheme and to adopted and emerging plan policy. The proposal is clearly overdevelopment of the site and is not consistent with the Council's own assessment of the SHLAA. The high density development will impact on the historic character of Woodstock as identified by Historic England. The site has yet to be considered by a Government Inspector through the local plan examination process. To rely on it at this time would be premature. The previous local plan inspector concluded that the site should not be developed as the size of the proposal was excessive when measured against the scale of Woodstock. No indication that the impact on Woodstock town centre as a result of the proposed commercial development has been properly and robustly assessed. The town poll demonstrates a clearly expressed desire of local residents for the area to remain undeveloped.</p> <p>The second letter refers to the two large scale housing schemes proposed at Long Hanborough (14/1234/P/OP and 15/03797/OUT). WODC cannot consider the east of Woodstock application in isolation. The combined effect of these proposals would be severely detrimental to the unique historic environment of Woodstock. It would also be far in excess of what WODC has planned for the Woodstock/Long Hanborough sub-area in the emerging plan. It is recognised that WODC currently has a 5 year housing land supply issue, but this does not automatically mean that an application should be approved. The proposal cannot be considered sustainable</p>

development as it neither protects or enhances the historic environment of Woodstock.
The development would be likely to add to existing traffic congestion in the area.

The emails of 15th September 2016 refer to the following:
Woodstock TC rejects and objects to the County Council's final response, including lack of considerations for the impact on Shipton Road and insufficient transport related considerations for which purported mitigation is insufficient.
Object to any eviction or forced displacement of the Woodstock Under Fives Association from its present site.

I.21	Major Planning Applications Team	See previous comments
I.22	WODC - Arts	See previous comments
I.23	Wildlife Trust	No Comment Received.
I.24	Ecologist	See previous comments
I.25	Cherwell District Council	No Comment Received.
I.26	WODC Community Safety	No comments received
I.27	WODC Architect	See previous comments
I.28	WODC Drainage Engineers	See previous comments
I.29	Environment Agency	See previous comments
I.30	Historic England	See previous comments
I.31	ERS Env Health – Uplands	See previous comments
I.32	WODC Head Of Housing	See previous comments
I.33	WODC Landscape And Forestry Officer	See previous comments
I.34	Natural England	See previous comments
I.35	Oxford London Airport	No Comment Received.

- I.36 Parish Council See previous comments
- I.37 WODC Planning Policy Manager See previous comments
- I.38 WODC - Sports See previous comments
- I.39 TV Police - Crime Prevention Design Advisor See previous comments
- I.40 Thames Water See previous comments

2 REPRESENTATIONS

- 2.1 There have been a large number of representations, made up of formal consultations with Parish and Town Councils, statutory consultees, Council departments/officers of WODC, and OCC, together with third party representations from residents and interest groups. All of these representations and comments are available to view on the WODC website. Comments will not be reproduced in full as part of this report and they will therefore be summarised. However, in order to fully represent certain consultees' contributions, some extracts of comments may be set out more fully. In some instances comments will be incorporated into the body of the report.

Comments from organisations:

- 2.2 International Council on Monuments Sites (ICOMOS):

In our letters of 29 January, 10 August and 22 September 2015, we commented on an application (14/02063/OUT) to develop a much larger area of farmland to the south east of Woodstock between the A44 Oxford Road and the A4095 Upper Campsfield Road. Our concerns related to its potential impact on the Outstanding Universal Value of Blenheim WHS and its setting including both the open farmland of the site and the historic town of Woodstock. This application was refused.

The present application is for a smaller development of 300 dwellings as opposed to the 1500 proposed in the earlier application and is confined to the area of land adjacent to the existing settlement and wholly within the West Oxfordshire boundary. While this is a significant reduction in scale, the development would still be a major one in relation to the existing settlement. Phase I for which full permission is sought would be closest to the Blenheim Palace WHS, sitting directly opposite its south- eastern boundary. This boundary is inaccurately described in the documentation accompanying the application. It continues along the A44 to the corner of the back lane running to the east of the paddock which lies to the east of the park wall.

- 2.3 Impact on the Blenheim World Heritage Site

Taking its cue from the existing settlement to the north- west of the site, the new development would be set back some 30m from the A44 and screened, over time, by a landscape belt incorporating existing planting. With the existing planting in the Lower Park, along the Park wall,

and along the WHS boundary beside the A44, provided that it was maintained, this would be likely to provide adequate screening of the site from within the adjacent parts of the WHS certainly during the summer months. In the winter when the leaves were off the trees and with more need for lighting, some filtered views of the development might be glimpsed from the WHS.

We accept that the greatest impact on the tranquillity of the closest part of the Park comes from the A44. The reduction in the size of the development, the intended lighting scheme and the absence of sports floodlighting would limit the negative impact of noise and light although this would still be greater than from the existing open farmland. There would be some impact, for example, on the listed Cowyards, positioned close to the entrance to the primary road with its higher level of lighting.

An exercise with cherry pickers at illustrative heights, undertaken in connection with the previous application partly at our request, is understood to have demonstrated that the much larger development would not be visible from representative locations across the wider Park or from the Palace. If correct, this suggests that a smaller development would be unlikely to impact on more distant views from within the WHS.

The OUV of the WHS is derived from the architectural importance of the Palace and associated buildings and from the quality and influence of its 18th century landscape park. On the evidence provided, it is difficult to argue that its integrity, which is well-protected by its enclosing wall and planting, would be significantly compromised by the development proposed in the current application.

2.4 The town of Woodstock

In our comments on the earlier application, we emphasised the key contribution made by the town of Woodstock to the setting of the WHS. We felt that the sheer scale of the development then proposed would unbalance the historic physical relationship between the town and the park/palace that gives Woodstock its distinctive character, causing further harm to the setting of the WHS. The development now proposed would be significantly smaller although still substantial in proportion to the existing suburbs of Woodstock, would relate more closely to the adjacent settlement in terms of layout and design and would provide a more attractive edge to the town. This diminishes in our view the level of harm to Woodstock as an important element in the setting of the WHS.

The setting of Blenheim Park and the royal hunting park from which it developed has been predominantly an open rural one since its first enclosure in the 12th century. This historic setting has survived the centuries remarkably well on its western and northern sides but the area of open farmland of which the application site forms part is the only place between the settlements of Woodstock and Bladon where it now remains. This allows visitors approaching the WHS on the main route from Oxford and London to appreciate the contrast between the enclosed park on one side and the open country on the other. By enabling them to gain a better understanding of an aspect of the social and cultural significance of aristocratic parks exemplified by Blenheim, the open setting acts in support of the OUV of the WHS as envisaged in para 112 of the Operational Guidelines.

The Heritage Statement and cultural heritage chapter of the Environmental Statement submitted with the application do not adequately consider the setting of the WHS and, in assessing the

impact of the proposed development, fail to recognise the value of the open setting to understanding and appreciating the significance of the WHS.

Unlike the previous application, the smaller development now proposed would require the loss of only part of the remaining open land adjacent to the WHS between Woodstock and the A4095. This could, however, reduce the agricultural viability of the remainder and would still harm the WHS by continuing the incremental erosion of its open setting south east of the town begun by post-war suburban development from the 1950s.

In identifying the application site as suitable for the development of 150-180 houses, the 2014 West Oxfordshire SHLAA mentioned its location within the setting of the Blenheim WHS but did not acknowledge this as a constraint. The present scheme is for up to 300 houses plus 1100sq m of A1/A2/B1/D1 floor space and would still constitute a major development within the immediate setting of a heritage asset of the highest importance.

For these reasons, we believe that the site should remain open and undeveloped.

2.5 Funding the future maintenance of the WHS

We are aware that one of the benefits of the proposed development put forward by the applicant is that it would secure funding needed for the future conservation and maintenance of the WHS. We acknowledge this aim but we have, as before, deliberately confined our comments on the current application to the core issues of impact on the WHS and its setting.

Conclusion

We do not believe that the OUV of the Blenheim Palace WHS would be significantly compromised by the proposed development. Our principal concern remains the further erosion of the surviving open setting of the WHS south east of Woodstock. The value of this setting in supporting the OUV of the WHS has been described above. While it can be argued that the current application follows the precedent of suburban housing outside the park wall established from the 1950s, these developments were largely built before the inscription of Blenheim as a WHS in 1987.

We have explained as clearly as possible why we consider that the application site should remain undeveloped but we recognise that the balance of judgement in determining the application rests with the local planning authority. The concerns raised by the present application would be greatly increased by any future attempt to resurrect larger-scale development proposals of the kind for which consent was refused in September 2015 and which we strongly opposed. Any decision to approve the current application should be taken not as a precedent but as allowing the existing settlement to be satisfactorily terminated against an historic boundary. Beyond this, a halt should be called to all further development before progressive salami-slicing of the remaining open land results over time in its entire loss.

2.6 CPRE Oxfordshire -

The land is currently being used for agricultural purposes. In a country that is already not self-sufficient, it's important we do not make this worse by eroding our agricultural potential. Losing agricultural land goes against the principles of sustainability.

There are clearly landscape, hedgerow, ecological and heritage issues which would be hard to mitigate. For example, there is a historic route, SAMs and archaeological areas nearby.

Currently water drains from the site to the Rowel Brook. Normally, this is filtered through the ground to slow flow. Concreting over fields will speed up flow and increase discharge, but the plan is to use SUDS in mitigation. SUDS are a relatively new invention which are not proven. They often silt up and in any event, they do not work well when placed in ground which becomes saturated in any event in wet weather. Of course loss of most of the green space increases saturation in the remaining areas. Developers always forget to take this compound effect into account in their assessments. Equally permeability is often only assessed at the date of the geotechnical investigation and relied upon in the drainage design. It varies significantly over the seasons and so run off on remaining open spaces can be higher than assumed. An independent check of the surface water drainage calculations would be essential.

Most fundamentally, this development is part of a proposal to build 1,500 homes. Should this development go ahead, the likelihood of permission being granted for the rest will increase. The other houses will be in an adjacent District, placing a large proportion of Woodstock outside of West Oxfordshire. There would be a danger that West Oxfordshire would lose Woodstock to Cherwell and it's one of the District's jewels. Also, 1,500 homes is far too many for a settlement of the size and charm of Woodstock.

In summary, this proposed development would do much to harm the rural character of the area.

Woodstock Action Group (local community group organised in 1998 to help conserve the local environment against unnecessary development and to preserve, maintain and enhance the historic character of Woodstock). Six letters have been received from the group - The first letter lists objection on the following grounds:

1. The proposal does not recognise the Woodstock Town Centre as being the heart of the community and fails to pursue positive plans to support and enhance its viability and vitality.
2. The application for retail and other usages on the site, not as yet specifically spelled out, except for the possible provision of an "under 5's nursery," will cumulatively erode opportunities for customer choice of offerings and will thus have causative impact upon the diversity and individuality of the Woodstock commercial centre.
3. The retention and enhancement of existing markets and commercial enterprises in the Woodstock Town Centre, the creation of new and different ones and the ensurance that these retail and other units will remain attractive and competitive, will be adversely affected by the developers' proposal to construct a mini-shopping centre on site.
4. The encouragement of a range of commercial sites is needed in the Woodstock Town Centre but these will be compromised by "out of town" retail units and other businesses at land SE of the town. This competition, no matter how big or small, will surely lessen entrepreneurship opportunities for increased investment for varied retail and other development within the town centre.
5. The developer's expectation for an "edge of center" site will lack any real connection with the existing operational town centre and is not in accord with an up to date Local Plan 2031.
6. The past couple of years have seen a rush by developers to build within Woodstock's boundaries and on former school playing fields, productive farmland, greenfields and any

open spaces. The recent run on residential development of some 285 dwellings in Woodstock has not, however, increased the consumer footfall proportionately in the town's centre. As evidence, Woodstock has lost a long standing butcher shop, two long serving tea rooms, an established antique shop, another such is in the process of change to partial housing. Also, lost the Nat West Bank, the Auto Shop (miscellanea) at the Town Hall and the neighbourhood grocer, Box of Delights is considering closing. The long time owner of the Real Wood Shop recently announced that he would close and move to Chipping Norton leaving about a quarter of a block on the main thoroughfare, Oxford Street empty.

7. It is obvious that these housing sites are just too distant to walk and shop so a car is needed. But since parking in the town centre (known as the "Woodstock Parking Lottery") is a perennial problem with no apparent solution, residents at these sites find it more convenient to go Kidlington (or elsewhere) where there is plenty of free parking and three major supermarkets.
8. The developers claim that, "The limited size of the units will not be designed to compete with existing commercial uses in Woodstock Town Centre." However, the Woodstock Action Group (WAG) believes that this supposed lack of competition will quickly and cumulatively gnaw away at the existing profitability of the town centre's entrepreneurs as well as deterring future private or public investment in Woodstock's surviving town centre.
9. In conclusion, (Part I) it is our well-considered opinion that the proposed application contravenes the National Planning Policy Framework (NPPF), at nearly every turn and should be rejected on these bases alone.

Letters II and III refer to:

1. Increase in the need to travel by car.
2. Will cumulatively lead to unsustainable transport issues on the A44 as vehicle movements will hinder bus transport.
3. Increase in greenhouse emissions.
4. Increase in traffic congestion.
5. Increase in traffic movements on highway network.
6. Will result in residual cumulative effects such as air pollution, noise and vibration.
7. Impact on highway safety.
8. Increase in demand for parking in the town centre.
9. Will not contribute to or enhance the natural and local environment.
10. Will not protect valued local landscape character.
11. Will result in loss of or deterioration of habitat and will not enhance the nature conservation of the area.
12. Will have detrimental effect on recreational value.
13. Will impact on openness, rural character and amenity of Green Belt.
14. Will impact on general development standards - development will not relate to existing development.
15. Will impact on and adversely affect the settings of the neighbouring villages of Bladon and Long Hanborough.
16. Inappropriate density.
17. Will not conserve or enhance historic environment and historic assets.
18. No acute need for any more significantly over-valued market housing in light of recent developments in the town.

Letter IV lists planning history, results of town polls, etc, which it is argued demonstrates that citizens of Woodstock have been consistently opposed to development on the open farmland around Woodstock.

Letter V deals with air quality matters and questions the "efficacy and reliability" of the information provided by the applicant.

Letter VI refers to the following:

1. The current SHLAA does not incorporate all of the NPPF provisions and needs to be revised before it can be formally included in the emerging local plan. It therefore lacks any relevance to the planning application.
2. Incremental development in Woodstock over the last 10 years has created problems with the town's public facilities.
3. Lack of affordable homes is due to WODC accepting monies in lieu of building affordable homes.
4. WODC has approved the change of use of retail shops to residential in the centre of Woodstock.
5. New developments at Marlborough Place, The Hidings and Verenia Court are too far from the town centre to walk. To come by car is frustrating because of lack of car parking so residents go elsewhere to shop.

A further on-line submission has been made referring to relocation of WUFA: Lack of consultation with WUFA; impact of loss of valued facility; increase in number of school runs; consequent increase in traffic; and WUFA must be allowed to operate from its current site.

The National Planning Case Work Unit (on behalf of the Secretary of State) has no comments to make on the application which was referred to them under the Environmental Impact Assessment Regulations.

2.7 Woodstock Under Fives Association has objected on the following grounds:

(1) WUFA does not accept suggestions purporting "necessary" re-location. Any such submissions to date have been made without WUFA's agreement and certainly have not emanated from any formal requests or decisions by WUFA;

(2) WUFA has not yet been included as an active participant in formal discussions held to date by or between Oxfordshire County Council (OCC) and/or the Applicant in relation to the planning proposals (16/01364/OUT) or prospective effects of the proposals. Therefore, any OCC or Applicant submissions which have referred to WUFA should be treated as having been devised independently of WUFA and without WUFA's assent;

(3) WUFA at this stage considers expressions of alleged need for relocation of WUFA (particularly as expressed by OCC in the County Council's "Final Response" document) to be unsubstantiated, unrealistic, unsound and alarmingly vague in the particular circumstances whereas in principle such relocation threatens WUFA's viability as a widely relied-upon service provider and as an employer. The premature external suggestions for WUFA's relocation may already be prospectively damaging; and

(4) Forced relocation or eviction of WUFA to accommodate impacts of the Application would adversely affect many dozens of working parents and would present undesired knock-on effects (including traffic-oriented) upon others in the community.

Therefore, notwithstanding WUFA's expressed objection to the Application, any Planning Authority, Planning Sub-Committee, or other Local Authority considerations about WUFA should focus upon enhancement, preservation and sustainability of WUFA's facilities at WUFA's present location.

WUFA is very concerned about the apparently insufficient considerations, by the County Council as a Statutory Consultee, as well as by the Applicant representatives, in submissions which fail to demonstrably show consideration for:

- (a) foreseeable detrimental impacts and repercussions upon working families who rely on WUFA's services which include breakfast club, pre-school and wrap-around childcare service including some for children up to age 11;
- (b) Significant knock-on effects upon traffic and highway safety for WUFA users as well as the wider community if WUFA were to be relocated; and
- (c) the full range and scope of WUFA's expansive services which are very reliant upon WUFA's continued operation at its present site.

WUFA is bemused by the Oxfordshire County Council (OCC) "Final Response" dated 22 August 2016, as published by WODC 25th August; in particular, WUFA is confused and disappointed by that document's multiple references to WUFA whereas in fact to date no formal discussions about any of its contents have taken place between WUFA and either the County Council or the Applicants. Therefore, to date WUFA has been effectively left out of discussions which may have [mis]informed the OCC Response and which may mislead the Planning Sub-Committee and the Planning Officer's Recommendations. In contrast to the non-consultation of WUFA, the OCC "Final Response" on p19 of 28 reveals: "The applicant has, in consultation with OCC Education officers, submitted indicative school expansion plans that would accommodate the additional pupils but which would require the early years provision on the school's site currently run by Woodstock Under Fives Association (WUFA) to be re-located." As such WUFA considers there to be a material and unacceptable imbalance, especially with regard to the disproportionate considerations afforded other service providers whilst leaving WUFA "out of the loop".

Furthermore WUFA does not accept the vaguely presented OCC presumption that "In order to facilitate the necessary expansion of the primary school it would be necessary for the building currently used by WUFA to be moved off..." There has been no evidence or publication of evaluated available alternatives for primary school building expansions vertically, such as second stories on stilts and other available extension options commonly used elsewhere.

Therefore there seems to exist what WUFA considers to be a surprising and worrying lack of awareness, among Council members and Local Authority officers, in relation to WUFA's services and the requirements of its "client" families. WUFA has operated at its current location for some 29 years, with devoted staff having worked hard over many years to develop and achieve all that has contributed to WUFA's current reputation, proficiencies, accolades, confidence among families, benefits to its children, and the myriad of location-specific service offerings for which WUFA is now not only renowned but also widely depended upon. WUFA provides much more than just Under 5's Pre School care. It caters for substantially more than just the two dozen children's spaces that might be misunderstood from wording in the OCC

Final Response document, and WUFA is equipped for further anticipated growth and enhancement of its services. Essential for numerous working families, WUFA drops Breakfast children to the Nursery on School site and picks up children Monday - Friday from the School Nursery this enables working parents a full day of care all on one site. WUFA also offers a Breakfast Club for children aged 3 - 11 years Monday to Friday with a waiting list, after school care Monday to Friday 3.15pm - 6pm with a waiting list most days. For families with siblings of nursery and primary school age, the offerings and existing location are particularly important. WUFA has at least 110 children on roll and waiting lists, current location on site is key.

Furthermore, following the highly controversial demise of Children's Centres, at the present time established and reliable services such as WUFA's are all the more needed.

Woodstock Town Council has unanimously resolved (13th September 2016) and submitted its objection (published 15th September 2016) to eviction or other forced displacement of WUFA, having stated in a recent response to the Application:

"Woodstock Town Council objects to any eviction or other forced displacement of the Woodstock Under Fives Association (WUFA) from its present site, and considers to be insufficient or unacceptable any Local Authority considerations disclosed publicly to date in relation traffic, safety, safeguarding and service implications of relocation - including ramifications for families benefitting from the range of WUFA services, especially those with siblings attending the primary school and WUFA.

Woodstock Town Council rejects and objects to the County Council's "Final Response" to the "Land East of Woodstock Proposals" including due to lacking considerations for the impact upon Shipton Road and insufficient transport-related considerations for which purported "mitigation" is insufficient"

Clearly any purported "need" to relocate WUFA would go to demonstrate that the Application amounts to overdevelopment, not only within the boundaries of the Application Site but also beyond with accompanying threat to the viability of other operations such as WUFA's.

WUFA requests that as a matter of priority the Uplands Area Planning Sub-Committee conducts site visit to observe in person the existing WUFA facility and operations, and to better understand the reasons why WUFA's services are so dependent upon continued operation at the present location.

2.8 Objections have been received from a total of 728 local residents by way of proformas (yellow pre-printed cards). Of these, 14 were annotated with additional comments. These comments are reflected separately in the list of third party comments.

The proforma referred to objection on the following grounds:

- A) This proposal will generate significant levels of traffic on an already overburdened A44 causing further delays in the timeliness and quality of public transport to town centres. It will add to traffic conflicts, increase the potential for accidents and create more congestion. It will also promote environmental damage, e.g. air pollution (CO) caused by an estimated 400 to 600 more vehicles using the A44 close to the centre of Woodstock.

- B) The town centre is the heart of the community. This proposal for retail shops, business offices and potentially a café, restaurant, snack bar, clinic, health centre, internet café or even light industry are all possibilities within the category of uses outlined by the developers (A1/A2/B1/D1). This is certain to have a negative impact upon the town centre's retailers.
- C) Replacing open productive farmland SE of the town with a sizeable development will have a significant impact upon the historic setting and appreciation of the World Heritage Site of Blenheim.

2.9 45 Third party objections have been received on the following grounds:

- 1) Woodstock referendum voted by a large majority against further development on greenfield sites on the edge of the town.
- 2) Town cannot cope with large increase in its population.
- 3) The site will be detached from the town.
- 4) The site will detract from rural approach to the town.
- 5) The site would be more than double the size of the Hensington Gate estate.
- 6) Impact on highway safety.
- 7) Environmentally inappropriate.
- 8) Impact on the character of the area.
- 9) Increase in traffic and congestion.
- 10) Impact on parking capacity and provision in the town.
- 11) Proposal would encroach on character and openness of the surrounding Green Belt around Bladon and its Conservation Area.
- 12) Further urbanisation should be resisted.
- 13) Impact on setting of Blenheim World Heritage Site.
- 14) Views of Blenheim Parkland and its listed walls can be seen from the site.
- 15) Proposal can be seen from Green Belt around Bladon Heath.
- 16) An important buffer from urban sprawl to agrarian land beyond will be lost.
- 17) No pressing need for this site to be developed for housing.
- 18) Impact of the application weighted in favour of the Blenheim estate.
- 19) Impact on capacity of infrastructure.
- 20) Lack of integration with existing community.
- 21) Increase in noise and air pollution.
- 22) Flemings Road and Plane Tree Way will become rat runs.
- 23) Depreciation in property values.
- 24) Taxpayers and residents should not have to support the Blenheim estate.
- 25) Precedent for further development.
- 26) Impact on school capacity.
- 27) Impact on historic town.
- 28) Reduction in attractiveness of the town.
- 29) Effect on local ecology.
- 30) Design and layout not sympathetic.
- 31) Negative impact on retailers and businesses in the town.
- 32) Over-development and disproportionate scale.
- 33) Would create satellite community.
- 34) Development is not affordable housing. Suitable low cost housing should be provided.
- 35) Not sustainable.
- 36) Trees, hedges and vegetation would be lost.
- 37) Discouragement to visitors.

- 38) Site fronts some of the most important views of the estate.
- 39) Loss of farmland cannot be mitigated.
- 40) SHMA numbers are flawed.
- 41) Lack of consultation with residents.
- 42) Brownfield options should be considered.
- 43) Opportunist aims of developer are evidenced in SHELAA.
- 44) Reasons for objection are more important post-Brexit.
- 45) Financial situation of estate remains totally opaque. No details of alternative sources of funding that were considered.
- 46) No legally binding commitment has been entered into for the millions of pounds of development profit that will be made.
- 47) Blenheim estate manager quoted in Oxford Mail saying that his expectation was to make £1m per development acre.
- 48) The development is larger than is justified to support WHS and probably completely unnecessary.
- 49) Ownership and land value uplift not clear.
- 50) Pye's interest is as a housebuilder to make profit.
- 51) Trustees Stewardship Procurement document is not supported by adequate evidence and is a gross exaggeration.
- 52) Living in Bladon is becoming unpleasant.
- 53) Woodstock needs organic development.
- 54) Developers targeting Woodstock because of higher values.
- 55) Impact on privacy.
- 56) If under 5s care (WUFA) is moved from the primary school site it would no longer be possible for the wrap around service to be provided. Provision should remain on the current site.
- 57) Relocation of WUFA would have a serious effect on families, working parents and impact on the community.
- 58) No intention to increase early years provision, just replace what already exists.
- 59) Relocation of WUFA would increase car journeys and congestion.
- 60) This is a rejected proposal returning in a different guise.
- 61) Lack of consultation with WUFA.
- 62) Potential impact on viability of WUFA.
- 63) Expansion of the primary school would not be beneficial.
- 64) Impact on safety of children.

2.10 Two expressions of support have been received referring to the following:

- 1) Without an increase in the town's population its town centre will not survive as a service centre. It already shows signs of decline.
- 2) Woodstock is amongst the most sustainable locations in West Oxfordshire.
- 3) Woodstock is becoming retirement home. It needs houses and shops and places for younger people.

2.11 Two general comments have been received referring to the following:

- 1) Application is difficult if not impossible to reject on planning grounds. It is part of SHLAA and WODC doesn't yet have a local plan.
- 2) Lack of forward planning for infrastructure. Incremental development has added pressure but not addressed the problem. If we continue to battle against development under all

circumstances Woodstock will suffer from lack of infrastructure due to lack of engagement, whilst inappropriate development is likely to continue. The current application will mitigate infrastructure impacts.

3) We have to find a sustainable future for Woodstock.

4) The application should be approved. Rejection will not solve any of the infrastructure problems in Woodstock. The town will continue to decline into a dormitory town for commuters and a place for the wealthy.

5) The development should include new football pitches with the present pitches handed over to the Town Council for recreation use, community centre, youth club and town park.

6) The development should include new access road with roundabout and traffic lights so that it can be main bus route to the Marlborough school.

3 APPLICANT'S CASE

The following paragraphs are the conclusions of the Planning Supporting Statement provided by the applicant:

- 3.1 The planning application has been made as a positive step to provide a sustainable financial basis for the long term maintenance and on-going restoration, maintenance and repair of the Blenheim Palace World Heritage Site.

Having made the decision to progress the development as a funding method for the WHS, and taking into consideration the site context, history and status in the SHLAA as well as the opportunity to create a high quality extension to Woodstock, the Vanbrugh Unit Trust and Pye Homes submit the application in the context of the Government's requirement to boost land supply, and the presumption in favour of sustainable development.

Paragraph 14 of the NPPF clearly states that development proposals that accord with the development plan should be granted permission without delay and, where policies are out of date, permission should be granted unless adverse impacts would outweigh the benefits or specific policies within the NPPF suggest development should be restricted. The site is both in a sustainable location and is suitable for residential-led development.

The proposed land south east of Woodstock is deliverable over the short term and will increase the supply and choice of housing, including the provision of much needed affordable housing within West Oxfordshire. Construction will be immediate within Phase I first completions within 18 months of approval. The submission of reserved matters for subsequent phases will be progressed to coincide with the seven year construction programme to completion.

Delivery of the development will support economic growth within the region and can be planned in such a way as to deliver net environmental gains. Existing local business would benefit from the increased population.

The Design and Access Statement and Parameter plans highlight the sustainable design principles that have been adopted, that will ensure the delivery of a high quality housing scheme and that reflects the character and surrounding context of Woodstock settlement.

The development will provide a much needed funding source for the on-going management, maintenance and restoration of the WHS assisting its ability to attract vast numbers of visitors to Woodstock and the surrounding area.

A key principle of the proposed development is the creation of an urban extension to Woodstock of high quality architecture and urban design to provide a range of accommodation types, public open space and employment opportunities.

The Environmental Statement and technical assessments demonstrate that there are no technical or environmental constraints that will prevent the development from taking place. The inevitable harm associated with the loss of a greenfield site is moderated by the demonstrable position that: The area proposed for development is not of high landscape or biodiversity value and is not of the highest agricultural value; the development will not lead to a harmful effect on the setting of heritage assets; the development will not lead to a severe impact in terms of transportation; there are no technical constraints to the development of the site, the proposals address issues such as infrastructure requirements, surface water attenuation and utilities; the social, economic and net environmental benefits to be derived by the development are significant; and the adverse impacts of the development as proposed and with mitigation do not significantly or demonstrably outweigh the benefits.

Setting aside the principle of the development, covered by the presumption in favour of sustainable development this Planning Supporting Statement has demonstrated how the development accords with relevant saved policies of the West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031.

In accordance with planning law and policy guidance, the planning application should be approved without delay.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.
BE11 Historic Parks and Gardens
BE12 Archaeological Monuments
BE13 Archaeological Assessments
BE18 Pollution
BE19 Noise
BE2 General Development Standards
BE21 Light Pollution
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
BE5 Conservation Areas
BE8 Development affecting the Setting of a Listed Building
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
T6 Traffic Management
H2 General residential development standards
H3 Range and type of residential accommodation

H7 Service centres
 H11 Affordable housing on allocated and previously unidentified sites
 E2 New Employment Sites in Towns and Larger Villages (Group C)
 SH1 New Retail Development
 TLC1 New Tourism, Leisure and Community Facilities
 TLC7 Provision for Public Art
 TLC8 Public Rights of Way
 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
 E1NEW Land for employment
 E5NEW Local services and community facilities
 E6NEW Town centres
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH3NEW Public realm and green infrastructure
 EH5NEW Flood risk
 EH6NEW Environmental protection
 EH7NEW Historic Environment
 EW1NEW Blenheim World Heritage Site
 EW2NEW Eynsham-Woodstock sub-area
 TLC12 Protection of Existing Community Services and Facilities
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal is an 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 I comprising 46 residential dwellings (46 of the 300 described above) with associated infrastructure and engineering works.
- 5.2 The proposal represents development requiring an Environmental Statement and this has been provided, with a large volume of supporting information and documentation. Illustrative masterplans and design documents have been submitted, as well as detailed proposals for the first phase comprising 46 dwellings.
- 5.3 The application was registered on 28/04/2016 and subsequently reconsulted upon on 16/08/2016 after receipt of amended plans and documentation. This was mainly with regard to amended house types and designs on Phase I, landscaping, and additional highways information.

Site description

- 5.4 The site as a whole is approximately 16.67ha in size. It is agricultural land under arable production and lies between the eastern edge of the existing settlement of Woodstock and a mature hedgerow boundary running in a north-south alignment between Shipton Road and the A44. This hedgerow marks the boundary with Cherwell District.
- 5.5 The site is divided by a hedgerow running east-west, splitting the site into two field parcels.
- 5.6 There is an existing dwelling adjoining the site to the east at the Pest Houses which is accessed down a track from the Shipton Road. Littlecote is a detached house in separate ownership that lies to the south east corner of the site on the A44. There are residential properties abutting the length of the western boundary of the site. To the north, on the opposite side of the Shipton Road is the Marlborough School and Perdiswell Farm. There are some residential properties on the east side of the A4095 and beyond this is the London Oxford Airport. To the south of the A44 is Grade I registered parkland to Blenheim Palace, converted listed buildings in commercial use at The Cowyards, a caravan site and woodland.
- 5.7 The application site is not within the AONB, or Green Belt, and is outside the Woodstock and Bladon Conservation Areas. It is not currently covered by any landscape or nature conservation designation. However, there is a Scheduled Ancient Monument (SAM) on the adjoining land to the east which is below ground remains of a Roman villa. The site is located close to the Blenheim Palace World Heritage Site.

Planning history

- 5.8 A previous application for "outline planning permission (all matters reserved except for means of access) for a mixed use development comprising: up to 1,200 dwellings, including affordable housing and up to a 120 unit care village (C2) with associated publicly accessible ancillary facilities; site for a new primary school; up to 930sqm of retail space; up to 13,800sqm of locally led employment (B1/B2/B8) including transport interchange; site for a Football Association step 5 football facility with publicly accessible ancillary facilities; public open space; associated infrastructure, engineering and ancillary works" was refused on 25th September 2015 for 10 reasons (see 14/02063/OUT). Given that the application red edge included land across the District boundary in Cherwell District, that authority also determined a duplicate application which was refused. The site was a large area of land extending from the eastern edge of Woodstock to the A4095 in the east, the Shipton Road to the north and the A44 to the south. The current application deals with a portion of this larger site which is within West Oxfordshire, but its merits should not be seen as establishing a precedent for a reconsideration of the much larger scheme. The constraints and harm identified in relation to 14/02063/OUT are undiminished and unaffected by the merits of the current proposal.
- 5.9 The application site was promoted by a developer under the WODC Local Plan 2011. The Inspector's Report recommended that "Notwithstanding the existing and proposed landscaping, the Proposal would constitute a significant incursion into open countryside to the east of the town. I also consider that the size of the development is excessive when measured against the scale of this small, attractive market town". The proposed allocation was not taken forward.
- 5.10 More recently, as part of the review of the Local Plan the site has again been put forward for consideration in the SHLAA. In the 2014 SHLAA it is identified as site number 162 and assessed

as suitable for housing development for the following reason - "The site is relatively close to the town centre, access can be achieved from the A44 and development would relate well to the existing built form. It would not have a significant landscape impact and there are no significant constraints to development." This is based on a projected site capacity of 150 to 180 dwellings. A review of the SHLAA has been carried out and the site is still considered suitable for housing development in principle. Under modifications to the emerging Local Plan, the site is intended to be allocated for housing development. However, Policy EW1c notes that proposed development here should ensure that development does not have a harmful impact on designated heritage assets and the setting of the Blenheim World Heritage Site and should result in positive enhancement of the approach to Woodstock from the south east.

Local Plan Status

- 5.11 The West Oxfordshire Local Plan 2011 (WOLP) is time expired and subject to a saving direction. Nonetheless, it is the statutory plan and its policies continue to apply, however the weight to be accorded to them depends on their consistency with the National Planning Policy Framework (NPPF). The emerging review West Oxfordshire Local Plan 2031 (EWOLP) has been prepared in the light of the NPPF. The plan was submitted for examination in 2015, with the first hearing of the examination taking place in November 2015. Following this, and in the light of the Inspector's preliminary findings, the examination was suspended to allow the Council to carry out further work, principally in relation to housing land supply matters. Plan modifications have been put before Members in October 2016.
- 5.12 The Council has produced a position statement on housing supply matters in October 2016 and this sets out the housing requirement in the District over the new plan period to 2031, and how the 5 year supply is to be met. It is intended that the Liverpool methodology will be promoted through the examination, i.e. addressing the existing shortfall in supply over the whole plan period, as opposed to the Sedgefield method that seeks to deal with the shortfall over a five year period. In addition, the apportionment to the District of Oxford's unmet need of 2,750 dwellings is to be addressed post 2021.
- 5.13 Sedgefield is the more conventional approach and, outside of the local plan process, it remains appropriate to deal with supply matters using this method. Accordingly, with regard to the identified supply in the recently published position statement, the 5 year supply would be 4.18 years.
- 5.14 Modifications to the EWOLP have been published in October 2016 and the site is included as a non-strategic allocation under Policy EW1c.

Key Considerations

- 5.15 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
 - Highways/Transport
 - Heritage
 - Trees and landscape impact
 - Siting, design and form
 - Ecology

Employment
Retail
Social Infrastructure, Sport and Leisure
Drainage
Residential amenity
Pollution
Affordable housing
SI06 Contributions

Principle

- 5.16 Woodstock is identified under the WOLP and the EWOLP as a service centre. It is a town that benefits from a range of services and facilities including primary school, secondary school, library, post office, doctors' surgery, places of worship, shopping, pubs/restaurants, leisure facilities and employment. It also has a regular bus service linking to Witney and Oxford.
- 5.17 Woodstock is recognised as an appropriate place for some new development under WOLP Policy H7, although this would be limited to infilling, rounding off within the existing built-up area, conversion of appropriate existing buildings, and on sites specifically allocated for housing development. The development proposed does not meet these criteria and is therefore not in accordance with the policy.
- 5.18 The extent to which the policies for the supply of land for housing can be considered up to date in the WOLP is open to question in two respects: The plan is time expired and subject to a saving direction; and the Council cannot currently demonstrate a 5 year housing land supply because the emerging plan is not sufficiently advanced to give it weight in terms of housing supply matters. On this basis, prior to the outcome of the examination of the EWOLP paragraph 49 of the NPPF is engaged and therefore applications must be considered in the context of paragraph 14 of the NPPF.
- 5.19 Policy OS1 of the EWOLP establishes a presumption in favour of sustainable development in accordance with the National Planning Policy Framework (NPPF). The District is divided into sub-areas, with Woodstock identified as a service centre within the Eynsham-Woodstock sub area.
- 5.20 Policy OS2 of the EWOLP refers to service centres being suitable for development of an appropriate scale and type that would help to reinforce their existing service centre role. A number of general principles apply to all development, and these will be addressed under the relevant headings for the main considerations.
- 5.21 Policy H1 of the EWOLP sets out the amount and distribution of housing over the new plan period. The sub-area of Eynsham-Woodstock is expected to contribute 2,800 dwellings to the housing supply over the plan period to 2031 (excluding the identified allowance for Oxford's unmet need to be met in this sub-area).
- 5.22 EWOLP identifies the site as a non-strategic allocation under Policy EW1c. There is therefore acceptance that the development of housing here is appropriate in principle.
- 5.23 Concern has been expressed by objectors that this scheme would represent an unacceptable increase in the size of the town. The 2011 Census indicated that at that time there were 1,418

households in Woodstock. The proposal for up to 300 dwellings would represent a 21% increase in households. Whilst significant, this must be viewed in the context of the nature of the town and its facilities, together with relatively limited housing growth here in recent years.

- 5.24 In summary, as regards the principle of development in this case, the site lies adjacent to the existing settlement edge, is appropriate for some housing development, and would contribute to the anticipated housing delivery in the Eynsham-Woodstock sub-area. Such housing delivery is an acknowledged planning benefit.

Highways

- 5.25 The primary site access is proposed to be a ghosted right turn unsignalised junction on the A44. The access would be just to the north west of the existing access to The Cowyards site access and would allow a ghosted right turn lane to also be provided for that site. Previously it was proposed to protect both right turn lanes with traffic islands although the revised proposals have omitted these.
- 5.26 In principle, the Highways Officer is satisfied that the form of junction is appropriate and the detail of visibility splays have been calculated and marked on the revised drawing. The applicant has also clarified that sufficient vegetation (including trees) can be kept clear in the visibility splay. Whilst it is accepted that the current speed limit in the location of the proposed site access may well be altered, the dimensions of the visibility splay have rightly been calculated according to Design Manual for Roads and Bridges using a recent speed survey. A suitable speed limit and locations for a change of speed limit can be agreed as part of a separate S278 agreement with the Highways Authority.
- 5.27 The secondary access is proposed at the north of the site joining Shipton Road. The priority is proposed to be altered so road users approaching along Shipton Road from the A4095 would need to give way at the access. As with the primary access, the Highways Officer does not have any concerns about the principle of the form of this access and details have now been provided to show that the necessary existing vegetation can be removed to keep the visibility splay clear for safety purposes.
- 5.28 The Transport Assessment (TA) accompanying the planning application seeks to estimate the amount of traffic that the development would generate and what impact this might have on the surrounding transport network. The volume of traffic as set out in the TA and the subsequent Addendum is a reasonable prediction of what might generally be generated on a day to day basis.
- 5.29 Having calculated the level of new traffic generated by the development (including the A1/A2/B1/D1 uses) and where it will go, the TAA considers what impact it would have in 2023 (the year when the development is predicted to be fully built) taking into account background traffic growth.
- 5.30 The TAA concludes that the operation of a number of the junctions tested will worsen enough to require improvements (mitigation) as a result of the addition of development traffic (including the A1/A2/B1/D1 uses) to the background traffic. However, rather than propose specific highway improvement schemes to address the specific amount of worsening of the transport network as a result of the newly generated traffic, the TAA proposes a S106 financial contribution that would instead be used by the County Council towards the construction of the

new long distance Oxford Park and Ride site at the junction of A4095/A44 as set out in the Oxford Transport Strategy. The operation of the Park and Ride site would encourage less use of cars on the A44 towards Oxford and as such is considered to appropriately mitigate the impact of any additional traffic generated by this development (including at the A44 junction with Sandy Lane).

- 5.31 The TAA confirms that the junction of Shipton Road with the A4095 operates satisfactorily when the development traffic is added in. A drawing of the junction with the appropriate DMRB visibility splays has been submitted with the TAA which shows that clear vision is possible for drivers emerging from Shipton Road.
- 5.32 A44 Bladon Roundabout - given that the main cycle route (National Cycle Network Route 5) to and from Oxford crosses the western arm of the roundabout, the changes there at the very least must not result in a worsening of conditions for cyclists. A more detailed preliminary design layout has now been provided to show the proposed changes including how the cycle route crosses the western arm. These proposals are satisfactory (they are covered in the Safety Audit).
- 5.33 The site is located adjacent to the Premium Bus Route from Woodstock to Oxford, which currently operates up to 6 times per hour in the morning peak, generally 3 times per hour in the off-peak and once per hour in the evening. This service is generally considered to provide an attractive service to Oxford city centre and rail station. However, there are some service deficiencies which require some additional journeys on a pump-priming basis, for example the complete lack of a Sunday evening service. Ideally, this service would operate 4 times per hour to meet the Premium Route specification.
- 5.34 The 233 bus service to Woodstock operates once per hour, Mondays to Saturday daytimes. The A4095 corridor to Witney passes Hanborough rail station, and the County Council's strategy is to improve the frequency of the bus service to twice per hour, to provide improved connections with the railway, but also to provide a more credible level of service for journeys to work. There is also an aspiration to provide a much improved bus service to Langford Lane, and thence to Oxford Parkway and towards Oxford's Eastern Arc. Ideally this service would also operate twice per hour, at a credible frequency for interchange with rail and for journeys to work in the Eastern Arc.
- 5.35 A contribution of £1,000 per dwelling has been requested and agreed by other developers in the Woodstock and Hanborough area, and a similar rate is proposed in this location. This is considered to be fair and reasonable in scale and directly related to the development as the improved bus services will encourage people living there to travel sustainably in line with NPPF.
- 5.36 A S106 contribution is required to allow the installation of a pair of new bus shelters including flag poles, information cases and real time information displays in order to make travel by bus for people living in the development as attractive and accessible as possible in line with the NPPF.
- 5.37 A separate contribution is required to be put together (in line with the CIL regulations) with contributions from other developments in the area towards the delivery of strategic public transport improvements on the A44 corridor including the A44 Park and Ride site as set out in the adopted Oxford Transport Strategy. The County Council considers that, in accordance with NPPF, the cumulative impact of development along the A44 will be severe if appropriate

contributions are not secured from all sites towards public transport improvements in order to mitigate the increased transport movements. The need to have A44 corridor that functions reliably for public transport, connecting homes to employment on Langford Lane, Kidlington, Northern Gateway and the rest of Oxford is a key aspect of the recently adopted Oxford Transport Strategy.

- 5.38 The site is well located for new residents to walk and cycle to the local services on offer in Woodstock. It is around 1km to the centre of Woodstock. Woodstock Primary School and the Marlborough School are both within easy walking distance of the development. The proposed pedestrian connections from the site into the adjacent residential area are welcome and would help to encourage non car trips in that direction, specifically to the schools. These connections would include the surface improvement of the public footpath 413/8 as it runs through the application site (to accommodate the inevitable increased use the footpath will experience).
- 5.39 To make journeys by foot and bicycle into Woodstock Town centre as attractive as possible, access to the existing shared footway/cycleway on the south west side of the A44 is required. There is no direct cycle route connection proposed from the south west corner of the development into the adjacent residential area and the footway connection at this point via Churchill Gate is not sufficiently clear and direct. Providing a traffic signal pedestrian and cycle crossing of the A44 just north of the site access junction would also ensure that there is safe and suitable access to the proposed northbound bus stop for the S3 bus service.
- 5.40 Given the proximity of the A44 cycle track to the development it is realistic to assume that new residents could cycle south to a number of destinations including Langford Lane and Begbroke employment areas (approx. 3.5km and 4.5km away) and even Oxford. In order to ensure that the opportunity is given to as many of the new residents as possible to use this sustainable mode of transport in line with the NPPF, an additional crossing point of the A44 close to the south east corner of the development will need to be considered further. This will make the route to and from the A44 cycle track as direct as possible.
- 5.41 Another measure that the developer must deliver is the widening of the A44 footway/cycleway where it is currently substandard - between the Bladon roundabout and the junction of the road that leads to the Bladon Chains caravan park. This should be 2.5m wide. In line with the NPPF, this would ensure the journeys by bicycle to/from this development to the south are sufficiently attractive and that the additional movements can be accommodated safely. This widening has now been proposed by the applicant.
- 5.42 According to county council parking standards, the 46 dwellings shown on the site layout should have 92 allocated spaces and 19 unallocated spaces i.e. a total of 111. On the parking plan (Adam Architecture drawing 5903/16) there are 101 allocated spaces and 28 unallocated i.e. a total of 129. This has now been revised to 128 spaces. This slight overprovision compared to the standards is acceptable as it will help to ensure informal on street parking is kept to a minimum.

Heritage

- 5.43 This section will deal with the impact of the proposal on heritage assets and the historic environment. In this case these are considered to be: Blenheim Grade I registered park and garden, and World Heritage Site (this includes a number of separately listed buildings and structures including the park wall), Woodstock Conservation Area, Bladon Conservation Area,

The Cowyards, Scheduled Ancient Monument (Blenheim Villa), unlisted Pest House, and "Heh Straet" (medieval ridgeway) .

- 5.44 All the designated heritage assets lie outside the red line site area. Therefore the impacts are not considered to be direct, but are rather concerned with setting, visual impact, perception and experience.

Policy

- 5.45 WOLP Policy BE5 requires that every effort is made to ensure that the character and appearance of Conservation Areas is not eroded by the introduction of unsympathetic development proposals either within or affecting the setting of the designated area.
- 5.46 WOLP Policy BE8 states that development should not detract from the setting of a listed building.
- 5.47 WOLP Policy BE11 precludes development that adversely affects the character, setting, amenities, historical context or views within, into or from a Park and Garden of Historic Interest.
- 5.48 WOLP Policy BE12 states that development proposals that adversely affect the site or setting of nationally important archaeological monuments and monuments of local importance, whether scheduled or not will not be permitted.
- 5.49 EWOLP Policy EH7 requires that all development proposals should conserve or enhance the special character and distinctiveness of West Oxfordshire's historic environment, and preserve or enhance the District's heritage assets, and their significance and settings. It is noted that harm to heritage assets will only be accepted where there is clear and convincing justification in relation to public benefits arising from a scheme. It is further highlighted that considerable weight and importance will be given to the conservation of the universal value of the Blenheim WHS.
- 5.50 EWOLP Policy EW1 recognises the exceptional cultural significance (Outstanding Universal Value - OUV) of the WHS. The policy reflects the requirements of the NPPF as regards heritage assets. When assessing the impact of a proposed development on the OUV, great weight will be given to the conservation and enhancement of the OUV and to the integrity and authenticity of the WHS, as well as its setting.
- 5.51 Section 12 of the NPPF deals with the conservation and enhancement of the historic environment. Paragraph 132 states - "When considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."
- 5.52 Historic England has produced a number of good practice advice notes. Note 3 deals with "The Setting of Heritage Assets". Paragraph 4 reads - "All of the following matters may affect the understanding or extent of setting:

* While setting can be mapped in the context of an individual application or proposal, it does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset because what comprises a heritage asset's setting may change as the asset and its surroundings evolve or as the asset becomes better understood or due to the varying impacts of different proposals; for instance, new understanding of the relationship between neighbouring heritage assets may extend what might previously have been understood to comprise setting.

*Extensive heritage assets, such as landscapes and townscapes, can include many heritage assets and their nested and overlapping settings, as well as having a setting of their own. A conservation area will include the settings of listed buildings and have its own setting, as will the village or urban area in which it is situated (explicitly recognised in green belt designations).

* The setting of a heritage asset may reflect the character of the wider townscape or landscape in which it is situated, or be quite distinct from it, whether fortuitously or by design (e.g. a quiet garden around a historic almshouse located within the bustle of the urban street-scene).

*Setting in urban areas, given the potential numbers and proximity of heritage assets, is therefore intimately linked to considerations of townscape and urban design and of the character and appearance of conservation areas. The character of the conservation area, and of the surrounding area, and the cumulative impact of proposed development adjacent, would suggest how much impact on the setting should be taken into account."

- 5.53 The advice note advocates a staged approach to decision taking.
- (i) Identify which heritage assets and their settings are affected;
 - (ii) Assess whether, how and to what degree these settings make a contribution to the significance of the asset(s).
 - (iii) Assess the effects of the proposed development, whether beneficial or harmful on that significance;
 - (iv) Explore the way to maximise enhancement and avoid or minimise harm;
 - (v) Make and document the decision and monitor outcomes.
- 5.54 At paragraph 21 a number of attributes are listed which are likely to be important in relation to any single asset. These include physical considerations such as topography, landscape, openness, boundaries and vegetation. There are also a number of experiential aspects, for example: views; inter-visibility; tranquillity; sense of enclosure; and associative relationships between heritage assets.
- 5.55 Paragraph 25 assists with the assessment of the effect of development under the following headings: Location and siting of development; the form and appearance of the development; other effects of the development (such as noise, lighting, changes to general character); permanence of the development; and longer term consequential effects.
- 5.56 In relation to listed buildings, the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66(1) states that the local planning authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Therefore, aside from local planning policy and the NPPF, listed buildings and their settings attract statutory protection and great weight needs to be attached to them in planning decisions.

Blenheim Palace and Park.

- 5.57 Blenheim Palace and its Park are statutorily designated as a Grade I listed building (listed 27/08/57) and Grade I registered park and garden (registered 01/06/84). In addition, the Palace and Park were inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) as a World Heritage Site (WHS) in 1987. There are therefore 3 overlapping nationally important designations that need to be considered. The boundaries of the registered Park and WHS are not identical, but this is not considered material to the overall assessment. Throughout the report the three designations will be referred to collectively as the "Park".
- 5.58 Henry I (1100-35) appears to have first enclosed the park at Woodstock at the beginning of the C12, it subsequently becoming an important royal hunting park. The park was focused on Woodstock Palace, a medieval hunting lodge of C12 origin, occupied by many monarchs and their spouses, who developed the buildings and surrounding gardens.
- 5.59 John Churchill, first Duke of Marlborough, was rewarded by Queen Anne in 1705 for his services in defeating the French in Europe, by the grant of the Royal Manor of Woodstock, given with the understanding that she would build him, at her own expense, a house to be called Blenheim (named after the 1704 victory at the battle of Blindheim, close to the Danube). The former royal hunting park was probably then in poor condition, and the remains of Woodstock Palace were pulled down (despite a letter from Sir John Vanbrugh (1709) to the Duchess pleading for its retention, on grounds of historical association, as an eyecatcher) and its gardens removed.
- 5.60 The new palace, built 1705-22, was designed, together with the monumental Grand Bridge over the little River Glyme, by Sir John Vanbrugh (assisted by Nicholas Hawksmoor), and was set within a great formal garden designed by Henry Wise (1653-1738), Queen Anne's Royal Gardener. Following the Duke's death in 1722, a formal canal scheme designed by Colonel Armstrong, his chief engineer, was implemented by the Duchess along the course of the River Glyme. In 1764 Lancelot Brown (1716-83) was called in, producing a plan to landscape the central core of the park which included flooding the river valley to produce a large lake, and landscaping the surrounds, with new belt plantings around the park boundary. In the early C19 the fifth Duke created a substantial rock garden and series of flower gardens (mostly gone) south of Brown's lake. In the late C19/early C20 the ninth Duke carried out much restoration and replanting within the park, and created formal gardens to the west and east of the house, designed 1908-30 by Achille Duchene. Restoration of park planting has continued during the C20, and the estate remains in private ownership.
- 5.61 The Palace was inscribed as a World Heritage Site in 1987. The statement of significance reads as follows: "Blenheim Palace near Oxford was inscribed as a World Heritage Site in 1987 for its architectural importance, as the design and building of the Palace between 1705 and 1722 represented the beginning of a new style of architecture and for its landscaped Park designed by Lancelot 'Capability' Brown which is considered as "a naturalistic Versailles". In tangible form Blenheim is an outstanding example of the work of John Vanbrugh and Nicholas Hawksmoor, two of England's most notable architects. Blenheim represents a unique architectural achievement celebrating the triumph of the English armies over the French. Blenheim and its associated Park has exerted great influence on the English Romantic movement which was characterised by the eclecticism of its inspiration, its return to national sources and its love of nature. The original landscape set out by John Vanbrugh who regulated the course of the River Glyme was later modified by Lancelot 'Capability' Brown who created two lakes seen as one of the greatest examples of naturalistic landscape design. Blenheim Palace was built by the nation to honour one of its heroes the first Duke of Marlborough and is also closely associated with Sir

Winston Churchill. By their refusal of the French models of classicism, the Palace and Park illustrate the beginnings of the English Romantic movement which was characterised by the eclecticism of its inspiration, its return to national sources and its love of nature. The influence of Blenheim on the architecture and organisation of space in the 18th and 19th centuries was greatly felt in both England and abroad. Built by the nation to honour one of its heroes, Blenheim is, above all, the home of an English aristocrat, the 1st Duke of Marlborough, who was also Prince of the Germanic Holy Roman Empire, as we are reminded in the decoration of the Great Drawing Room by Louis Laguerre (1719-20). In virtue of this criterion, just like the Residence of Wurzburg (included in 1981) and the Castles of Augustusburg and Falkenlust in Bruhl (included in 1984), Blenheim is typical of 18th century European princely residences, a category which is still under-represented on the World Heritage List."

- 5.62 At its closest point on the southern boundary of the site, the Park is approximately 35m away on the south side of the A44. The Palace itself is approximately 1,000m away, and although acknowledged to be some distance from the site, its scale and relationship with the surrounding landscape is of relevance to the overall consideration of setting. The site is therefore considered to be located within the setting of the 3 designations associated with the Palace.
- 5.63 The International Council on Monuments Sites (ICOMOS) has a special role as official advisor to UNESCO on Heritage Sites. The maintenance of the Outstanding Universal Value (OUV) of the UK WHS and their settings is a key objective.
- 5.64 ICOMOS previously commented on the larger development which included this site (14/02063/OUT). At that time they objected as follows: "It remains our view that the town of Woodstock forms a key element in the setting of the WHS. The town was always dependent on the adjoining estate, developing from the medieval period to service the Palace/Park and its visitors. This role which continues today gives Woodstock its distinctive character. While it can be argued that the intended maintenance of a strong link between the Blenheim Estate and the proposed new development would reflect and strengthen the historic relationship, we continue to believe that the development would physically overpower the existing settlement while remaining distinct from it and providing an alternative focus. Unbalancing the physical relationship between town and park/palace and changing the character of Woodstock would further harm the setting of the WHS".
- 5.65 ICOMOS have provided comments on the current application which place their consideration in the context of the previous application and recognise that the scale of development has been reduced and certain elements have been omitted, e.g. the sports facilities. Their preference is that the site should remain undeveloped, however their concluding remarks are as follows: "We do not believe that the OUV of the Blenheim Palace WHS would be significantly compromised by the proposed development. Our principal concern remains the further erosion of the surviving open setting of the WHS south east of Woodstock.... While it can be argued that the current application follows the precedent of suburban housing outside the park wall established from the 1950s, these developments were largely built before the inscription of Blenheim as a WHS in 1987. We have explained as clearly as possible why we consider that the application site should remain undeveloped but we recognise that the balance of judgement in determining the application rests with the local planning authority. The concerns raised by the present application would be greatly increased by any future attempt to resurrect larger-scale development proposals of the kind for which consent was refused in September 2015 and which we strongly opposed. Any decision to approve the current application should be taken not as a precedent but as allowing the existing settlement to be satisfactorily terminated against an

historic boundary. Beyond this, a halt should be called to all further development before progressive salami-slicing of the remaining open land results over time in its entire loss". Officers concur that approval of the current scheme should not be seen as a precedent for allowing further development to the east.

- 5.66 Historic England (formerly English Heritage) has provided detailed comments which are summarised as follows: "It is considered that the development would not have an impact on the reasons for inscription of the WHS. The visual relationship between the park and its wider landscape is confined to very narrow views out or specific views in. However, there will be an impact on the setting of the registered park by replacing countryside with housing. Nonetheless, the set-back of houses, strengthening of hedge and tree planting and landscape buffer would partially screen the development. Once mature the impact is likely to be similar to the suburban housing currently lining the north side of the A44. Therefore whilst there would be some harm to the setting of the park, it is considered to be low level. The intention for the development to act as "supporting development" for conservation obligations within the WHS is noted. The moderate harm identified should only be considered justified if outweighed by public benefits. If the "supporting development" forms a crucial element of this planning balance then the Council should seek more details to quantify the scale of this benefit". In this context, Officers are in on-going discussions with the applicant regarding a suitable mechanism to ensure that funds arising from the development contribute to the programme of works required to the WHS. It is considered that such works could be a significant public benefit of the development, given that as a private heritage asset, public funding, for example through the heritage lottery fund, is not available.
- 5.67 The topography of this part of Woodstock is relatively flat. The site is made up of large open fields with some sub-division with hedgerow, and some tree cover. The presence of the A44, footways, a public footpath through part of the south west of the site, and public access to the Park allows public views across the landscape in this location and inter-visibility of the site and Park. The development would be a significant change in this very visible location which provides an approach to the Park and Palace for existing residents of Woodstock and large numbers of visitors.
- 5.68 The proposal seeks to introduce substantial planting along the frontage with the A44 and around the eastern boundary. This is located and designed to help screen the development rather than simply being incidental landscaping, and signals a recognition on the part of the applicant that the development would need to be at least partially obscured from view. The inter-visibility and visual permeability of the area between the site and the Park would be significantly reduced and the visual relationship of the Park and agricultural landscape beyond would be materially affected. However, the degree of set-back of the built form and its loose layout on the periphery of the site would be helpful in reducing the visual impact.
- 5.69 Notwithstanding the intention to screen the development, its siting and scale would still be perceived as a result of the height and layout of built form, physical features and sensory factors. It would have an effect in terms of light pollution, noise, vehicle movements, general activity from a large resident population and additional street furniture/signage/road markings, all of which are cues as to an urban environment. The main proposed access to the A44 is located opposite the Park, but relatively close to the existing development on the north side of the road. This position is considered to be less harmful than providing access further east where street furniture, road markings, etc. would have a greater impact on the setting of the Cowyards and the rural character of the approach to the town. An urbanising effect and influence of the

scheme on the character and appearance of the area cannot be completely mitigated, but on balance the location of the proposed access and substantial landscaped belt along the frontage would largely off-set the harm in terms of these urbanising effects.

- 5.70 WODC has acknowledged previously that subject to appropriate access, layout, design, density and landscaping the site could accommodate some development. However, for the reasons expressed above, identified by ICOMOS and Historic England, and notwithstanding works of mitigation, there would remain some residual harm to the settings of the Grade I Registered Park and Garden and World Heritage Site.
- 5.71 Paragraph 134 of the NPPF establishes that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". The applicant has suggested that such a public benefit arises from a requirement to fund restoration works at the Palace, although the applicant has resisted making an argument that the scheme would constitute "enabling development" in connection with works to the Palace. This is defined by Historic England in its document "Enabling Development and the Conservation of Significant Places" as "development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. While normally a last resort, it is an established and useful planning tool by which a community may be able to secure the long term future of a place of heritage significance, and sometimes other public benefits, provided it is satisfied that the balance of public advantage lies in doing so. The public benefits are paid for by the value added to land as a result of the granting of planning permission for its development".
- 5.72 A mechanism by which it could be ensured that funds arising from the development would be used to facilitate the conservation of the WHS has not yet been agreed. Nevertheless, this would be a potential benefit of the scheme. This, and other public benefits need to be considered in addressing paragraph 134 of the NPPF. These are dealt with elsewhere in this report.

Scheduled Ancient Monument/Archaeology

- 5.73 Romano-British villas were extensive rural estates, at the focus of which were groups of domestic, agricultural and occasionally industrial buildings. The term "villa" is now commonly used to describe either the estate or the buildings themselves. The buildings usually include a well-appointed dwelling house, the design of which varies considerably according to the needs, taste and prosperity of the occupier. Villa buildings were constructed throughout the period of Roman occupation, from the first to the fourth centuries AD. Roman villa buildings are widespread, with between 400 and 1000 examples recorded nationally. As a very diverse and often long-lived type of monument, a significant proportion of the known population are identified as nationally important.
- 5.74 Blenheim Villa was built on the low lying land between the Thames tributaries, the Rivers Glyme and Cherwell, about 2km from both, and about 6km north of the Thames. It was first identified by aerial photography in the summer of 1971, when the buried stone walls and surrounding enclosure ditches showed clearly as cropmarks. The outline and internal arrangement of rooms were clearly visible, and the plan and dimensions were subsequently confirmed by limited excavation in 1985, when the walls were traced by trial trenching.

- 5.75 The "Setting of Heritage Assets" paragraph 9 makes clear that buried remains can have a setting, "...Buried archaeological remains may also be appreciated ... in relation to their surrounding topography or other heritage assets or through the long-term continuity in the use of land that surrounds them. Whilst the form of survival of an asset may influence the degree to which its setting contributes to significance and the weight placed on it, it does not necessarily follow that the contribution is nullified if the asset is obscured or not readily visible."
- 5.76 The guidance is therefore clear that a buried historic asset can: have a setting; that this setting can contribute to the significance of a historic asset; that this setting can be affected; and that the effect upon this setting can impact upon the significance of the historic asset.
- 5.77 Roman villas were a predominantly rural phenomenon, and this villa falls into that category. The word 'villa' itself is often taken as synonymous with 'farm', but perhaps 'Romanised farmstead' would be a better definition. As an economic entity, the villa drew its wealth from agricultural activity in the countryside which surrounded it, from its estate. Villas represented a rural lifestyle to which wealthier Romans, and those who wished to be associated with Rome, aspired.
- 5.78 The buried archaeological remains have a setting which is currently rural, and that contributes to the significance of the monument. The villa was clearly designed to enjoy an aspect over the surrounding countryside predominantly towards the south east. As the proposed development is to the west, this aspect would be retained.
- 5.79 Historic England had significant concerns about the setting of the villa in respect of the previous application. However, their advice is now: "The proposals would undoubtedly have some impact on the setting of the Blenheim Villa SAM, as the edge of the town of Woodstock would be brought much closer and there would be some harm through the loss of a sense of rurality which is key to understanding the significance of the villa. However, the key vista that the villa once enjoyed looking ESE would be preserved. The effect on the setting would be moderate adverse and could be partially mitigated by better management of the site. The immediate rural setting would be protected by keeping new development at least 30m from the monument and partially screened by landscaping".
- 5.80 The harm to the setting is judged less than substantial and the harm needs to be balanced with public benefits.

Conservation Areas

- 5.81 Woodstock is a market town, within which a Conservation Area was designated in 1975. The historic core around the Market Place, Park Street and High Street is predominantly made up of listed buildings fronting the streets. The west and south edges of the town adjoin the registered park around Blenheim Palace which is marked by a substantial stone wall.
- 5.82 The site is located approximately 600m from the Woodstock Conservation Area along the A44. It is considered that the development would not have a direct impact on the immediate setting of the Conservation Area, given the distance between the two and the intervening development to the north side of the A44. The Bladon Conservation Area is approximately 740m away along the A4095. Likewise, is not considered that there would be a direct impact on this Conservation Area. However, the development has the potential to have a significant adverse impact on the approach to, and wider setting of, both Woodstock and Bladon Conservation Areas.

- 5.83 Travelling along the A4095 in an easterly direction, leaving Long Hanborough, a real perception of the Blenheim Park becomes apparent around the Hanborough Bridge over the River Evenlode. A few yards beyond this the estate wall then begins and continues into the village of Bladon. On passing through the village, the presence of the more formal part of the park is announced by the wide landscaped verge and gatehouse at Eagle Lodge on the west side of the road. The estate wall then continues around to the left and past the caravan site onto the A44 and then proceeds to the Hensington Gate to the park on the edge of the Woodstock Conservation Area. In this regard the park provides a continuous visual and physical link between Bladon and Woodstock and connects the Conservation Areas of both. The perception and experience of these heritage assets along this route would be affected by the substantial new development envisaged.
- 5.84 The land around the route between Bladon and Woodstock has been subject to limited development, and an agricultural setting for both settlements is retained. The development proposed would be substantial and visible, and the appearance of the area would be altered significantly. The perception of a transition from one historic settlement to another, through an agricultural landscape which is clearly influenced by the presence of the Park and its setting would be affected. However, Historic England note that as Woodstock has already been greatly expanded from its historic core, it is considered that further expansion onto the application site would not necessarily be harmful to the Conservation Area. The proposals set out in the full application should be adequate to ensure that the impact on the setting of the Conservation Area is low.
- 5.85 The wider setting of Bladon and Woodstock Conservation Areas would be affected, although any harm would be less than substantial, and on Historic England's assessment judged "low". Such harm is less than substantial but needs to be outweighed by public benefits.

Cowyards

- 5.86 The Cowyards and Cowyards Cottage are Grade II listed and lie to the south of the A44 opposite the application site. They were designated in 27/07/88 and comprise a range of buildings c.1860 in date consisting of natural stone, former agricultural buildings with slate roofs. The cottage is of similar materials.
- 5.87 The buildings lie within the registered park and garden and the WHS and represent part of the evolution of the estate. Being on the edge of the park and close to the agricultural land beyond it, they have an affinity with the wider rural landscape. The site is considered to be within the setting of these buildings and the full application component of the scheme indicates that buildings would be sited along the southern edge of the site albeit somewhat set back behind landscaping.
- 5.88 The listed buildings are readily visible from the A44 and from within the park and there is intervisibility between the listed buildings and the site, albeit that the view is significantly filtered by existing hedgerow and trees in the summer.
- 5.89 This group of buildings forms part of the Park and WHS and therefore an impact on one would necessarily suggest an impact on the other. The findings on the setting of the Park and WHS are expressed above. However, since the Cowyards is separately listed, it is reasonable to reach a separate conclusion about the effect of the development in relation to these buildings.

- 5.90 The Cowyards are unusual in this context, being buildings of a more utilitarian nature, although it is notable that this is a model farm group, and that considerable care was nonetheless taken with the architecture, which is of some quality, and which even included a cottage for the cowman, in addition to the animal ranges. The buildings were converted for office use in 1999, although the original form was carefully preserved. It is important to note that these were agricultural buildings, for stock, and that they were deliberately set in a less manicured part of the Park, hard by the eastern boundary, in fairly open countryside, well away from other development, and in a setting which survives to this day.
- 5.91 The applicant has located the site access closer to the town than that shown in the previous application and it is set way from the entrance to the Cowyards by approximately 70m. Opposite the Cowyards there would be a landscaped strip approximately 16m wide and built form set back from this. The overall distance between proposed dwellings and the Cowyards buildings would be approximately 95m at its closest point. Although there would be some urbanising effect from new road markings and street furniture, the set-back and loose form of the frontage within the application site would, on balance, lead to less than substantial harm. This harm needs to be assessed against public benefits.

Pest House

- 5.92 A small building is shown on historic maps from at least 1750 on the border between West Oxfordshire and Cherwell District. On historic maps from the 1880s onwards it is identified as a "Pest House" (a colloquial term for infectious diseases). There is a building on the site still in existence which is constructed in local vernacular style and materials. It is unclear how rare this form of structure was nor how many such buildings remain.
- 5.93 The house is considered to be an undesignated heritage asset and the setting of this asset would need to be carefully considered at reserved matters, should outline planning permission be forthcoming. As currently illustrated, the building would remain but it would have development to its west side.
- 5.94 At this stage not enough is known about the house, and ultimately how it will relate to the scheme which is currently in outline where it interfaces with this building. It is therefore not possible to fully assess the extent of harm to this asset, but a reserved matters application could address appropriate siting of development in relation to it. It is not considered to be a significant constraint.

Heh Straet

- 5.95 The ancient routeway of the ridgeway appears to survive along the east side of the site. This is identified on the Historic Environment Record as "Witney Branch Ridgeway" and is identified as early medieval to medieval in date. The route is aligned along the boundary between West Oxfordshire and Cherwell and also runs alongside the villa site.
- 5.96 The alignment is shown on historic OS maps as being a defined earthwork. The route incorporates part of the Shipton Road and passes alongside the Pest House. The masterplan shows that the route would be retained as part of the layout and would fall to the east of the landscaped area on the eastern boundary of the site. It is not considered to be an impediment

to the scheme. Subject to sufficient buffering with landscaping it is not considered that this heritage asset would be materially affected.

Trees/ Landscape Impact

- 5.97 The application site is agricultural land in open countryside to the east of Woodstock. The boundaries to the site are predominantly marked with hedgerow and trees. The eastern boundary running north-south is well established and marks the District boundary.
- 5.98 Some loss of trees and hedgerow will be required to provide the main points of access from the highway and pedestrian/cycle connections within the site, and to the highway network around it. However, taking the site as a whole, trees and hedgerow would be substantially retained and development would be set back from these features, allowing appropriate tree protection measures to be employed.
- 5.99 Around the periphery of the site, it is proposed to introduce new planting, particularly on the east and south sides. A detailed planting plan has been provided for Phase I (full application) and is acceptable to the Landscape and Forestry Officer. Landscaping details for the rest of the site would need to be provided at the reserved matters stage to show tree species, size and planting density. The creation of a landscaped margin to the site's eastern edge will be particularly important in reinforcing the separation between built form and open agricultural landscape. The agricultural land in this location forms a rural setting for Woodstock and its heritage assets and buffering and screening are important components of the proposed scheme.

The following local plan policies are of relevance to the consideration of landscape impact:

- 5.100 WOLP -
- Policy BE2 - New development should respect and, where possible, improve the character and quality of its surroundings....Proposals will only be permitted if (a) the proposal is well designed and respects the existing scale, pattern and character of the surrounding area...(d) existing features of importance in the local environment are protected and/or enhanced... (e) the landscape surrounding and providing a setting for existing towns and villages is not adversely affected... (f) 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.
- Policy BE4 - Proposals for development within or adjoining the built up area should not result in the loss or erosion of (a) an open area which makes an important contribution to: (i) the distinctiveness of a settlement; and/or (ii) the visual amenity or character of the locality.
- BE1 I - Development will not be permitted that adversely affects the character, setting, amenities, historical context or views within, into or from a Park and Garden of Historic Interest.
- NE1 -Proposals for development in the countryside should maintain or enhance the value of the countryside for its own sake: its beauty, its local character and distinctiveness.
- NE3 - Development will not be permitted if it would harm the local landscape character of the District. Proposals should respect and where possible enhance the intrinsic character, quality and distinctive features of the individual landscape types.
- H2 - Proposals ... should not (a) erode the character and appearance of the surrounding area, including important buildings and public and private open space; (b) adversely affect features of historical, architectural ... importance and their setting; ... (f) set an undesirable precedent for other sites where in equity development would be difficult to resist and where cumulatively the resultant scale of development would erode the character and environment of the area.

- 5.101 EWOLP-
OS2 - All development should be located where: It forms a logical complement to the existing scale and character of development and/or the character of the area.; it protects or enhances the local landscape and the setting of the settlement/s...; 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.
EH1 - The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural and historic value, tranquillity, ... [and] countryside.... will be conserved and enhanced... New development should respect and where possible enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape.
- 5.102 At present the site is quite visually contained by mature hedgerows to the south and east boundaries. The boundary to the north with the school playing field has less screening and allows views across the site from the north. The western boundary follows the existing urban edge and the site can be viewed publically from the west at the corner of Flemings Road and Hedge End. Public views can also be readily gained from a short stretch of public footpath that emerges into the site from Hedge End and joins the A44 at the south west corner. A large number of private views from neighbouring houses is gained across the site from the west, and there are also private views from Littlecote and the Pest House.
- 5.103 The A44 is the main route into the town and the site forms part of the approach, thereby being experienced by walkers, cyclists and those in vehicles. Tourists in particular travelling by coach would have an elevated view towards the site. The visual amenity of the site and how it is experienced by people is very important, as this part of the A44 is where there is perhaps the greatest degree of anticipation of reaching Blenheim and the town. This combined with the location of public rights of way here heightens the sensitivity, requiring a carefully considered approach to layout and design.
- 5.104 Views would be dramatically altered by the proposed development. At the moment the relatively flat agricultural field is not prominent and forms part of a patchwork of fields in this location. Notwithstanding the introduction of new landscaping, the development would rise above existing hedgerows and be clearly visible from most directions, albeit that some views would be more filtered than others. The layout proposed seeks to ameliorate the impact, particularly on the frontage to the A44. This would feature a wide landscaped belt with a mix of trees and hedgerow. At the south east corner there would be a large triangular area including a detention basin which would mean that the public's first view of the site from the A44 would be across a substantial green space.
- 5.105 The applicant has sought to set built form back from the north side of the A44. The existing frontage development to the west is well established and although visible is not prominent or especially intrusive from the road. The relationship with the Park is very similar to what is now proposed, with variable amounts of tree cover within the Park boundary.
- 5.106 The magnitude of change is high because of the drastic change from the open to the built environment, resulting in harm to the receptor's experience of the approach to Woodstock's historic core and the Palace. Therefore the significance of effect result is obviously going to be substantial. However, in view of the existing modern built form in this location and its layout and character, it is considered that on balance the layout and form of the proposal, combined with substantial landscaping would not be so harmful in visual terms as to warrant refusal.

Siting, design and form

- 5.107 The application is principally in outline, with Phase I for 46 dwellings being submitted in full. The layout is to a large extent driven by the main access through the site from the A44 to Shipton Road.
- 5.108 The submissions include a Design Code document. This seeks to set out the design and layout parameters in terms of: land use; unit type and mix; building heights; hierarchy of streets; open spaces; landscaping; design influences; use of materials; surfacing, etc.
- 5.109 The Design Code addresses the rationale for the evolution of the scheme, the influences on its design, and a vision for the future of the development.
- 5.110 The reason for proposing the first phase as a full application was that it would be the most visible part of the site for most people visiting Woodstock and would set the tone for the whole scheme in terms of the quality of design, landscaping and use of space. This phase incorporates a strong main street with balanced form announcing the entrance to the development. The southernmost buildings will be arranged in a loose form behind a wide landscape belt. Most plots are two storey, with the exception being an apartment building at 3 storey, albeit that the upper storey is in the roof space.
- 5.111 Close attention has been paid to house types and street scene, and the plans for each plot have been subject to revision to ensure a high quality of form is maintained throughout. Adherence to the submitted design code would be the subject of a condition to ensure that appropriate standards are maintained for all phases of the scheme.
- 5.112 Early planting of the landscaping around Phase I will be important to ensure that this becomes established as soon as possible. The phasing of essential infrastructure, such as the expansion of the primary school will also be important. This would be the subject of a legal agreement.
- 5.113 It is understood that the applicant would maintain a long term interest in the site and its management. Should permission be forthcoming, an open space/public realm management strategy would need to be agreed.

Ecology

- 5.114 The bulk of the site is made up of arable land under cultivation. The margins of the parcels of land that make up the site are categorised as semi-improved grassland and the boundaries are largely marked with hedges and woodland belts.
- 5.115 Appropriate ecological surveys have been carried out including, assessments in relation to protected species and designated ecological sites nearby. The assessment and mitigation is very comprehensive for each of the habitats and the identified species.
- 5.116 The masterplan has been developed so as to avoid and minimise the loss of important habitats and features within the site. It is intended that field margins and hedgerow would be largely retained and enhanced by the provisions of a network of green infrastructure creating functional ecological corridors.

- 5.117 The vehicular and pedestrian routes proposed will necessitate the removal of some hedgerow and trees, but it is considered that this loss would be compensated for by the introduction of significant new planting and extensive areas of landscaped open space. The network of green spaces envisaged, combined with mitigation measures, should result in overall gains for biodiversity which would be policy compliant.
- 5.118 The pressures that all the retained habitats and created habitats will be under as a result of the proposed land uses and their scale is noted. An on-going Management Plan would be required which would detail appropriate future management of planting and open spaces to ensure that their habitat value is maintained.
- 5.119 No objection in relation to ecology matters is raised by the WODC Biodiversity Advisor or Natural England. Subject to condition, further details as part of a reserved matters application and implementation of the mitigation and enhancement measures envisaged, the proposal would comply with WOLP Policies NE13 and NE15, EWOLP Policy EH2, and the NPPF, in particular paragraphs 117 to 119.

Retail/Employment

- 5.120 Woodstock is a thriving town with a population at the last census of 3,100. It has a good mix of commercial uses that provide employment opportunities.
- 5.121 It is understood that the main employer is Owen Mumford which manufactures medical products, although Woodstock does not have an industrial area or business park. Other significant employers in the area are located at Long Hanborough, London-Oxford Airport, and Begbroke Estate. The area has low unemployment.
- 5.122 The scheme would incorporate up to 1,100sqm of A1/A2/B1/D1 floorspace, envisaged to be provided towards the middle of the site as part of a later phase of development in connection with a public square. The nature of uses falling within these use classes is shops, financial and professional services, offices, light industry and public facilities such as halls, galleries and day nurseries. None of these uses would be incompatible with residential in principle.
- 5.123 Woodstock is a small market town with a town centre that provides services for the existing local population of around 3,000 and the nearby villages, together with the high number of visitors that are attracted to the area, in particular the Blenheim World Heritage Site.
- 5.124 Whilst Woodstock Town Centre can be considered "healthy," this is heavily influenced by the town's heritage and leisure role. Although identified as a secondary order service centre, most convenience shopping done by residents takes place outside of Woodstock in other nearby towns. The nearest supermarket is in Kidlington. Nevertheless, the small Co-op supermarket appears to thrive in catering for day to day shopping. Alongside this there are other small independent shops that attract both residents and visitors.
- 5.125 In your Officers' view there is no reason to believe that a modest commercial offer at the application site would be detrimental to the vitality and viability of the town centre. The centre would remain the focus of commercial activity and its attraction to visitors would not be diminished.

- 5.126 The increase in population as a result of the proposed development could make other types of convenience and comparison retail and service provision more sustainable by providing a larger background population to support independent retailers and by growing the expenditure catchment for the Town Centre for service and day to day shopping.
- 5.127 The exact amount of retail, leisure and office space to be provided as part of the 1,100sqm of floorspace is not defined. However, the overall quantum is well below the NPPF floorspace threshold of 2,500sqm (paragraph 26) that would require a full impact assessment as regards town centre uses and vitality and viability.
- 5.128 The functioning of the town centre is made a more complex issue by the shortage of car parking, and the fact that public car parks and on street parking in the town are free of charge. If local shoppers or visitors cannot park they will be forced to return at other times or shop somewhere else entirely. The parking situation is currently intractable and parking demand is consistently high. Although an increase in population has the potential to increase demand for parking, new residents would become aware of the difficulties and choose a sustainable mode of transport to reach the town centre if desirous to do so. The availability of parking, which is often at saturation, could not logically be made worse by an increase in population.
- 5.129 The concerns regarding retail impact are understood. Nevertheless, on balance, it is considered that there would be likely to be significant demand for local shopping provision should the development proceed as envisaged. Officers consider that such provision on the site would be likely to complement rather than compete with the existing offer in the town.

Social Infrastructure, Sport and Leisure

Education

- 5.130 OCC has commented as follows as regards education needs:
- (i) Based on the unit mix stated in the application, this proposed development has been estimated to generate 93 primary pupils, 72 secondary pupils (including 8.84 sixth formers and 1 pupil requiring SEN education).
 - (ii) Woodstock CE Primary School is forecast to operate at capacity and would need to expand from its current 1.5 form entry size to 2 form entry (an additional 105 places) in order to accommodate the primary aged children generated by the proposed development.
 - (iii) Due to the school's constrained site, such expansion would require a new classroom block as well as other alterations to the school's facilities, including an all-weather multi-use games area (MUGA) to support the PE curriculum needs for a larger school. The applicant has, in consultation with OCC Education officers, submitted indicative school expansion plans that would accommodate the additional pupils but which would require the early years provision on the school's site currently run by Woodstock Under Fives Association (WUFA) to be re-located.
 - (iv) An initial estimate by the County Council of the cost of this expansion is £2,108,948 (@4Q14 values), equivalent to a rate of £20,085 per pupil generated.
 - (v) Based on an estimated pupil generation of 93, a developer contribution will be required of £1,867,905 (4Q14 values).
 - (vi) A commuted sum is also required to cover MUGA maintenance, the amount of which is to be confirmed.
 - (vii) In order to facilitate the necessary expansion of the primary school it would be necessary for the building currently used by WUFA to be moved off Woodstock CE Primary School's site.

The proposed development includes the provision of D1 space, which could be used for this purpose. The new early years provision needs to be not less than 24- full time equivalent places (the capacity of the facility currently occupied by WUFA).

(viii) The Marlborough CE School is forecast to operate at capacity and would need to expand in order to accommodate the secondary aged pupils generated by the proposed development. Based on an estimated pupil generation of 72 (62 of 11-15 year olds, 1 SEN plus 8.84 6th form) £1,387,705 (4Q14 values) section 106 is required for the necessary expansion of permanent secondary school capacity at The Marlborough CE School.

- 5.131 Officers are mindful of the objections raised by residents to the removal of WUFA from the primary school site, which would be necessitated by school expansion. The advantages of the nursery being located next to the school in terms of convenience, interaction of different age groups, and provision of before school and after school care for families is clearly of great value to the families involved, but also has wider community value. As currently instituted this provision chimes with Government objectives expressed in the NPPF for promoting healthy and cohesive communities.
- 5.132 Whilst the WUFA, or similar early years provider, could be catered for on the application site and therefore meet the requirement for not less than 24 full time equivalent places, there are clear potential social disbenefits of relocation that need to be factored into the overall balance of considerations.
- 5.133 The location, nature of accommodation, and timing of intended delivery of school expansion and a replacement nursery would all need to be fully set out by way of legal agreement to ensure that there is no gap in provision and that provision is appropriately coordinated with the occupation of the new dwellings.

Sports and recreation

- 5.134 The proposal does not include formal provision for sports, but a large area of land to the north end of the site, adjacent to the existing school playing field, is identified as recreation space and would lend itself to informal ball games or group play. The Leisure Services Manager has requested an off-site contribution towards sports/recreation facilities in the sum of £326,400.00.
- 5.135 Across the middle of the site and around its edges large landscaped areas will be provided, incorporating new and existing footpaths. Within these areas it is envisaged that there would be opportunities for informal play as well as equipped play. The Leisure Services Manager has requested a contribution of £245,400.00 that would be used to provide for the enhancement and maintenance of existing play/recreation areas within the catchment and/or on-site provision. This will be resolved by way of a legal agreement. However, it is noted that the intention of the applicant is to retain a long term interest in the site. This may result in a private management arrangement for open space and this would therefore have a bearing on how on-site management of open space was dealt with.

Drainage

- 5.136 A Flood Risk Assessment has been provided and identifies that the site is in Flood Zone 1 and therefore at low risk of flooding. It also states that it is not at high risk from any other kind of flooding.

- 5.137 OCC as lead drainage authority has expressed some concern that the surface water drainage strategy set out in the application does not give adequate priority to sustainable drainage, as opposed to traditional pipe and tank systems. They make a number of recommendations and these would need to be reflected in the final drainage solution. This can be conditioned.
- 5.138 As regards foul drainage, Natural England has expressed concern about capacity and potential contamination of the surrounding hydrological regime which could impact on the Blenheim SSSI. A suitably worded condition regarding foul drainage would address the provision of the necessary infrastructure. However, the potential for future contamination from effluent arising from foul drainage cannot be known at this stage. Environmental legislation would address the incidence of pollution and this would be a matter for the compliance of Thames Water.
- 5.139 Subject to satisfactory compliance with the conditions, Officers are satisfied that the development can comply with EWOLP Policy EH5, and the NPPF.

Residential Amenity

- 5.140 The proposed buildings, as shown on the illustrative layout, would not be sited in close proximity to any existing 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. Loss of private views is not a material planning consideration.
- 5.141 On Phase I, all proposed buildings are set well back from the boundaries and there would be no unacceptable loss of privacy or light.
- 5.142 There could be some disturbance during construction as a result of construction traffic movements, construction noise, dust and general activity on the site. The development is expected to be on-going for a number of years and therefore existing residents could be affected by construction for an extended period. In this regard, should permission be forthcoming, it would be necessary to impose a condition requiring a full construction method statement and construction management plan. This would address matters such as: construction vehicle routing; the location of site compounds, storage areas and operatives' parking; the erection and maintenance of hoardings; wheel washing facilities; measures to control dust; and hours of operation.
- 5.143 The proposed commercial/community uses on the site are not of a type that would be likely to give rise to excessive noise or disturbance and they are therefore compatible with a residential environment.

Pollution

Noise

- 5.144 The applicant has provided a Noise Assessment Report which identifies the main potential sources of noise as roads and London Oxford Airport.
- 5.145 The dominant noise source is likely to be road noise. Although it is noted that there may be significant noise when aircraft are taking off and landing using runway 11/29 (although this is understood to be rare). In terms of the pattern of general operations, departures and arrivals on

the main runway 10/19 would not be expected to overfly the site. General helicopter arrivals and departures from the airport should not overfly the site as the proposed paths set out in the airport manual are intended to avoid overflying the existing residents of Woodstock and therefore would avoid the site.

- 5.146 Road noise was assessed to determine the required glazing and ventilation specification to ensure suitable internal noise levels for future residents. Based on the assessment, it is suggested that the proposed buildings would not need to have an enhanced acoustic performance.
- 5.147 WODC Environmental Health Officer has recommended a condition relating to the achievement of maximum noise levels to main habitable rooms. No objection is raised and therefore specifically in relation to noise, it is considered that the development proposals would comply with national and local policy expressed in WODC Policies BE2, H2, BE19, EWOLP Policy EH6, and the NPPF .

Air Quality.

- 5.148 The proposed development site is not located within a designated AQMA, or near to one.
- 5.149 The proposed development site is located in an area where air quality is mainly influenced by emissions from road transport using:
- A44 Oxford Road;
 - A44 Woodstock Road;
 - A4095 Upper Campsfield Road; and
 - A4095 Grove Road.
- There are no industrial pollution sources in the immediate vicinity of the site that will influence the local air quality.
- 5.150 A qualitative assessment of the impacts on local air quality from construction activities has been carried out for the Proposed Development. The assessment identified that the Proposed Development has medium to high risks in terms of dust deposition impacts and low risk in relation to impacts on ambient PM10 concentrations. Through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced.
- 5.151 The residual effects of dust and PM10 generated by construction activities on air quality are therefore considered to be negligible. The residual effects of emissions to air from construction vehicles and plant on local air quality are also considered to be negligible.
- 5.152 A quantitative assessment of the impacts during the operational phase was undertaken using ADMS-Roads to predict the changes in NO2, PM10 and PM2.5 concentrations at human receptors that would occur due to traffic generated by the Proposed Development. All impacts on air quality at human receptors would be negligible, with concentrations remaining well below Government objectives.
- 5.153 A quantitative assessment of the impacts during the operational phase was undertaken to predict the impacts on annual mean NOx concentrations and nitrogen deposition rates at Blenheim Park SSSI and the Oxford Meadows SAC. In all cases the impacts would be below significance thresholds. The impacts of the Proposed Development on annual mean NOx

concentrations and nitrogen deposition rates at Blenheim Park SSSI and the Oxford Meadows SAC are therefore negligible.

- 5.154 Overall, specifically in relation to air quality, it is considered that the development proposals would comply with national and local policy expressed in WODC Policies BE2, H2, BE18, EWOLP Policy EH6, and the NPPF .

Lighting

- 5.155 The applicant has provided a lighting assessment which identifies that the baseline condition of the site is dark and the brightness of the proposed scheme post-construction will be brighter than previously. Therefore the magnitude of the change is considered to be high and the potential lighting impacts significant.
- 5.156 Electric lighting installations throughout the site will therefore require mitigation during the design stages of the project to avoid potentially adverse impacts.
- 5.157 The report has identified clear strategies for mitigating the adverse impacts of electric light for each of the identified receptors. Such mitigation would form the basis for a detailed lighting strategy across the site.
- 5.158 The avoidance of light sources and light spill to the periphery of the site where boundary vegetation and landscape belts are to be maintained will be important for wildlife.
- 5.159 There are no extraordinary light sources that would be significantly problematic, such as the previously proposed football pitch floodlighting. Accordingly it is considered that a suitably worded condition would address the matter satisfactorily.

Contamination

- 5.160 A ground investigation report has been submitted and considers ground conditions and potential sources of contamination.
- 5.161 There was no visual or olfactory evidence of contamination during the fieldwork, and no noticeable made ground anywhere on the site. Additionally, none of the soil contamination tests carried out as part of the investigation revealed elevated concentrations of contaminants in the soil. As such there is considered to be no significant risk of significant harm to the receptors identified.
- 5.162 It is considered that there is no further need for investigation or remedial measures at this site prior to the proposed redevelopment. However, a precautionary condition would be necessary to deal with unexpected contamination that may be encountered on the site during the site clearance and construction phase.

Affordable housing

- 5.163 The provision of affordable housing is a key objective of the Council and is dealt with in WOLP Policy H11 and EWOLP Policy H3. In addition, Government policy expressed in the NPPF requires the creation of sustainable, inclusive and mixed communities (paragraph 50).

- 5.164 Policy H3 identifies Woodstock as a high value location and the requirement is 50% affordable. Policy H11 which is now out of date would likewise require 50%. In the supporting text to Policy H3 it is recognised that viability is a consideration in terms of the deliverability of affordable housing. In addition the NPPG sets out guidance on assessing viability.
- 5.165 The applicant submitted a viability appraisal with the application, which has been assessed by an independent consultant engaged by the Council. A number of differences between the parties emerged and the appraisal on both sides has been subject to a number of queries and updates.
- 5.166 As originally put forward, the offer from the applicant was 38% affordable, this later changed to 35%, and more recently to a "without prejudice" offer of a minimum of 37%. There has not therefore been a consistency of approach on the part of the applicant. It is worth noting that under the proposed scheme there would be no affordable housing provided as part of Phase I, and therefore all of the affordable housing would be delivered on subsequent phases.
- 5.167 Following a lengthy process of exchange of information between the applicant's consultant and the Council's consultant on the various inputs to the viability assessment, a final position for both sides has been arrived at. Based on the advice received Officers are of the view that the scheme would be viable, including a policy compliant 50% provision of affordable housing. The applicant disagrees and the offer is 37%. In the light of this, a compromise has been reached, whereby affordable housing delivery will be 50%, but subject to review at the end of Phase I. This review would provide benchmarking data for actual values and construction costs on the site on an open book basis. Such a review could potentially result in a reduced affordable housing contribution, but the agreement would be that the contribution would not be less than 37% as currently offered.
- 5.168 Officers consider that the provision of affordable housing is a substantial planning benefit.
- 5.169 The review after Phase I that is contemplated is considered to be consistent with National Planning Practice Guidance and is a fair way to proceed. At 50% affordable the proposal is consistent with the Policy requirements of WOLP H11, EWOLP H3 and the NPPF.
- 5.170 The planning benefit of delivering affordable housing will be addressed under the planning balance in the conclusions of the report.

Summary of S106 contributions and off-site highways works requested

- 5.171 OCC Highways
- 1) Accesses to the site on the A44 and on Shipton Road
 - 2) A pair of new bus stop clearways provided on the carriageway on the A44 adjacent to the new site access - including hardstanding areas (adjustment of footway/cycleway on south east side of the A44 where necessary) and connecting footways
 - 3) A traffic signal pedestrian/cycle crossing of the A44 north of the main site access (drawing 15291-30f) and another as close to the south east corner of the development as possible.
 - 4) Widening of A44 cycle track to 2.5m from Bladon roundabout to the junction with the road that leads to Bladon Chains caravan site (drawing 15291-34)
 - 5) Relocation of the start of the existing 30mph speed limit on A44 to just south east of the proposed site access and then a new 40mph speed limit from there to the Bladon

roundabout - details to be discussed between the county council, developer and Town Council. See comments below.

- 6) The introduction of a 40mph speed limit on A4095 from Bladon roundabout as far as a point north east of the link road connecting A4095 to A4260
- 7) A contribution of £1,000 per additional dwelling i.e. total sum of £300,000 towards the improvement of public transport serving the site, to procure additional or improved services
- 8) £162,500 contribution towards the cost of delivering the A44 corridor Park & Ride car park as set out in the Oxford Transport Strategy
- 9) £41,730 towards procurement and installation of bus stop infrastructure, to include 2 bus stop pole/flag units and 2 shelters. This includes £10,150 towards the installation of electronic real time information displays in the new bus shelters (sums include a commuted sum to allow for the future maintenance of the new infrastructure).
- 10) £2,040 will be required for the monitoring of the Framework Travel Plan for the whole site.

5.172 OCC Education

Primary education

- 1) Woodstock CE Primary School is forecast to operate at capacity and would need to expand from its current 1.5 form entry size to 2 form entry (an additional 105 places) in order to accommodate the primary aged children generated by the proposed development.
- 2) Due to the school's constrained site, such expansion would require a new classroom block as well as other alterations to the school's facilities, including an all-weather multi-use games area (MUGA) to support the PE curriculum needs for a larger school. The applicant has, in consultation with OCC Education officers, submitted indicative school expansion plans that would accommodate the additional pupils but which would require the early years provision on the school's site currently run by Woodstock Under Fives Association (WUFA) to be re-located.
- 3) An initial estimate by the county council of the cost of this expansion is £2,108,948 (@4Q14 values), equivalent to a rate of £20,085 per pupil generated.
- 4) Based on an estimated pupil generation of 93, a developer contribution will be required of £1,867,905 (4Q14 values).
- 5) A commuted sum is also required to cover MUGA maintenance, the amount of which will be confirmed.

5.173 Early Years education

- 1) In order to facilitate the necessary expansion of the primary school it would be necessary for the building currently used by WUFA to be moved off Woodstock CE Primary School's site. The proposed development includes new accommodation for early year's education, which could be used for this purpose. The new early years provision needs to be not less than 24- full time equivalent places (the capacity of the facility currently occupied by WUFA).

5.174 Secondary education

- 1) The Marlborough CE School is forecast to operate at capacity and would need to expand in order to accommodate the secondary aged pupils generated by the proposed development.

- 2) Based on an estimated pupil generation of 72 (62 of 11-15 year olds, 1 SEN plus 8.84 6th form) £1,387,705 (4Q14 values) section 106 is required for the necessary expansion of permanent secondary school capacity at The Marlborough CE School.
- 5.175 OCC Property.
- 1) Library contribution of £73,425.00
 - 2) Administration and Monitoring fee to be confirmed
- 5.176 WODC Leisure
- 1) £1,088.00 x 300 = £326,400.00 off site contribution towards community/sport/recreation facilities within the catchment.
 - 2) £818.00 x 300 = £245,400.00 for the enhancement and maintenance of existing play/recreation areas within the catchment and/or on site provision.
- 5.177 WODC Public Art
- 1) A contribution of £210.00 per market dwelling.
- 5.178 Thames Valley Police
- 1) £2,352.00 staff set up
 - 2) £6,291.00 vehicle provision
 - 3) £3,400.00 mobile IT
 - 4) £11,000.00 ANPR camera
 - 5) £24,307.00 premises provision
- 5.179 Affordable housing.
This will be the subject of condition and legal agreement in the terms set out in the affordable housing section of this report.

Other Matters

Land classification.

- 5.180 There is no 'best and most versatile land' on this site and as such the land is afforded little protection through the planning system by virtue of its agricultural land quality.
- 5.181 The loss of subgrade 3b land will not have a significant effect on either regional or national agricultural production.

Conclusion

- 5.182 The application is seeking full permission for Phase I (46 units) and outline planning permission for the remainder of the site.
- 5.183 The principle of development in this location is acceptable with reference to the SHLAA 2014 and the proposed allocation of the site in the EWOLP.
- 5.184 The new points of access to the highway, provision of pedestrian and cycle linkages, ability to access public transport, and predicted vehicle movements are acceptable and no objection on these matters is raised by OCC Highways. However, a S278 agreement will be required to secure the highways works and improvements that are necessary to facilitate the scheme. In

addition, S106 financial contributions are requested to off-set or mitigate the highways impacts of the development and improve public transport. A number of conditions are also recommended to address highways matters. Subject to compliance with such agreements and conditions the proposal, insofar as those elements listed, would comply with adopted and emerging policy.

- 5.185 There would be no unacceptable impact on the residential amenity of neighbouring properties as regards privacy and loss of light, based on the details of Phase I and the indicative layout for the site as a whole. However, this matter would need further consideration as part of any future reserved matters application. The indicative layout and details of Phase I are generally acceptable in design terms.
- 5.186 As regards impacts on heritage assets, there would be significant but less than substantial harm to the WHS/Listed Park and Garden, the Villa Scheduled Ancient Monument, and Cowyards. There is limited harm to the Conservation Areas of Bladon and Woodstock. This harm, under paragraph 134 of the NPPF, would need to be outweighed by public benefits. In this regard, the intention of the applicant to use proceeds of the development to fund the repair and restoration of the WHS is of note.
- 5.187 As set out above, 50% affordable housing is policy compliant and would meet the Council and Government objectives to deliver affordable housing and thereby contribute to achieving "sustainable, inclusive and mixed communities". The public benefit is substantial, as is the significant benefit of the delivery of market housing to meet identified needs.
- 5.188 Impacts of the development as regards social infrastructure can be addressed through a legal agreement. However, of particular note is the controversy over the relocation of the WUFA. Whilst it is acknowledged that the application site can accommodate a children's nursery, there remains some negative impact as regards convenience and community cohesion arising from its separation from the school. In this respect there are disbenefits in social terms which have a bearing on the planning balance. Nevertheless, in assessing the scheme in the round, this is not sufficient harm to outweigh the identified benefits.
- 5.189 There would be no direct impact on 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 arable cultivation.
- 5.190 The development would undoubtedly represent a major change in character of the site from agricultural to housing. Its visual effects cannot be entirely mitigated, but the harm would be for the most part localised and ameliorated by the position of the development against an existing hard urban edge, retention of landscape features, and reinforcement with additional planting. Overall the plans for landscaping are acceptable.
- 5.191 Whilst concerns about Woodstock town centre and car parking are noted, it is considered that the limited commercial element of the proposal would not materially affect the vitality and viability of the town.
- 5.192 The site is in Flood Zone I and suitable drainage of the site can be addressed by condition.

- 5.193 There is no reason to believe that the site would be materially affected by any form of pollution. Effects on existing properties during construction can be addressed by a suitable condition regarding site management.
- 5.194 The consideration of material factors in this case results in a finely balanced recommendation. The delivery of 300 dwellings, including affordable housing provision, to contribute to identified housing needs, and use of proceeds from the development to fund repair and restoration of the VHS would represent significant planning benefits. On the other hand, there remains significant, although less than substantial, harm to the significance of designated heritage assets, visual and landscape impact, and the social disbenefit of the relocation of the children's nursery. Assessing the scheme in the round, the benefits would outweigh the harms and therefore with reference to paragraphs 134 and 14 of the NPPF the proposal in this case is considered on balance to represent sustainable development. The application is accordingly recommended for approval.

6 CONDITIONS

- 1) (a) Application for approval of the reserved matters (remainder of site not in Phase I) shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development, other than Phase I, 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 on any part of the site outside Phase I and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3) The Phase I development (full planning permission) 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
- 4) The development shall be carried out in accordance with: all of the plans listed on the Drawing Register and Issue Sheet - Project Reference 5903U dated 02/09/16 and phasing plan 5903/21A received 12.01.2017 ; 226402B/LA-P-001 REV A; 226402B/LA-P-002 REV A; 226402B/LA-P-003 REV A; 226402B/LA-P-004 REV A; 226402B/LA-P-005 REV A; 226402B/LA-P-006 REV A; 226402B/LA-P-007 REV A; 226402B/LA-P-008 REV A; 226402B/LA-P-009 REV A; 226402B/LA-P-010 REV A; 226402B/LA-P-011 REV A; 226402B/LA-P-012 REV A; and 226402B/LA-P-013 REV A.
REASON: For the avoidance of doubt as to what is permitted.
- 5) Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on the A44 and the land and the highway onto the Shipton Road, including position, layout and vision splays shall be submitted to and approved in

writing by the Local Planning Authority. The submission for the A44 access shall include details of:

- (i) signal controlled pedestrian/cycle crossing on the A44 to the north west of the site access
- (ii) footway connection from the site access road to the crossing and beyond to the existing footway on the north east side of the A44
- (iii) pedestrian/cycle connection from the site to the A44 as close as possible to the south east site boundary serving a refuge island crossing on the A44
- (iv) relocated 30mph speed limit and village entry feature to a point south east of the site access and access to the Cowyards

Thereafter, and prior to the occupation of any dwelling, the means of access onto (i) the A44 including the crossings, footway connections, and speed limit and village entry feature relocation and (ii) the Shipton Road, shall be constructed and retained in accordance with the approved details. Prior to the occupation of the 47th dwelling, the means of access onto Shipton Road shall be constructed and retained in accordance with the approved details.

REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework .

- 6 No dwelling or other buildings shall be occupied until car parking spaces to serve them have been provided according to plans showing parking and the necessary manoeuvring and turning to be submitted and agreed by the Local Planning Authority. Car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
REASON: To ensure appropriate levels of car parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.
- 7 Prior to the first occupation of the development hereby permitted, a plan showing the number, location and design of cycle parking for the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the agreed plan shall be provided for each phase of the development prior to first occupation of that phase of the development. The cycle parking shall be permanently retained and maintained for the parking of cycles in connection with the development.
REASON: To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.
- 8 Prior to the commencement of the development hereby approved, full details of surface improvements to the public right of way footpath 413/8 as it runs through the site, including the connection to Hedge End, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to first occupation of the development, these surface improvements and connection to Hedge End shall be constructed and retained in accordance with the approved details.
REASON: To ensure safe and suitable access to the development for all persons.
- 9 Prior to the commencement of the development hereby approved, full details (including phasing) of the pedestrian/cycle connections along the boundaries of the site, as shown on the Access and Movement Parameter Plan drawing 5903/05A, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the connections will be provided in accordance with the approved details and phasing plan, and shall be retained thereafter.
REASON: To ensure safe and suitable access to the development for all people.

- 10 Prior to commencement of development, a Framework Travel Plan that complies with Oxfordshire County Council's travel planning guidance document "Transport for New Developments: Transport Assessments and Travel Plans" for the whole site shall be submitted to and approved in writing by the local planning authority. Prior to occupation of any dwellings hereby approved, an updated travel plan for the residential element shall be submitted to and approved in writing by the local planning authority. Prior to occupation of any commercial land use hereby approved, exceeding the thresholds set out in "Transport for New Developments: Transport Assessments and Travel Plans", an updated workplace travel plan for that commercial element shall be submitted to and approved in writing by the local planning authority. The travel plans shall incorporate details of:
- (i) the means of regulating the use of private cars at the development in favour of other modes of transport ; and
 - (ii) the means of implementation and methods of monitoring site related travel.
- Thereafter, the approved Travel Plans shall be implemented and operated in accordance with the approved details.
- REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.
- 11 Travel information packs, the details of which are to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, shall be provided to every resident on first occupation.
- REASON: In the interests of sustainability and to comply with Government guidance contained within the National Planning Policy Framework.
- 12 Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
- REASON: In the interests of highway safety and the residential amenities of neighbouring occupiers.
- 13 No development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- (i) Discharge Rates
 - (ii) Discharge Volumes
 - (iii) Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
 - (iv) Sizing of features - attenuation volume
 - (v) Infiltration tests to be undertaken in accordance with BRE365
 - (vi) Detailed drainage layout with pipe numbers
 - (vii) SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
 - (viii) Network drainage calculations
 - (ix) Phasing plans
 - (x) Flood Risk Assessment

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

- 14 No development, including any works of site clearance, 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 fencing and 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 public safety are in place before work starts.

- 15 Prior to any site clearance and the commencement of the development the applicant, or their agents or successors in title shall secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, relating to the application site area, which has been submitted to and approved in writing by the Local Planning Authority.
- REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF.

- 16 Following the approval of the Written Scheme of Investigation referred to in Condition 15, and prior to any site clearance on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority by a date to be agreed with the Local Planning Authority.
- REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF.

- 17 Each phase of development shall not commence until a foul drainage strategy for that phase, detailing on and/or off site works, is submitted to and approved in writing by the Local Planning Authority, in consultation with sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the necessary drainage works referred to in the strategy have been completed for that phase. If required, the approved works identified in the strategy shall be completed prior to occupation of any dwelling within the relevant phase of development
- REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact.

18 The development hereby approved shall conform with BS8233/2014 and all new habitable dwelling spaces shall be designed and constructed to ensure internal noise levels in living rooms of 35dB LAeq 16-hour (07.00-23.00 hours) and bedrooms 30dB LAeq 8-hour (23.00-07.00 hours). Details of appropriate attenuation measures to meet those standards shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The development shall be carried out in accordance with the scheme so approved, and such measures shall be in place before dwellings so affected are occupied and retained thereafter.

REASON: To ensure satisfactory living conditions in the dwellings.

19 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development (including site clearance and demolition). The content of the LEMP shall be based upon the mitigation and enhancements recommendations contained within Section 4 of the Ecological Report by BSG Ecology dated April 2016, and shall have regard to drawings 5903/08 and 5903/11C. It shall include, but not necessarily be limited to, the following information:

- i. Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species.
- ii. Description and evaluation of features to be managed; including location(s) shown on a site map;
- iii. Landscape and ecological trends and constraints on site that might influence management;
- iv. Aims and objectives of management;
- v. Appropriate management options for achieving aims and objectives;
- vi. Prescriptions for management actions;
- vii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- viii. Details of the body or organisation responsible for implementation of the plan;
- ix. On-going monitoring and remedial measures;
- x. Timeframe for reviewing the plan; and
- xi. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

REASON: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with the NPPF (in particular section 11), policies NE13, NE14 and NE15 of the West Oxfordshire Local Plan 2011 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

20 Site Characterisation - No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;

(ii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems.

2. Submission of Remediation Scheme - No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme - 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 a Verification Report confirming that all works were completed in accordance with the agreed details. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

4. Reporting of Unexpected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination. An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C. REASON: To ensure satisfactory development in the interests of the environment and human health.

21 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.

- 22 The development shall be carried out in accordance with the Arboricultural Impact Assessment by Aspect Arboriculture dated April 2016, including tree retention and protection shown on drawings 9215 TPP 01 (North), 9215 TPP 01 (Central) and 9215 TPP 01 (South). Prior to commencement of the development (including site clearance) all trees and hedgerows to be retained shall be protected in accordance with a scheme complying with BS 5837:2012: 'Trees in Relation to design, demolition and construction', which shall have first been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To safeguard features that contribute to the character and landscape of the area.
- 23 The planting for Phase I shall be implemented fully in accordance with drawings: 226402B/LA-P-007 Rev A; 226402B/LA-P-008 Rev A; 226402B/LA-P-009 Rev A; 226402B/LA-P-010 Rev A; 226402B/LA-P-011 Rev A; 226402B/LA-P-012 Rev A; and 226402B/LA-P-013 Rev A. In addition, all large and medium sized trees shown on drawings 226402B/LA-P-010 Rev A; 226402B/LA-P-011 Rev A; 226402B/LA-P-012 Rev A; and 226402B/LA-P-013 Rev A shall be planted prior to the commencement of the construction of any of the permitted dwellings in accordance with a timetable to be submitted to and approved in writing by the local planning authority. All trees so planted shall be protected in accordance with a scheme complying with BS 5837:2012: 'Trees in Relation to design, demolition and construction', which shall have first been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection areas. All the remaining planting shown on the drawings listed above shall have been completed by the end of the first planting season following the completion of Phase I. 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 Phase I, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter maintained.
REASON: To ensure that trees become established at the earliest opportunity and to safeguard the character and landscape of the area during and post development.
- 24 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and public open space, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before occupation of any dwelling. The landscape management plan shall be carried out as approved.
REASON: To ensure proper management of the landscape of the site which is important to the character and appearance of the site and the surrounding area.
- 25 Before above ground building work commences, samples of all walling and roofing materials to be used throughout Phase I of the development shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 26 Before above ground building work commences, sample panels of the stone walling, brick walling, and render (including details, junctions and treatment of corners) to be used in the elevations of the development shall be erected on site and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved

materials and panels. For the avoidance of doubt, all stone walling shall be natural local rubble stone with lime mortar, and stone details such as quoins shall be in natural stone ashlar.

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

- 27 Notwithstanding details contained in the application, detailed specifications and drawings of all dormers, porches, canopies, chimneys, flues, eaves, verge, ridge and full joinery details for windows, roof lights and external doors at a scale of not less than 1:20, including details of external finishes and colours, shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 28 The development shall be carried out in accordance with the submitted Design Code dated April 2016. However, notwithstanding this document, all buildings shall be constructed in accordance with the approved plans, materials and details.
REASON: To ensure an appropriate form of development that properly reflects the character and appearance of the area.
- 29 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 development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A, B and C shall be carried out other than that expressly authorised by this permission. On elevations fronting a highway (whether or not this is the principal elevation of the building), no development permitted under Schedule 2, Part 1, Class H, and Schedule 2, Part 2, Class F shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to maintain the character and appearance of the approved buildings, and the site in general, and because of the site's location adjacent to an historic town and in relation to heritage assets.
- 30 Prior to commencement of the development, a scheme which specifies the provisions to be made for the illumination of the site and control of light pollution shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.
REASON: To prevent light pollution and in the interests of maintaining the character and appearance of the area.
- 31 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.

- 32 The development hereby approved shall provide 50% of the dwellings as affordable housing unless a lower percentage is agreed in writing by the local planning authority following a review of development viability after the completion of Phase I and prior to the commencement of any subsequent phases. The review shall include robust and detailed benchmarking data for values and construction costs on Phase I that has been verified by external independent audit. Notwithstanding the outcome of this review the affordable housing percentage shall be not less than 37%.

REASON: To ensure the delivery of a wide choice of quality homes and to create sustainable, mixed and inclusive communities in accordance with paragraph 50 of the NPPF.

NOTES TO APPLICANT

- 1 Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email roadagreements@oxfordshire.gov.uk
- 2 Access for Firefighting: Oxfordshire Fire & Rescue Service (OFRS) assumes that access to the proposed sites and to the premises will be in accordance with the guidance in the current edition of Approved Document B to the Building Regulations volumes 1 and 2.
Water Supplies for Fire fighting: OFRS strongly recommend the provision of adequate and appropriate water supplies (fire hydrants) in accordance with the guidance in the current edition of Approved Document B to the Building Regulations volumes 1 and 2. OFRS would also recommend that the development conforms to British Standards BS 9999:2008 (Code of practice for fire safety in the design, management and use of buildings - Section 23 Water supplies for fire and rescue service use - 23.2 Location and access to external water supply) & BS 9990 (Code of practice for non-automatic fire-fighting systems in buildings - Section 5, Private fire hydrants - 5.2 Provision and Siting)
Automatic Water Suppression Systems: Oxfordshire Fire and Rescue Service also believe that fitting of Automatic Water Suppression Systems (AWSS) will materially assist in the protection of life, property and fire fighter safety. AWSS such as sprinklers and water mist systems do save lives; therefore OFRS strongly recommend the provision of such systems particularly in new build properties for the proposed sites.
- 3 Noise - Ground borne noise is assessed separately and is not included as part of the recommended condition, as human response to ground borne noise varies with many factors such as level, character, timing, occupant expectation and sensitivity. If relying on closed windows to meet the guide values, there needs to be an appropriate alternative ventilation that does not compromise the facade insulation or resulting noise level. Commercial plant noise at existing and new residencies shall be assessed and rated according to BS. 4142 (2014) 'Methods for rating and assessing industrial and commercial sound'. Where the assessment indicates a likelihood of impact which could be significant, plant shall be designed to a minimum 5 dB below the measured background noise level. In the instances of very low background noise and depending upon the context, it is not considered reasonable to design plant noise levels to 5dB beneath the LA90 background. A minimum plant noise emission limit in absolute terms of 30

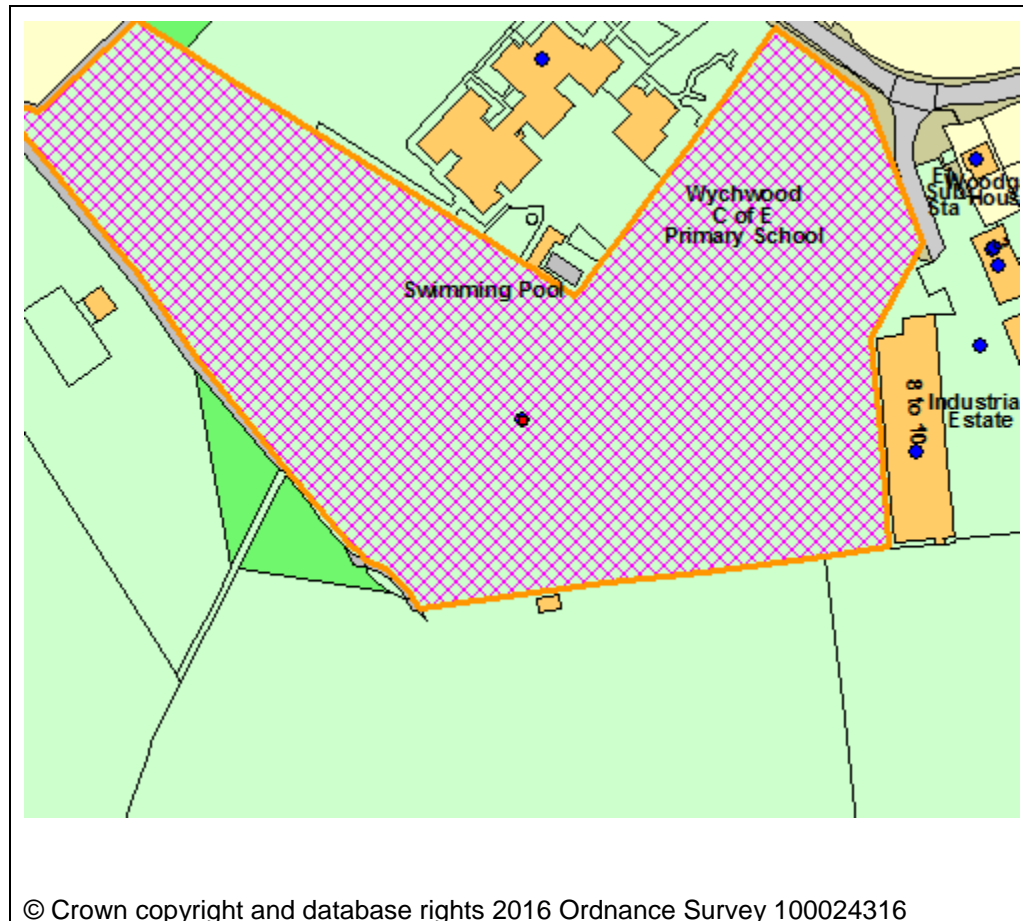
dB(A) would then apply.

- 4 The Environment Agency recommends that in accordance with the foul waste water drainage hierarchy the proposed development should connect to the public sewer and include proposals for upgrading of the existing foul drainage system (or provide a new drainage network) and sewage treatment plan following consultations with Thames Water Utilities Ltd. Any development in the area should take water quality into account and must ensure no deterioration in Water Framework Directive status.
- 5 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application Number	I6/02851/OUT
Site Address	Land South Of Milton Road Shipton Under Wychwood Oxfordshire
Date	25th January 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

Location Map



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

I CONSULTATIONS**I.1 Parish Council**

Overall response.

The Parish Council wishes to object to this application in its present form for the reasons set out below. The Parish Council is responding on behalf of comments made by residents of the village regarding the size of the development. The PC believes that a site visit is essential. It will also wish to make representations when this application goes to Committee.

Background

The Parish Council has for many years welcomed suitable development on this site as part of its commitment to ensure that Shipton remains a rural living village with housing and employment for young people and smaller accommodation for older residents wishing to downsize. A figure of about 25 dwellings has always been thought appropriate. This is incorporated in the SMAA and represents a positive contribution to the required five year housing supply. To this end the Parish Council has openly engaged with the planning consultants in the hope and expectation that they would make some effort to allay the concerns of the village which are reflected in the objections below. The Parish Council is disappointed to see that no attempt has been made to modify the proposal which has been put forward unamended.

Objections:

Firstly the access to the site and the nature of its use give rise to grave safety concerns. The applicant's Transport Statement incorporates statements that are either factually incorrect or extremely fanciful or both. Milton Road is a narrow minor road which is already congested, with a significant bend just to the east of the proposed entrance. The school of 286 pupils does not have a bus service and therefore already generates very significant parent traffic at the morning and afternoon peaks. OCC makes the observation that in practice there could be up to 180 vehicle movements during the peak AM period. The school catchment area includes many of the local villages and not just Shipton-under-Wychwood. Near the proposed entrance to the development is a business park with approximately eleven HGVs delivering daily, ten van movements, other traffic intensive business units and a child nursery. The vehicle movements associated with an extra 44 dwellings, conventionally estimated at 8 per dwelling would significantly add to the current overload and increase the accident risk beyond what is reasonably tolerable. The steps suggested by the consultants to mitigate these concerns consist of car sharing, footpath widening, cycling and a currently non-existent bus service. They are ill thought out and impractical and would do little to alleviate the problem. OCC Highways have based their comment on these suggestions on a more

practical 35 houses and have commented 'This site is not a transport sustainable location since it will not have access to public transport and therefore travel mode choice will be severely limited'. The Council's Local Plan states "that it has policies promoting choice of transport mode for journeys to work in particular, to mitigate the impact of new development on the congested strategic road network. Development is not supported where these choices of modes of travel are not available."

Secondly the parking provision for the school is tokenistic in nature and in our opinion inadequate in relation to the likely demand. It is also laid out in a manner likely to increase vehicle conflict and accident risk as the fixed timetable of the school day means several parents will be seeking to parallel park simultaneously. We strongly argue for chevron parking which we believe will be more suited to a car park environment than a through road. More parking should be provided at the expense of some of the proposed housing development.

Thirdly the topography of the site presents particular drainage problems that the application fails to address. A site visit would help to clarify this. July 2007 saw significant floodwater inundation in many houses in the area and while prevention schemes have been put in place there remains a credible threat to properties from water flowing into and from the River Evenlode. High water levels are common and the whole area is riddled with natural springs. The proposed 44 houses will create runoff that the current bare terrain now absorbs. The proposed holding pond appears inadequate to cope with the likely peak volumes and will require pumping if its integrity is to be maintained. We would also argue that new development in an area which has suffered from surface water inundation should have underground water storage facilities for each property. Additionally no detail is provided regarding ownership, and hence maintenance, of the pond and Wild Flower Meadow. If the application is approved then ownership and responsibility for the pond and meadow should be clarified.

Fourthly the application severely limits any future expansion of potential beneficial use to the village. In particular, we are mindful of the need for future expansion of the school.

If the Committee is minded to approve the application the Parish Council wishes to claim a Sec106 contribution of £250,000 in relation to improvement of village facilities. In addition the Parish Council believes that all traffic measures required to minimise the hazards inherent in this development should be imposed as a condition and not financed out of Sec 106 contributions.

Update 22.12.2016 - The Parish Council does not intend to make further representations and is content with the proposed S106 contributions.

I.2	Major Planning Applications Team	<p>Highways -</p> <p>Archaeology - no objection subject to condition</p> <p>Education - no contributions required.</p> <p>Property - library contribution required</p>
I.3	WODC - Arts	A S106 contribution of £5,670 to enhance public spaces by creating artist-led bespoke features.
I.4	Ecologist	No objection subject to conditions
I.5	WODC Community Safety	No Comment Received.
I.6	WODC Architect	No Comment Received.
I.7	ERS Env Health – Uplands	No objection subject to condition
I.8	WODC Head Of Housing	<p>At the date of the last housing need update, there were more than 94 households who would qualify for affordable housing in Shipton Under Wychwood. Of these, 9 households had a local domestic connection.</p> <p>It is my experience that more households with a local connection come forward once a development becomes a reality. This would be one of the very few opportunities to meet affordable housing need locally.</p> <p>The policy requirement is for 70 to 30% of the affordable homes be for affordable rent / shared ownership.</p> <p>The affordable mix should as closely as possible be;</p> <p>65% smaller homes for, singles, couples, small families, older people and those requiring level access accommodation</p> <p>The remaining 35% be for larger families, specifically two bedroom houses, three bedroom houses and a very small number of four bedroom houses.</p> <p>If this application can meet the above policy requirements, then I would be pleased to support it.</p>
I.9	WODC Landscape And Forestry Officer	No Comment Received.
I.10	Natural England	<p>Landscape advice</p> <p>The proposed development is for a site within or close to a nationally designated landscape namely Cotswolds AONB. Natural England does not object, however we advise that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory</p>

framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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| I.11 | WODC Planning Policy Manager | No Comment Received. |
| I.12 | WODC - Sports | $£1,088 \times 44 = £47,872$ off site contribution towards sport/recreation facilities within the catchment.
$£818 \times 44 = £35,992$ for the enhancement and maintenance of play/recreation areas within the catchment. |
| I.13 | TV Police - Crime Prevention Design Advisor | No Comment Received. |
| I.14 | Thames Water | Waste Comments
With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied -
"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the |

site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development

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| 1.15 | WODC Env Services – Waste Officer | No Comment Received. |
| 1.16 | Historic England | The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. |

2 REPRESENTATIONS

- 2.1 Twenty four objections have been received referring to the following matters:
- (i) Impact on infrastructure capacity.
 - (ii) Increase in traffic, parking congestion and effect on highway safety.
 - (iii) More housing not wanted in Shipton/Milton. Consented Sharba Homes site is enough.
 - (iv) Impact on the character of the area, conservation area, registered park and AONB.
 - (v) Limited public transport.
 - (vi) Disturbance, disruption and pollution will be caused to primary school. Loss of countryside setting for school.

- (vii) Effect on sewerage capacity and drainage.
- (viii) Scheme should include more low cost homes.
- (ix) Too many houses for the site/density too high.
- (x) Most residents will need to commute to work.
- (xi) Mini roundabout should be introduced to serve site and industrial area.
- (xii) Development not needed to meet WODC housing targets.
- (xiii) The site should be reserved for future expansion of the school.
- (xiv) Water pollution levels will be illegal.
- (xv) Erosion of village life.
- (xvi) Development will lead to joining to two distinct villages.
- (xvii) Proposed school parking too small and will not be sufficient to overcome existing congestion. The layout of the car park should be amended.

The Cotswolds Conservation Board comments as follows:

- (i) The SHLAA description does not recognise the constraints on this site.
- (ii) It is difficult to argue that a development on a greenfield site outside a settlement boundary would be an enhancement, particularly as the AONB is the highest status of protection.
- (iii) The 44 dwellings is over 50% of the SHLAA allocation for the sub-area.
- (iv) The sustainability appraisal does not even attempt to define the issues in terms of the scale of developments that this part of the AONB could absorb and how it might be dispersed.

3 APPLICANT'S CASE

- 3.1 The proposal has been subject to extensive pre-application consultation with Planning and Highway officers, the Wychwood CE Primary School, Parish Councils, local people and businesses. The design has evolved having regard to these discussions, the site constraints and opportunities.

The principle of the development of the site has been accepted in the Draft Local Plan and by the Parish Council and some local people. However, it has been necessary to find a balance between the provision of car parking for the school, integration of this within a high quality residential development and the significant local need for housing.

The applicant considers that, where possible, the proposal has responded to the comments raised in the consultation whilst achieving an appropriate balance between these competing demands. The design strategy also received a number of positive comments through the public consultation.

The submitted layout plan and accompanying documents demonstrated that 44 dwellings can be accommodated on the site with a 24 space car park and within landscape setting.

Although the Parish Council and some local people indicate a preference for fewer dwellings, planning policies require efficient use of sites - and this is particularly relevant where there are significant housing needs as in West Oxfordshire generally and Shipton under Wychwood specifically.

The proposed 44 dwellings is less than a 10% increase to the village and as such similar in scale to several recent developments at other villages of a similar size.

At the current time the existing Local Plan 2011 is now out of date with regard to the provision for housing and significant shortfalls in housing supply have been identified. In such circumstances, the NPPF paragraph 14 dictates that the proposal be considered against the presumption in favour of sustainable development. This requires an assessment of planning balance whereby any adverse impacts of the development should significantly and demonstrably outweigh the benefits.

In accordance with paragraph 7 of the NPPF there are three dimensions to sustainable development: an economic role; a social role and an environmental role.

The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. The associated construction jobs will be of economic benefit to the local area. The proposal has economic benefits and no significant and demonstrable adverse impacts.

The development will provide high quality housing in a sustainable location where there is an identified requirement to increase housing targets and boost housing supply. The need for housing on the site is already accepted in principle in the Draft Local Plan.

There is a significant unmet need for affordable housing in the area including 94 households who qualify for affordable housing in Shipton under Wychwood. The proposal will help to address this need by providing up to 40% affordable housing (17 units).

The proposal will facilitate an improved highway conditions along the Milton Road and a 24 space purpose built parent parking and drop off area for which there is currently none. The land for this parking area is being offered to the school so that it can be secured in perpetuity. These are significant social benefits with no significant and demonstrable adverse impacts.

In developing the design strategy, particular regard has been given to the setting of the site within the Conservation Area and CAONB.

Lying between the business centre and school, in the context of modern development, the site is not a prominent open space or of significance to the historic setting of the village Conservation Area. The development is a logical complement to the settlement pattern in location and scale.

Existing mature trees and landscaping of significance will be retained and enhanced with landscape buffers and provision of a wildflower meadow. The ecological value of the site will be enhanced.

The layout has taken account of significant views, notably from the Milton Road and countryside to the south. These views have been addressed through high quality design, landscaping and open spaces and the proposal will enhance the streetscape. The landscape and visual quality of the wider AONB landscape will not be significantly affected, whilst it has been accepted that the need for housing in this part of the AONB is necessary and in the public interest.

Safe and suitable access, appropriate drainage and acceptable levels of amenity can be achieved.

The proposal will lead to environmental benefits, notably as a result of the ecological enhancements, high quality design and landscaping and removal of on-street parking from the Milton Road. There are no significant and adverse environmental impacts.

In accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic, social and environmental benefits. There are no significant and demonstrable adverse impacts which outweigh these benefits and planning permission should be granted without delay.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

BE5 Conservation Areas

BE11 Historic Parks and Gardens

BE13 Archaeological Assessments

BE18 Pollution

BE19 Noise

BE21 Light Pollution

H2 General residential development standards

H6 Medium-sized villages

H11 Affordable housing on allocated and previously unidentified sites

NE1 Safeguarding the Countryside

NE3 Local Landscape Character

NE4 Cotswolds Area of Outstanding Natural Beauty

NE13 Biodiversity Conservation

NE15 Protected Species

T1 Traffic Generation

TLC7 Provision for Public Art

BC1NEW Burford-Charlbury sub-area

EH1NEW Landscape character

EH2NEW Biodiversity

EH5NEW Flood risk

EH6NEW Environmental protection

EH7NEW Historic Environment

H2 General residential development standards

H3NEW Affordable Housing

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

NE6 Retention of Trees, Woodlands and Hedgerows

OS5NEW Supporting infrastructure

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 44 dwellings on 3.35 ha of land with only access to be considered at this stage. A significant portion of the site would be given over to landscaping. The proposal also includes a school car park in recognition of problems with on-street parking associated with the school. A range of supporting information and an indicative layout have been provided. It is envisaged that the development would be predominantly 2 storey, with an apartment building being 2.5 storey. The vehicular access would be from Milton Road.

5.2 The site is a grassed field, currently used for grazing, that lies to the western edge of the village of Shipton under Wychwood. It adjoins the primary school to the northern boundary and a small industrial area to the east. To the south and south west there is open countryside.

5.3 The site is within the Shipton Conservation Area and the AONB.

5.4 There is no relevant planning history on the site.

5.5 The site has been identified in the review of the SHLAA as a suitable site for housing development and it is allocated in the published modifications to the emerging Local Plan as site BC1d.

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

Principle

Siting, design and form

Heritage and landscape

Highways

Trees, landscaping and ecology

Drainage

Residential amenity

SI06 matters

Principle

5.7 Shipton is classified in the Local Plan 2011 as a medium sized, group B settlement. Based on the settlement sustainability assessment (Dec 2013) the village is the most sustainable of the Group B villages assessed in terms of services and facilities available.

5.8 The village benefits from a range of services, including a primary school, food shop, community building, sports facilities, pub and railway station. Therefore, on the basis of its location and facilities, it is considered to be a suitable location for some new housing development.

5.9 The Local Plan 2011 is time expired and subject to a saving direction. The extent to which its policies can be considered up to date, and the weight to be attached to them, will depend on the degree to which they are consistent with the NPPF. Policies for the supply of housing cannot be considered up to date if the Council cannot demonstrate a 5 year supply of land for housing.

- 5.10 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, 1836 dwellings. In order to maintain an annual requirement that is realistically achievable, Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times, and the accumulated shortfall will be spread over the plan period using the "Liverpool" calculation. The supply includes commitments, small sites and allocations which total 4,514 dwellings. This gives rise to a 5.5 year supply. However, the convention is to use the "Sedgefield" method of calculation where the shortfall is dealt with in the next 5 year period rather than being spread over the entire plan period. Using this calculation, the 5 year supply is 4.18 years. The Council will be making a case for "Liverpool" at the resumed Examination, but accepts that this is currently untested and not endorsed by the EiP Inspector. Accordingly, prior to further monitoring information becoming available and the outcome of the Examination, it remains appropriate to apply "Sedgefield" and therefore it is acknowledged that the Council cannot currently demonstrate a 5 year supply. In this context paragraphs 14 and 49 of the NPPF are engaged.
- 5.11 Local Plan 2011 Policy H6 would not allow for the development of the application site under a strict interpretation of the definitions of infilling and rounding off contained therein. However, in the context of the Council currently being unable to demonstrate a 5 year supply of land for housing, this policy is considered out of date with reference to paragraph 49 of the NPPF.
- 5.12 Emerging Local Plan 2031 Policy OS2 allows for limited development in villages which respects the village character and would help to maintain the vitality of these communities. Emerging Policy H2 allows for housing development on undeveloped land within or adjoining the built up area where the proposal is necessary to meet housing needs, is consistent with a number of criteria in Policy OS2, and is consistent with other policies in the plan.
- 5.13 The site adjoins the existing built up area of the village and therefore, on the basis of emerging policies for the supply of housing, the development proposed would be acceptable in principle. In addition, it has the policy presumption in favour of housing development arising from its proposed allocation.
- 5.14 The concerns expressed by objectors about the scale of development in the area arising from the High Street, Milton appeal decision are noted. However, this permission does not preclude further applications being considered favourably on their merits, and the amount of development envisaged across the two villages is not considered excessive or disproportionate.

Siting, Design and Form

- 5.15 An indicative layout has been provided, and this indicates that a scheme of 44 dwellings can readily be accommodated within the site area.
- 5.16 The layout shows an intention to avoid built form on western part of the site, as well as along the southern boundary, which would be open space with public access provided. All around the periphery of the site existing planting would be retained, and new landscaping provided.

- 5.17 It is understood that the houses would be predominantly 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, as indicated in the submitted Design and Access Statement but no detailed elevations are available as part of the application.
- 5.18 The indicative layout shows that buildings would be set back from the road frontage with the development arranged around cul de sacs. No buildings would be sited close to the school or share a boundary with it.

Heritage and landscape

- 5.19 The site is within the Shipton Conservation Area, the boundary of which follows the south and south western site boundary. There are no listed buildings in close proximity, but there is a Grade II registered park and garden approximately 150m to the south, known as the Wild Garden, which was historically associated with Shipton Court and forms part of its listing.
- 5.20 Historic England was consulted on the application but they did not wish to offer any comments or observations.
- 5.21 The Conservation Officer does not object to the proposal, but would wish to see buildings on the southern fringe of the site kept as low as possible and advises that the form of the apartment block should be broken up to reduce prominence in longer views.
- 5.22 Local Plan Policy BE5 states that the character and appearance of Conservation Areas should not be eroded by the introduction of unsympathetic development proposals within or affecting their setting. Policy BE4 refers to open spaces within and adjoining settlements and seeks to resist their loss or erosion where they make an important contribution to the distinctiveness of a settlement, and/or the visual amenity or character of the locality.
- 5.23 Section 12 of the NPPF deals with the historic environment and addresses the impact of development on heritage assets. Emerging Local Plan Policy EH7 has been drafted in the light of the NPPF and promotes the conservation and enhancement of West Oxfordshire's historic environment.
- 5.24 The application site is a substantial area of open space which sits between existing, modern development to the west of the historic core of the village. It is noted that the site lies in the vicinity of the location where the villages of Shipton and Milton sit alongside on another. However, the point at which this meeting takes place is in the minor valley to the west of the school. The Council has been successful in resisting development there that would close the gap between the villages. However, it is considered that the location of the development that is the subject of this application would not contribute to a coalescence of the settlements.
- 5.25 The application site undoubtedly forms a substantial part of the Conservation Area and its openness makes a positive contribution to the character of the village. However, to a significant extent, the visual merits of the site are influenced by modern, utilitarian buildings to each side. There is nothing remarkable or particularly attractive about the site. In addition, the site is not close to or adjacent to a listed building or other heritage asset.

- 5.26 Although it is acknowledged that there would be some harm to the Conservation Area, this is judged less than substantial with regard to paragraph 134 of the NPPF. In this context it is necessary to weigh this harm against the public benefits of the proposal. In this case the main public benefit would be the provision of housing to meet housing needs, and in particular the provision of 40% affordable housing.
- 5.27 The proposal would have some effect on the Conservation Area, but with regard to Local Plan Policy BE5 it is considered on balance that the character would not be significantly harmed.
- 5.28 Not all of the site would be developed and significant areas would be left as open space. Nevertheless, there would be some erosion of openness on this site, that is acknowledged to make a contribution to the character of the area, and to that extent the proposal would be contrary to Policy BE4. However, because the application of this policy can have a bearing on housing land supply, it is not up to date in the context of paragraph 49 of the NPPF and its weight is accordingly reduced.
- 5.29 The site is not considered to be archaeologically sensitive and no objection is raised by OCC Archaeologist subject to conditions.
- 5.30 The land is classified as semi-enclosed clay wolds (large scale) within Upper Evenlode Character Area, as identified in the West Oxfordshire Landscape Assessment. The assessment notes that in this particular landscape type, any development would need to be closely integrated with existing buildings or within a strong landscape structure. It is considered that the intention to retain the land at the western end of the site as landscaped open space and the adjacency of existing buildings responds to this requirement. The proposal would comply with Policy NE3 in that the local landscape character would be respected.
- 5.31 Paragraph 115 of the NPPF and Local Plan Policy NE4 refer to the conservation of the AONB. As a major application, it is necessary that the proposal is assessed against paragraph 116 of the NPPF, which allows for major developments in designated areas in exceptional circumstances and where it can be demonstrated they are in the public interest. In this regard, there is a need for the development to contribute to housing land supply and deliver the economic and social benefits that arise from it, particularly affordable housing. Although the delivery by sub-area is not set in stone as a target to be met, there is an assumption that some supply will come forward in suitable locations within the AONB. The overall supply requirement is such that it is not necessarily realistic to expect all housing need to be met outside the AONB. The location and characteristics of the site are such that detriment to the environment and landscape can be mitigated effectively.
- 5.32 The proposal would respect the pattern of development in this location and would be compatible with its character. Although there would be some erosion of private open space, on balance, the proposal is considered to comply with Local Plan Policies BE2 and H2, and emerging Policy OS2 insofar as the matters addressed by this outline application.

Highways

- 5.33 The OCC Highways Officer in his initial response identified a number of key issues:
- 1) The site is not in a transport sustainable location since its access to public transport has been drastically reduced and therefore travel mode choice will be severely limited.

- 2) Significant improvements to the transport sustainability of the site have not been demonstrated.
- 3) The site access junction with Milton Road will require detailed junction capacity assessment.
- 4) Details of the extent of the parking survey are required.
- 5) The parallel parking arrangement at the school drop-off and pick-up point is acceptable.
- 6) Minor improvements to the existing Villager bus service could be made by the developer in consultation with the District council.
- 7) A residential travel information pack will be required.
- 8) A car park management plan will be required.
- 9) A Traffic Regulation Order will be required for the proposed parking restriction of Milton Road.

5.34 In response to these observations, the applicant has set out the following:

- 1) An intention to make a contribution to a bus service between Shipton and Witney. The amount suggested by the Parish Council of £46,484.00 is not objected to by the applicant and this could form part of a legal agreement. Other contributions to pedestrian crossings could be made if deemed necessary and appropriate in connection with the proposed scheme. The OCC Highways Officer has questioned whether the sum to be provided would be sufficient to provide the bus service and it is unlikely to come to fruition without significant additional funds being found. On this basis OCC concerns about transport sustainability remain.
- 2) The applicant's transport consultant has liaised with OCC and further junction assessment information has been provided. On the basis of the information provided, OCC has withdrawn its objection relating to junction assessment.
- 3) The extent of the parking survey has been confirmed and OCC withdraws its objection in relation to this matter.

5.35 A Travel information pack and car park management plan can be addressed by condition. The imposition of a Traffic Regulation Order on Milton Road is a separate matter under separate legislation.

5.36 Overall, Officers consider that the means of access will be acceptable and the measures proposed should result in no detriment in highway safety terms. There remains some concern from OCC about pedestrian accessibility in this locality, rather than in relation to the site itself, and further advice from OCC will be provided at the meeting if available as regards off-site highways works.

Trees, landscaping and ecology

5.37 There are a significant number of trees on the boundaries of the site. The submitted Tree Report indicates that these will be retained. There are also other trees just outside the boundary which contribute to the existing screening.

5.38 A tree protection plan has been provided, but tree protection measures will be the subject of a condition. It is considered that there would be no detriment in landscape terms arising from the treatment of trees on and adjoining the site. The proposal therefore complies with Local Plan Policy NE6.

5.39 A reserved matters submission would include a landscaping scheme, and the illustrative plan indicates an intention to provide significant additional planting.

- 5.40 An ecological report was submitted with the application. This has been considered by the Council's Ecologist and no objection is raised subject to conditions.

Drainage

- 5.41 The site is within Flood Zone I and therefore at low risk of flooding. Although concern has been expressed locally about flooding and drainage, subject to a sustainable drainage scheme being agreed, there is no reason to believe that the development would result in detriment as regards increased flood risk. New drainage features such as a pond are shown on the indicative plan. The site is not considered at high risk from any other sources of flooding. The proposed surface water drainage system will replicate the current greenfield conditions found on site.
- 5.42 The submitted Flood Risk Assessment conclusions note the following :
- (i) Surface water runoff from the development will not increase flood risk to the development or third parties.
 - (ii) Sustainable Drainage Systems (SuDS) have been explored and used to attenuate to at least pre-development discharge rates.
 - (iii) An allowance for climate change has been incorporated, which means adding an extra amount to peak rainfall, which relates to the life time of the development.
 - (iv) The residual risk of flooding has been addressed should failure or exceedence of the drainage system occur. This could include measures to manage residual risk such as raising ground or floor levels where appropriate.
- 5.43 There is no reason to believe that the development will increase the incidence of waterlogging of the school playing field.
- 5.44 Thames Water, has been unable to determine the waste water infrastructure needs of this application and therefore a condition is recommended regarding submission of a drainage strategy.

Residential amenity

- 5.45 The indicative layout shows that a development of 44 units can be accommodated on the site without causing impacts on privacy, light or general amenity to neighbouring property. The detailed arrangement of buildings would be addressed at the reserved matters stage in any event.
- 5.46 There would be separation between dwellings and the industrial building to the east.
- 5.47 Although it is acknowledged that the outlook from the primary school will changed as a result of the development, this is not material to the decision. The detailed layout will address any overlooking between dwellings and the school. Some disturbance during construction is inevitable but the operation of the site would be subject to a construction management plan, secured by condition.

SI06 matters

- 5.48 The applicant has referred to the provision of 40% affordable housing which is a policy compliant contribution.

- 5.49 A contribution of £5,670.00 is required towards public art.
- 5.50 A contribution of £47,872.00 off site contribution towards community/sport/recreation facilities within the catchment is required. It is intended that this will go towards the provision of a floodlit MUGA at the Primary school. In addition, £35,992.00 is required for the enhancement and maintenance of existing play/recreation areas within the catchment. This is intended to go towards enhancement of existing play provision at Beaconsfield Hall.
- 5.51 Contributions are not required towards education. The capacity of schools in the area is considered adequate to accommodate the development.
- 5.52 A contribution of £12,228.40 is required towards local library provision.
- 5.53 There is an intention to make a contribution to a bus service between Shipton and Witney. The amount suggested by the Parish Council is £46,484.00.
- 5.54 The Parish has suggested a number of other projects that could be funded by the developer. However, at the time of writing, their proposals were not in a form that could be properly assessed as regards compliance with NPPF paragraph 204 or the CIL regulations. Some monies are sought for highways works in the form of pedestrian crossings, but this is the remit of OCC and further advice is being sought from them which will be reported at the meeting. Contributions to sport/play facilities are covered in the WODC requirements. The contributions set out above are the ones currently identified as necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and in kind to the development. It is a matter for the Parish whether they wish to continue to liaise with the applicant on further projects and contributions.

Conclusion

- 5.55 The site is considered to be in a generally sustainable location, in a medium sized village and it relates well to existing development. However, OCC maintains its concern about transport sustainability because of the withdrawal of the bus service. There is also some concern about pedestrian accessibility in the locality, but at the time of writing it was not clear how this might be addressed by way of off-site works.
- 5.56 Although there would be some loss of open space in a prominent location in the village, part of the site would remain undeveloped and would be landscaped. The limited harm arising from loss of open space is, in this case, outweighed by the benefit of providing new housing in a suitable location.
- 5.57 The site lies within the Shipton Conservation Area. Although there would be some effect in terms of replacing open space with built form, the impact on the Conservation Area would be less than substantial. The provision of new housing in a suitable location is considered to outweigh this limited harm.
- 5.58 Existing trees and hedgerow would be retained, save for limited removal to facilitate the development. The development would therefore sit within an established landscape setting, and additional landscaping would be provided as part of any future scheme.

- 5.59 The access to the site is acceptable in highways terms.
- 5.60 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.61 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.62 There is no reason to believe that residential amenity would be adversely affected and detailed layout and design will be considered at reserved matters in this regard.
- 5.63 Having taken into account material planning matters, the acceptability in principle of the site, and balancing the harm arising with the benefits, it is recommended that the application is approved subject to completion of a legal agreement.

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 scale, layout, appearance 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 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.
- 4 A. Site Characterisation
No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site.
Moreover, it must include:
(i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
(ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
(iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems.

B. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

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".

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C.

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

- 5 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 6 Prior to commencement of the development, including any demolition and site clearance, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012)

- 7 Following the approval of the Written Scheme of Investigation referred to in condition 6, and prior to commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).
- 8 No development, including site clearance and demolition, shall commence until all existing trees shown to be retained within the submitted "Tree Survey Report" by Venners Arboriculture dated August 2016 have been protected in accordance with a tree protection plan which complies with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction'. The tree protection plan shall have been first submitted to and approved in writing by the local planning authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or lighting of bonfires shall be carried out within any tree protection area.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.
- 9 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.
- 10 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
REASON: In the interest of improving connectivity in the District.
NB Council will be able to advise developers of known network operators in the area.
- 11 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.

- 12 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.
 - VII 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.
- 13 The works shall be completed in accordance with the recommendations laid out in:
- i. Section 5 of the Extended Phase I Habitat Survey report by Lockhart Garrett dated March 2016;
 - ii. Sections 5.6 to 5.9 inclusive of the Badger Activity Survey report by Lockhart Garrett dated August 2016; and
 - iii. Sections 5.3 to 5.5 inclusive of the Bat Activity Survey report by Lockhart Garrett dated August 2016
- All the recommendations shall be implemented in full according to the recommended timescales, unless otherwise agreed in writing by the Local Planning Authority and thereafter permanently maintained.
- REASON: To ensure that the species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy NE13 of the West Oxfordshire District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 14 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- i. Risk assessment of potentially damaging construction activities;
 - ii. Identification of 'biodiversity protection zones';
 - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset) ;
 - v. The times during construction when specialists ecologists need to be present on site to oversee works;

- vi. Responsible persons and lines of communication;
- vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- viii. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. A report prepared by a professional ecologist or the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats, to ensure that approved mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines, and to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licence, during construction.

- 15 Prior to commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- i. Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species;
 - ii. Full details of features to be created for species, including bats, nesting birds, hedgehogs and reptiles;
 - iii. Description and evaluation of features to be managed; including location(s) shown on a site map;
 - iv. Landscape and ecological trends and constraints on site that might influence management;
 - v. Aims and objectives of management;
 - vi. Appropriate management options for achieving aims and objectives;
 - vii. Prescriptions for management actions;
 - viii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10-year period);
 - ix. Details of the body or organisation responsible for implementation of the plan;
 - x. Ongoing monitoring and remedial measures;
 - xi. Timeframe for reviewing the plan; and
 - xii. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

- 16 Prior to occupation, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features on site that are particularly sensitive for bats and badgers, and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- REASON: To minimise light spillage and to ensure no illumination of sensitive areas for protected species, including foraging/commuting bats and badgers.
- 17 Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on Milton Road, including position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details.
- REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework
- 18 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing, lighting and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.
- REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.
- 19 No dwelling shall be occupied until car parking space(s) to serve that dwelling have been provided according to plans showing parking and the necessary manoeuvring and turning to be submitted and agreed by the Local Planning Authority. All car parking shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority. Car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- REASON: To ensure appropriate levels of car parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

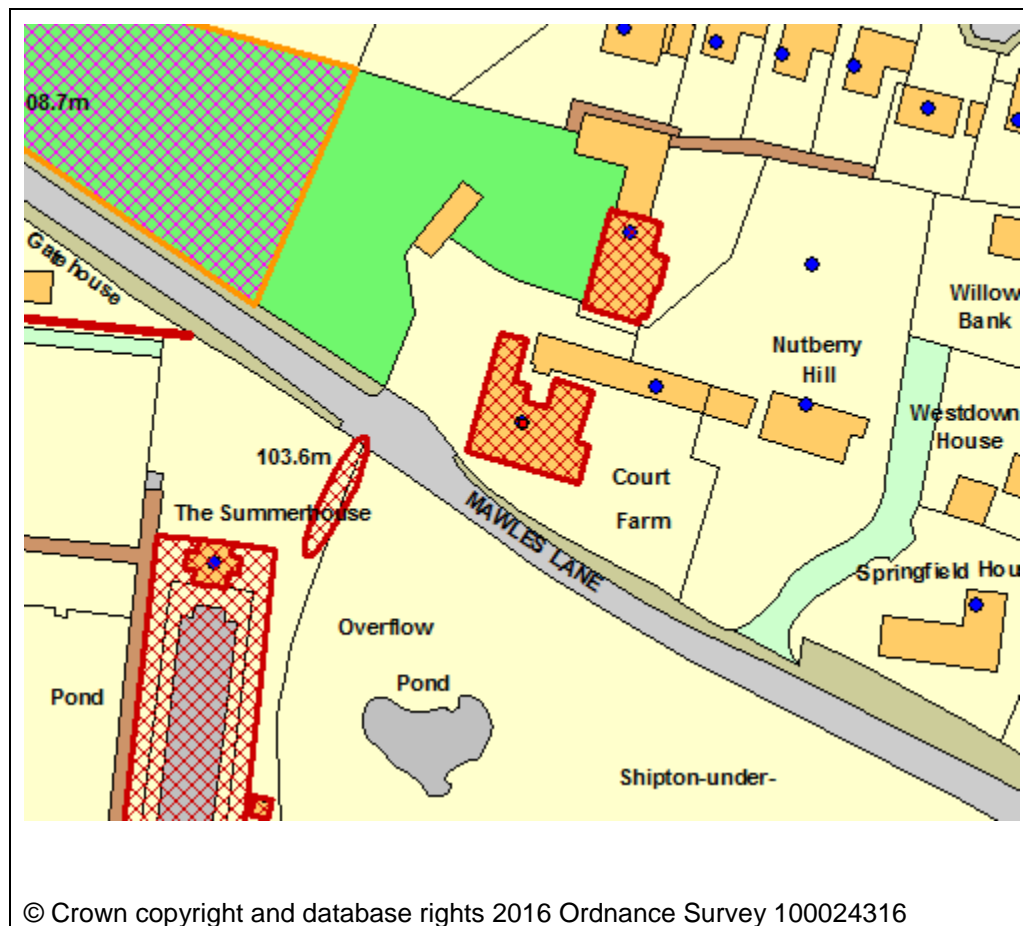
- 20 Prior to the first occupation of the development hereby permitted, a plan showing the number, location and design of cycle parking for the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the agreed plan shall be provided for each phase of the development prior to first occupation of that phase of the development. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.
REASON: To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.
- 21 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. 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.
- 22 Prior to first occupation of any of the dwellings, a residential travel plan shall be submitted to and approved by the local planning authority in consultation with the local highway authority. The plan shall incorporate details of the means of regulating the use of private cars at the development in favour of other modes of transport and the means of implementation and methods of monitoring.
REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework

NOTES TO APPLICANT

- 1 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Further information can be found at the following websites:
Biodiversity Planning toolkit:
http://www.biodiversityplanningtoolkit.com/stylesheet.asp?file=621_what_are_nationally_protected_species
Bat Conservation Trust:
<http://www.bats.org.uk/>
Natural England: <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

Application Number	I6/03297/FUL
Site Address	Court Farm Mawles Lane Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6DA
Date	25th January 2017
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427880 E 217593 N
Committee Date	6th February 2017

Location Map



Application Details:

Construction of detached family home with associated garden store, car ports and pedestrian access onto High Street (amended).

Applicant Details:

Mr J M, D E, R C Barrett And Mrs G I Senior
Fernhill Farmhouse
Ascott Under Wychwood
Oxon
OX7 6AQ

I CONSULTATIONS

- I.1 OCC Highways No objection.
- I.2 WODC Drainage Engineers Conditions.
- I.3 ERS Env Health – Uplands No objection.
- I.4 WODC Architect Overall, no strong objections.
- I.5 Parish Council
Shipton-under-Wychwood Parish Council has no objection to the concept of development on this plot but has significant reservations about the scale of the proposed property and its proximity to Linden House. In addition the first floor window overlooking Linden House appears to be unnecessarily intrusive. The PC is not convinced that it complies with present planning policy.

The PC also recognises the strength of feeling against this development, of people in neighbouring properties although this does not alter its view that it would like to see in future a more limited development than is currently proposed.

The proposed dwelling is also in an area of Grade 2 listed properties so any development will need careful scrutiny. The PC asks that this is referred to the Uplands Planning Committee due to this proximity of Grade 2 listed buildings.

Following revised plans: Shipton-u-Wychwood PC has reservations about the first floor window and the proximity of the property notwithstanding the shadow assessment that has been carried out. The immediate neighbour has significant concerns regarding the proximity of the development.
- I.6 WODC Landscape And Forestry Officer
In circumstances such as this where development is proposed in close proximity to important trees I would recommend seeking an arboricultural method statement to support a planning application, rather than leaving it to be completed to comply with a planning condition. Otherwise, it is often too late when it is discovered that it is not as straightforward to develop a site as was first thought.

If the council's approach is to safeguard the existing character of the

site and surroundings new planting with lime trees in the gaps in the rows of trees should be secured as part of any planning permission.

Arboricultural Method Statement received - recommend conditions to be attached to a recommendation to approve.

- 1.7 Biodiversity Officer No objection subject to condition.

2 REPRESENTATIONS

- 2.1 Five residents have submitted a joint letter of objection (albeit not to the principle of a house in this location). The concerns are summarised as follows:

- i. Scale, Bulk and Massing and Proximity to nearby properties (Linden House in particular) and resulting impact on residential amenity in terms of overshadowing, diminished light and loss of privacy.
- ii. Impact on the character and appearance of the Conservation Area.
- iii. Impact on Shipton Court Grade II* Listed (Historic Park and Garden) and surrounding Listed Buildings.

- 2.2 The resident of Linden House adds in a separate email (summarised):

I wouldn't actually object to the building if the planning application was moved five meters to the south and therefore further away from my house. This would centralise the location of the development and mean the building would be seven meters from my property and most importantly ten meters from my house. The impact on my residence and environment would be minimised and be acceptable... it seems unfair that a considerable effect would be experienced by me and my family and the residence of the property (for however many hundreds of years these houses are standing for) because of a tree that's approaching old age and will not exist in twenty or thirty years.

3 APPLICANT'S CASE

- 3.1 The Proposal: (as set out in 'Design and Access Statement; September 2016)

1. The site is of sufficient size to accommodate a large family house. The house has a gross internal floor area, excluding the car ports and garden store, of 338 sq.m. The internal arrangements follow a traditional pattern, with a central hall leading through the house. A new pathway gives pedestrian access to and from the High Street. A secondary porch and doorway on the rear elevation lead to the carports.

2. At ground floor the plan provides living and dining rooms, a study, a large family kitchen and utility room. At first floor and within the traditionally pitched slate roofs, six bedrooms are provided with associated bathrooms and shower rooms.

3. The principal part of the house, facing the High Street, has a simple rectangular plan, with conservation roof windows on the east elevation for the loft bedrooms. At the rear, a single storey wing projects, with raised eaves to the roof. The proposal is completed by a pair of timber framed car ports and bicycle store. This has a lower pitched roof, clad with natural grey slates to reduce its visual impact.

4. The elevations show the house to be constructed of natural stone, with quoins to the corners, stone lintels and 45 degree pitched roofs over, clad in reconstructed stone slates laid in diminishing courses. Brick chimneys serve the fireplaces in the living and dining rooms. External fenestration is of traditional proportions, with painted timber windows and doors set into stone reveals.

5. Integrated with the pair of car ports, a substantial store is provided, capable of accommodating securely a number of bicycles as well as storage for domestic refuse and recycling. In common with other properties along Mawles Lane, refuse and recycling will be brought to the roadside on collection days."

"The Proposal as Further Revised Following Discussions with Planning Officers:
(Notes added on the 24th of January 2017)

6. Following the submission of the proposal as described above, further revisions were requested by planning officers which were incorporated in revised drawings sent to the Council on the 16th of December 2016, along with an Arboricultural Method Statement which had also been requested to supplement the Tree Survey originally submitted.

7. The changes made can be summarised as:

- o The house is moved 1.2m. further into the site from the High Street boundary
- o The main front part of the house is reduced in length to keep construction work away from the root protection area of Tree T1.
- o The length of the lower rear kitchen wing is reduced.
- o The former garden store and pair of car ports, previously attached to the lower rear wing are removed from the proposal.
- o A new pair of simple car ports is set against the rear (south east) boundary of the plot, away from the house itself, with a reduced parking area, enlarging the private garden area at the rear and side of the house to benefit the private amenity of future residents.
- o Tree T14, noted in the Tree Survey as suffering from fungal infection, is shown as removed and replaced with a new lime tree; further infill tree planting is shown on the High Street and Mawles Lane boundaries.

8. As it was noted that concerns had been expressed in consultation responses about the plot size, adjoining and nearby properties were reviewed and information submitted to WODC by e-mail on the 29th of November 2016. This showed the application plot size to be approximately 1470 sq.m(excluding the drive from Mawles Lane) compared with Linden House (950 sq.m), Coldstream House (1150 sq.m), Gardener's Cottage (980 sq.m)and 'The Gate House' opposite on Mawles Lane (230 sq.m).

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

BE8 Development affecting the Setting of a Listed Building

H6 Medium-sized villages

NE4 Cotswolds Area of Outstanding Natural Beauty

NE6 Retention of Trees, Woodlands and Hedgerows

OS2NEW Locating development in the right places

EH1NEW Landscape character

EH7NEW Historic Environment

OS4NEW High quality design

H2 General residential development standards

BE4 Open space within and adjoining settlements

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

5.1 This application has been brought to Committee at the request of the Parish Council as, although they do not object to the principle of development on the site, they have concerns regarding the detail (see consultation response).

5.2 The application seeks planning permission for the erection a 6-bed detached dwelling and 2-bay detached car port on a former orchard to the Shipton Court Estate to the south of Linden House and to the west of the recent barn conversion at Court Farm Barn. The access to the site is existing as was approved under the recent Court Farm Barn application. The site is currently overgrown with a number of mature Lime trees along the boundary with Mawles Lane and High Street.

Background Information

5.3 The site is located within the Shipton-under-Wychwood Conservation Area and the Cotswold AONB.

5.4 Notable Listed Buildings in the vicinity are Shipton Court, Grade II* and a Registered Park and Garden and Court Farm Barn, the Grade II listed barn conversion.

5.5 Residential properties in the vicinity along High Street are large detached residential properties, set back from the road frontage in fairly large plots.

5.6 The application was subject to pre-application advice and an application was submitted and later withdrawn in June 2016 (ref: 16/01537/FUL) in order to amend the design (delete dormer windows) and complete an Ecology Survey.

5.7 This current application has been the subject of a Site Plan which was amended to show the correct canopy spread of the trees and also to reduce the width of the dwelling in order to pull the south elevation away from the Root Protection Area of the nearest Lime Tree. An Arboricultural Method Statement including shadow plans were also requested and on this basis the applicant was requested to create more useable amenity space out of the shadow of the trees in order to reduce future pressure on the trees for pruning/felling. The rear gable elevation was separated from the car port and a terrace area created.

5.8 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 this application are:

Principle
Scale, siting, design and form
Impact on the character and appearance of the Conservation Area
Residential amenities
Impact on the AONB
Trees and ecology
Highways
Drainage and contamination

Principle

- 5.9 Shipton-under-Wychwood would have historically fallen under Policy H6 of the West Oxfordshire Local Plan 2011 which allows for infilling, rounding off and conversion of appropriate existing buildings. However, as the Council has not been able to demonstrate that it has a 5-year supply of deliverable housing sites, relevant local plan policies for the supply of housing cannot be considered up to date. Housing applications within the District therefore need to be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of The Framework says that for decision making where relevant local plan policies are out of date, this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in The Framework taken as a whole. In light of the above and given that the site is located within the built-up limits of the settlement, the principle of development is acceptable.

Scale, Siting, Design and Form

- 5.10 The proposed dwelling is of a vernacular design using natural stone and reconstructed stone slates. This would be sympathetic to the existing dwellings in the area.
- 5.11 It is sited within the plot such that it maintains the existing building line along the High Street, set back in the site some 16m from the road. The scale of dwelling proposed is considered acceptable for the size of the site, with other detached dwellings nearby sitting in similar sized plots. It is not considered to be overdevelopment of the site.
- 5.12 The design and siting of the dwelling has also been determined by the constraints of the site in terms of the sloping topography, the root protection areas of the Limes trees, the adjacent residential property and consideration of the impact on the character and appearance of the Conservation Area and setting of the nearby listed buildings.
- 5.13 As previously referenced, the site is a former orchard but is currently overgrown. The scheme retains the lime trees and includes the replanting of three new trees.
- 5.14 The proposed dwelling is set down from the High Street, following the sloping topography of the site. It replicates the adjacent Linden House in terms of the appearance of the roof heights in the street scene. The rear projecting gable is subservient and is located 4.4m from the neighbouring boundary at its closest point. This element, projects 7m at angle away from the boundary, thereby avoiding appearing overbearing.
- 5.15 Officers consider the proposed development to form a logical complement to the existing scale and pattern of development.

Impact on the character and appearance of the Conservation Area and setting of the Listed Buildings

- 5.16 The site is adjacent to the Conservation Area and as such the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.17 In the exercise of planning functions, the statutory test in relation to a listed building is that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy BE8 of the Local Plan and Policy EH7 of the emerging Local Plan are consistent with this test.
- 5.18 The Framework defines the setting of a heritage asset as the surroundings in which it is experienced. Setting embraces all of the surroundings from which an asset can be experienced, or that can be experienced from or within the asset. In essence, if the development proposed could be seen from, or in conjunction with, any of the heritage assets that surround the application site, then there would be an impact on their setting.
- 5.19 The application site lies directly adjacent to a modern dwelling of similar proportions (northern boundary). The application site is largely screened by trees from the streetscene and is located across the road and some distance from Grade II Listed Coldstream House. The recent barn conversion of Court Farm Barn has created a very separate enclosed dwelling which results in the application site contributing little to the heritage significance of this listed building. As a result, the ability to appreciate and understand the significance of these buildings would not be materially affected by the development proposed, thus their special interest and significance would therefore be preserved.
- 5.20 In terms of the impact on Grade II* Shipton Court, its special significance is derived from its age, form, architecture and appearance. The elements of setting that contribute to its significance include its immediate plot - its park and gardens and surrounding listed walls and gate piers. In this context, given that the building is on the opposite side of the road to the application site and separated by a reasonable distance from it, including by high walls and a modern dwelling known as The Gatehouse, officers consider the application site contributes little to the significance of this building or its setting. As such, officers consider that the development proposed would not cause any harm to the special interest or significance of this listed building (and Registered Park and Gardens).
- 5.21 Development of this site would result in the loss of this open site to development, however, the band of mature trees would be retained and enhanced and the dwelling would be set several metres back and down from the front site boundary. As a result, public views of the proposed development from High Street and Mawles Lane would be softened and filtered. When the trees are not in leaf, the density of the tree band and the extent to which the proposed dwelling would be set back, would mean that the development would form part of the background to the streetscene, rather than a prominent part of it. As a consequence, it would not dominate the streetscene, or appear overbearing on the adjacent dwelling or Court Farm Barn to the rear.
- 5.22 On the basis of the additional planting, the scale, design and siting, respecting the trees and existing building line along High Street, officers consider that the character of the Conservation

Area will not be materially harmed by the development and as such will be preserved. Any harm caused would in any event be outweighed by the merits of providing new housing in a sustainable location.

Residential Amenities

- 5.23 The proposed dwelling maintains the front building line and roof lines with Linden House when viewed from the High Street. The rear projecting gable is subservient and would be 4.5m to the eaves (highest eaves level) at a point 5.8m from the boundary. The roof slopes away from the boundary. The rear elevation of Linden House would not suffer from detrimental loss of light to the habitable rooms or the rear private garden. It is noted from the sun diagrams in the Arboricultural Survey that part of the garden of Linden House is in shadow during the winter months as a result of the 17m high Poplar Tree on Mawles Lane, outside the application site.
- 5.24 The proposed dwelling is located 4.5m from side elevation of Linden House at its closest point. This is considered an acceptable distance in general design and siting terms. The existing windows in the side elevation of Linden House are secondary windows and the only window at first floor serves an ensuite. This can be conditioned to be obscure glazed and non-opening below 1.7m from floor level. At ground floor, two kitchen windows face Linden House. An obscure glaze/non-opening condition is recommended to prevent overlooking as it would appear the top of a 1.8m high fence 4.5m distance from the window, would sit just above cill level.
- 5.25 In light of the above the application proposal is considered acceptable in terms of neighbour amenity and is compliant with Local Plan Policy BE2 and H2 and emerging Local Plan Policy OS2, OS4 and H2.

Impact on the Cotswold AONB

- 5.26 Paragraph 115 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. The sloping topography of the site away from the High Street, the presence of existing vegetation and not extending the development into open countryside, means that the proposed dwelling would have no real visual presence beyond its immediate setting. Your officers consider that there would be no material harm to the AONB in this location.

Trees and Ecology

- 5.27 A Phase 1 Habitat Survey report by Windrush Ecology dated August 2016 has been submitted with the application and the Ecology Officer is satisfied with the methodology, findings and recommendations contained within this report. The line of lime trees along the southern and western boundaries of the site are the main features of ecological interest and were assessed as having moderate ecological value in the report. One of these trees will be removed for health and safety reasons (T14), but two new lime trees are proposed. This is satisfactory compensation.
- 5.28 Construction exclusion zones will be required to be maintained and the Landscape Officer has requested that the Method Statement be adhered to with an appropriate condition and a Construction Method Statement prepared detailing how the build is to proceed in terms of site

organisation and detailing the specifics of barriers, routing of services, dealing with excavation and storage of spoil and materials as a pre-commencement condition.

Highway

- 5.29 The proposal has shown a minimum of two spaces for the dwelling in the car port building and also two additional off-street spaces and turning space. The vehicular access from Mawles Lane is existing. The proposal is not considered to result in an unacceptable intensification of this access and the County Council as Highway Authority have raised no objection subject to conditions being imposed.

Drainage and Contamination

- 5.30 The District Drainage Engineers were consulted and conditions regarding sustainable drainage have been attached to the recommendation.
- 5.31 Environmental and Regulatory Services were consulted regarding contamination. Conditions requiring a desk study and potential subsequent remediation scheme have been attached to the recommendation.

Conclusion

- 5.32 Your officers consider the proposal represents an appropriate use in a sustainable location and accords with adopted Local Plan policies BE2 and H2 and emerging Local Plan policies OS1, OS2 and H2 and paragraphs 14 and 49 of the NPPF.
- 5.33 Officers do not considered the proposal to be over-development of the site. An appropriate relationship is maintained between the neighbouring property in accordance with adopted Local Plan policies BE2 and H2 and emerging Local Plan policies OS2, OS4 and H2.
- 5.34 The proposal represents acceptable scheme in terms of the loss of this open space, and the siting and design in the context of preserving heritage assets and their settings and therefore complies with Local Plan policies BE2, BE4, BE5 BE8 and H2 and emerging Local Plan policies OS2, OS4 and EH7.
- 5.35 The proposal safeguards the root protection areas of the existing trees and offers mitigation in terms of additional planting and ecological mitigation and therefore complies with Local Plan policies NE6 and NE15 and emerging Local Plan policies EH1 and EH2.
- 5.36 No highways objection is raised and the proposal is acceptable in relation to Local Plan Policy BE3.
- 5.37 Your officers recommend this application for approval in accordance with the policies referred to herein.

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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 16th December 2016.
REASON: The application details have been amended by the submission of revised details.
- 3 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 4 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan 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. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30% CC event has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).
- 5 The boundary shall be planted with two infill trees of the same species as existing (Lime) and one replacement lime tree (T14) in the first planting season following the commencement of the development. The existing trees, together with the new plants, shall be retained and any plant which dies shall be replaced in the next available planting season.
REASON: To safeguard a feature that contributes to the character and landscape of the area.
- 6 Notwithstanding the information provided on the approved layout plan, details of all walls and fences around each plot and on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected before occupation of the associated dwellings hereby approved and thereafter be retained.
REASON: To ensure that in the interests of privacy and visual amenity a high standard of boundary treatment is provided.
- 7 The development hereby approved shall be carried out strictly in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and/or the Tree Protection Plan prepared by Lockhart Garratt on 8th December 2016.
REASON: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy NE6 of the adopted West Oxfordshire District Council (WODC) Local Plan 2011

and Policy EHI of the emerging WODC Local Plan 2031 and Government guidance contained within the National Planning Policy Framework.

- 8 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.
- 9 The external walls shall be constructed of natural local 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.
- 10 The roof(s) shall be covered with artificial Cotswold stone slates of random sizes, samples of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences and the slates shall be laid in courses diminishing in width from eaves level to the ridge of the roof in accordance with normal practice in the locality.
REASON: To safeguard the character and appearance of the area.
- 11 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.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.
- 12 Demolition and construction works shall not take place outside 8am hours to 6pm hours Mondays to Fridays and 9am hours to 4pm hours on Saturdays and shall not take place at any time on Sundays and Bank Holidays.
REASON: To safeguard living conditions in nearby properties.
- 13 Before first occupation of the building hereby permitted the first floor north facing ensuite window shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) up to a minimum height of 1.7 metres above finished floor level and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 14 I. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not is 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 a verification report confirming that all works were completed in accordance with the agreed details.

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

REASON: To ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and The National Planning Policy Framework.

- 15 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 development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A and B shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to protect neighbouring amenity, the character and appearance of the Conservation and the setting of the Listed Building.

- 16 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.

- 17 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.

REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

- 18 The development shall be completed in accordance with the recommendations in Section 5 of the consultancy report (Phase 1 Habitat Survey dated August 2016 prepared by Windrush Ecology). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the LPA, and thereafter permanently maintained.

Measures for the protection of habitats and wildlife must be implemented throughout the development period, and all measures must be implemented and completed in full prior to the development being brought into use. This Condition will be discharged on receipt of information (photographs, plans, etc) demonstrating all measures have been implemented as approved.

REASON: To ensure that the species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies Ne13 and NE15 of the West Oxfordshire District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 19 Before above ground works commence, details of the provision of bat roosting and bird nesting features into the new dwelling (integral bat boxes in the southern elevation either side of the windows) and its associated car port (integral house sparrow terrace boxes on northern elevation and/or internal features for house martins) shall be submitted to the local planning authority for approval, including a drawing showing the locations and types of features. The approved details shall be implemented before the dwelling hereby approved is first occupied, and thereafter permanently maintained.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy NE13 of the West Oxfordshire District Local Plan 2011 and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 20 Before first occupation of the building hereby permitted the ground floor north facing windows shall be fitted with obscure glazing and shall be fixed shut and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

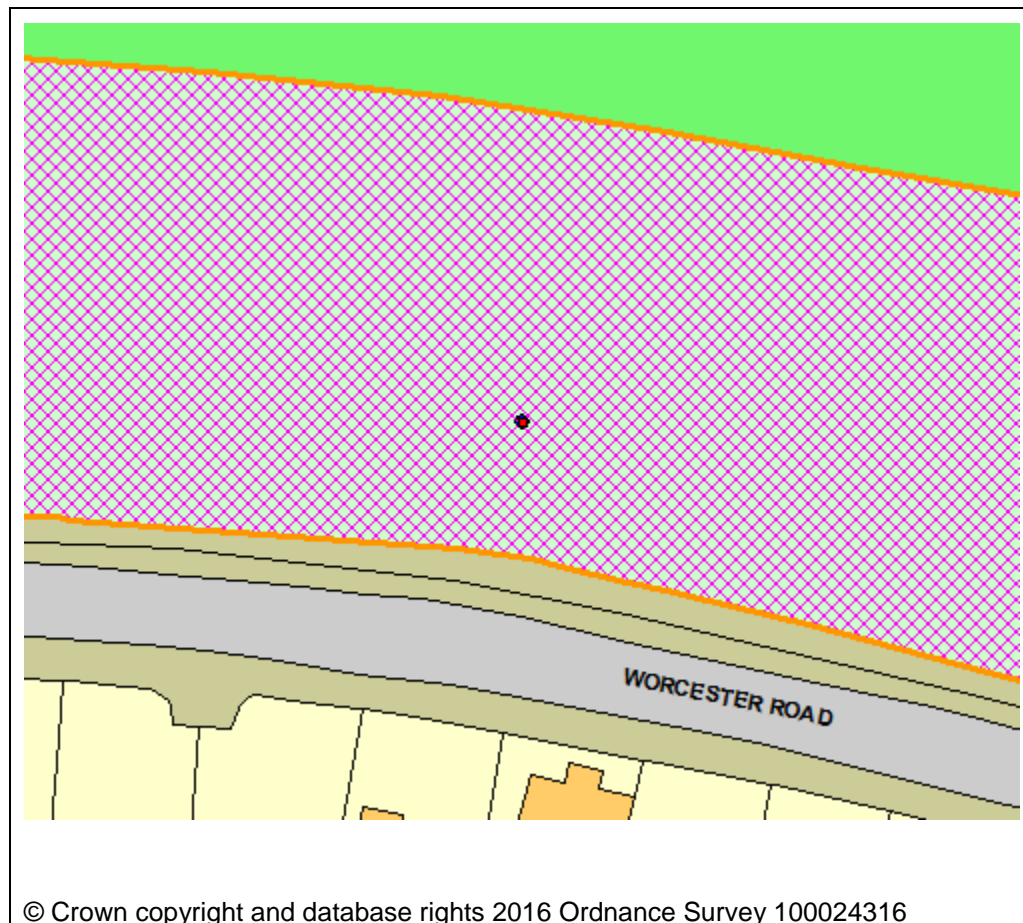
NOTES TO APPLICANT

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- CIRIA C753 SUDS Manual.
- The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after March 2015. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))

Application Number	I6/03302/OUT
Site Address	Land North Of A44 Worcester Road Chipping Norton Oxfordshire
Date	25th January 2017
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Chipping Norton Parish Council
Grid Reference	429819 E 227010 N
Committee Date	6th February 2017

Location Map



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

I CONSULTATIONS

I.1 Major Planning
Applications Team

Highways and Drainage

Initial response raised concerns about the number of access points proposed, although the level of traffic generated by the proposed development would be unlikely to have a severe cumulative residual impact on the adjacent road network. Concerns were also raised that no provision has been made for visitor parking.

OCC Highways officers response to the amended plans welcomed the reduction in the number of access points to 4, the changes were deemed to be beneficial in terms of highway safety and amenity.

OCC drainage engineers initial response raised concerns regarding the lack of details provided regarding surface water drainage as well as a lack of details regarding infiltration rates.

Following the receipt of further details OCC drainage engineers have indicated that:

No calculations to prove the proposals will work. No sizing of SUDS features have been given and soakage areas have not changed and are still too close to the public highway.

Archaeology

No objection

Property

OCC is not seeking property contributions to mitigate the impact of this development on infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended).

If a S106 agreement is required to secure either transport or education contributions then the County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured. An administrative payment would also be required for the purposes of administration and monitoring of the proposed S106 agreement

The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission

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|-----|-------------------------------|---|
| I.2 | WODC - Arts | We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site. |
| I.3 | WODC Architect | No Comment Received. |
| I.4 | WODC Head Of Housing | No Comment Received. |
| I.5 | WODC Env Services – Landscape | No Comment Received. |
| I.6 | WODC Planning Policy Manager | Chipping Norton is classed as a Group C Service Centre in the adopted Local Plan and a 'Main Service Centre' in the emerging Local Plan 2031. It is therefore suitable for additional residential development being a sustainable settlement. |

Whilst recognising that to meet identified housing needs, additional residential development will be needed on fringe greenfield sites, in this instance the site relates poorly to Chipping Norton and would not represent a logical complement to the existing built form.

Coupled with this and poor accessibility to services by means other than private transport, it may be concluded that the benefits of the scheme (including the provision of self-build properties) are not sufficient to outweigh the harms of the proposed development and as such it does not represent sustainable development in the context of the NPPF.

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|-----|---------------|--|
| I.7 | WODC - Sports | No Comment Received. |
| I.8 | Thames Water | With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied -
"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the |

sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Water Comments

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

1.9 Biodiversity Officer

I've checked the above planning application and taken a look at the site on GIS, including aerial photography. The site appears to be unimproved or semi-improved pasture / hay field (aerial photo indicates lines where machinery has cut the grass) surrounded by hedgerows and linear woodland. The hedgerows and linear woodland is connected to other hedgerows and woodlands, in all directions to the southwest, west, north and east along the A44. The site therefore has the potential to be ecologically valuable and an assessment should be carried out to ensure that the proposed development takes account of protected species, priority species and priority habitats in line with current legislation, planning policy and guidance, including Section 11 of the NPPF and policies NE13 and NE15 of the West Oxfordshire Local Plan (adopted) 2011.

Hedgerows are a priority habitat and should be assessed under the Hedgerow Regulations 1997 as being "important" or not, as the southern boundary hedgerow would be affected by the proposed access from the A44 and would therefore require compensation.

Other mitigation/compensation measures may also be required for loss of habitat if the grassland is assessed as being valuable (e.g. a priority habitat type) or if the boundary vegetation would be negatively impacted. The site may have potential for reptiles, breeding birds, foraging badgers, foraging/commuting bats and invertebrates (e.g. butterflies).

Due to the recommendation for refusal, however, an ecological survey would not be a reasonable request at this stage in the determination period. However, the need for an ecological survey should inform the decision-making process, particularly if the proposal is taken to appeal with the Planning Inspectorate.

- 1.10 Town Council Mrs V Oliveri No objection The Town Council thanked the developer for making the changes to the previous plan as suggested by the Town Council

2 REPRESENTATIONS

- 2.1 A total of 11 letters of objection have been received in relation to this application, with 2 letters of support.

The objections received are summarised below:

- If the rural approach to Chipping Norton is to be altered an increased number of dwellings should be developed on this site.
- It has never been suggested that large development should take place on this side of the road. The applicants justification that the development is infilling is tenuous.
- Approval of the application will set a precedent for development of the land between Pinetrees and Owen Mumford's entrance.
- The addition of a further 10 accesses would be harmful to highway safety and amenity.
- There is presently no access to the main drainage.
- There are concerns about flooding due to the direction of water runoff flowing downwards across the site towards Newholme and on to the A44. Concerns are raised that increase surfacing could increase runoff and surface water causing further flooding of the road and properties in the area.
- The foul water drainage strategy single treatment plant with drainage field positioned at the western end of the site maybe not suitable due to the boundary and in flood area. Consideration that drainage fields are not to be constructed near buildings, near trees, near dwellings and boundaries etc., minimum distances do apply. Rainwater soakaways may have to handle large volumes in the short time of water coming down from the above fields. Especially plots 1 & 2 have always flooded and in extreme rain it floods across onto the main road. Full infiltration tests to BRE365 have not been carried out The trial sample test that was carried out was in extreme dry conditions which is not recommended.
- There are presently issues with on-street parking and the application does not state parking provision. There are inadequate traffic calming measures at present.
- The development would increase traffic which would be detrimental to highway safety.
- The site is a major gateway to Chipping Norton and is within the AONB. The development would destroy the character of the area.
- The site is outside the designated Town Plan.

- Further developments for housing are not needed as there are many other future plans for housing in the area.
- The residents of Nunholme have asked for consideration to be given to pigs which are on their site close to the fence line. The owners of this property also run a camp site for 7 months of the year with caravan rallies which would be held in the field directly behind the site.
- Access onto Worcester Road from the driveways of the existing properties is dangerous.
- Noise and construction vehicles will cause disruption to existing residents.

2.2 Two letters of support have been received, the comments are summarised below.

- House prices in the area are high and self-build opportunities are welcomed.
- The opportunity for self-builders to make their own home is better than faceless estates.
- There is presently a lack of opportunity for sites to build your own home in the area.
- The site is a good location with easy access to Chipping Norton, the size of the large plots is also ideal.

3 APPLICANT'S CASE

3.1 The proposals represent an opportunity to provide a form of affordable housing for which there is a clear and identified need. This can be achieved on a site that would otherwise be acceptable for open market housing given the manner in which other applications have been dealt with in the vicinity. It also represents an opportunity to provide a form of development that will act as a 'gateway' to the town, and provide an exemplar form of development that can be used as a benchmark for similar developments to come forward in equally sustainable locations.

This statement has demonstrated that, assuming this site is dealt with on a consistent basis then the single locational 'disadvantage' set out in the pre-application comments does not actually exist. It is therefore the case that given the presumption to permit at paragraph 14 of the NPPF requires 'disadvantages' to significantly and demonstrably outweigh the benefits, the lack of a locational 'disadvantage' here means that any benefits here will engage the presumption.

The benefits of the proposed development include:

- Provision of a form of affordable housing set out in the emerging Local Plan, and made Neighbourhood Plan that has a proven and established need;
- The construction of bespoke well designed homes which will be highly energy efficient, which in turn can help to raise design standards and expectations in the area;
- It is a site that is so enclosed that it will be possible to develop it whilst conserving the natural beauty of the AONB;
- Notwithstanding the pre-application comments, this statement, and the submitted Design and Access Statement, make it clear that this proposal will result in the provision of housing in an already accepted sustainable location;
- The proposal is a form of development which will complement the pattern of development in the area;
- The proposal will help to meet the emerging plan requirements for the provision of housing in the area;
- The proposals will help in sustaining the vitality of Chipping Norton, its facilities, employment opportunities, services and amenities; and
- Local finance benefits.

There is an overwhelming case for outline planning permission to be granted for the reasons set out above and in the other documentation supporting the application. The presumption in favour of sustainable development should be applied in accordance with paragraph 197 of the NPPF.

4 PLANNING POLICIES

NE4 Cotswolds Area of Outstanding Natural Beauty

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

H2 General residential development standards

H7 Service centres

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H5NEW Custom and self build housing

EH1NEW Landscape character

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks outline approval for the erection of 10 detached dwellings on a 0.49 hectare area of land to the North of the A44 in a peripheral outlying area of Chipping Norton located to the west of the town centre. The site consists of an area of open, undeveloped grassland which lies between an access serving a dwelling to the west and a dwelling to the east. There is presently a large boundary hedgerow along the southern perimeter of the site fronting the A44 and a further hedgerow to the North of the site separating the land from open countryside to the North. The site lies within the Cotswolds AONB but lies outside the Chipping Norton Conservation Area.
- 5.2 The outline application relates to access, layout and scale with remaining matters of design, external appearance and landscaping reserved. A linear layout is proposed with 10 dwellings fronting Worcester Road. The plans have been amended to show a repositioning of the dwellings further to the rear of the site. The most notable change is to the access arrangements, whereas 10 separate accesses were previously proposed, the present proposals show four accesses. Properties 1 to 4 would be served by a single means of access as would properties 7 to 10, whilst the central dwellings 5 and 6 would each be served by an independent access.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle of Development
 - Design, scale, siting and impact on settlement character

- Highways
- Landscape and visual impact

Principle

- 5.4 Paragraph 49 of the NPPF specifies that all applications for housing are determined in accordance with the presumption in favour of sustainable development as outlined within paragraph 7 of the NPPF. This requires that an assessment is made with regards to the social, economic and environmental sustainability of the proposed development and its accordance with relevant Local Plan Policy, where relevant policies are considered to be in date. Recent appeal decisions have determined that West Oxfordshire District Council are unable to demonstrate at present a five year supply of housing and in this context, Paragraph 49 of the NPPF is enacted.
- 5.5 The Councils current position on housing land supply is a material consideration in the weight attributed to existing Local Plan Policies H4-H7 and Emerging Local Plan Policy H2, given the existing situation it is considered that minimal weight can be attached to these location based policies. Notwithstanding the Councils position on housing land supply, the location based strategy for new housing development, outlined in Policies H4-H7 of the existing Local Plan and H2 of the Emerging Local Plan specifies that the majority of housing development should be located within the service centres and larger settlements in the district. Policy H7 of the Existing Local Plan allows for development in circumstances where this constitutes a 'rounding off' of the settlement area. This applies to development that would logically complement the existing built form in the immediate area. Policy H2 of the Emerging Local Plan specifies that development of new dwellings is acceptable on undeveloped sites within or adjacent to the main built up area of Services Centres including Chipping Norton, similarly where development would form a logical complement to the Existing built form. All of the proposed 10 dwellings would be self-build units, the development of which is promoted within Policy H5 of the Emerging Local Plan, particularly on larger sites of 100 or more dwellings but also on smaller sites where this is in a sustainable location and where development is compliant with Policy H2 of the Emerging Local Plan.
- 5.6 The area of linear development to the east of the Primsdown Industrial Estate has historically been considered as an outlying area of the Town and is detached from the main body of the settlement which extends to Station Road around 0.5 miles east of the site. There is a relatively substantial level of existing development fronting Worcester Road and the adjacent Roads to the South and applications for single dwellings have recently been approved in this area as well as a recent application to convert the former Hunt Kennels to the South of the site. Notwithstanding the fact that there have been a number of applications in recent years for infill based development within the immediate area, alongside the Hunt Kennels scheme, new build development to the North of the A44 is unprecedented. There are presently two isolated single detached dwellings to the west and east of the site, which alongside the existing employment development some distance to the east is the only development to the north of the A44, to the west of the town. The area to the east of the site consists of an extensive area of open fields which form part of the rural approach to the town and add significantly to the settlement character.
- 5.7 The built form to the east and west of the site is loosely defined at present and consists of two detached, fairly isolated dwellings which contrast with the existing linear form of development fronting Worcester Road. The site is on the edge of the town and although this loosely could be

considered to be part of Chipping Norton the immediate area has however traditionally been regarded as an outlying area of the town. Officers give regard to recent permission granted for the conversion of existing buildings at The Hunt Kennels site and the erection of a single dwelling to the rear of 32 Worcester Road. In the case of the Hunt Kennels application, this predominantly related to the conversion of existing redundant buildings with conversion justified on the basis that the development would provide an immediate enhancement to the setting of the area. The approved dwelling to the rear of 32 Worcester Road was a single dwelling and the development in terms of its siting was adjudged to form a logical complement to the existing pattern of development. There are concerns about the general sustainability of the site in terms of its proximity to local services and facilities. Although the site lies adjacent to the edge of the settlement, the main town centre facilities would around 1 mile from the site and other facilities including the Secondary School would be even further from the site in terms of distance. Although there is a bus stop close to the site, this is not served by regular buses.

- 5.8 Officers cite concerns raised by OCC Highway Officers that the future occupants of the properties would be almost wholly dependent on the use of private car transport in order to use basic facilities and services in the Town. The siting would be at odds with Policy T1 of the Emerging Local Plan and Paragraph 17 of the NPPF, which specifies that opportunities should be taken to make fullest possible use of public transport, walking and cycling and development should be sited in areas which are and can be made sustainable. Whilst officers recently approved the conversion of the nearby Hunt Kennels to a residential use, officers would note that this scheme was a conversion which could be considered permissible within a less sustainable location in accordance with the provisions of Paragraph 55 of the NPPF.
- 5.9 The proposals in this application would involve new build development of a larger scale on an undeveloped site on the edge of the town. Officers note that the site appears relatively well contained owing to existing boundary screening to the North, however the adjacent built form is very loosely defined particularly given that the remainder of the land North of the A44 is undeveloped open countryside. Whilst the proposed layout would, to a degree replicate the linear form opposite officers consider that the proposed development would not form a logical complement to the existing pattern of development. Officers have concerns about the impact of the development on the settlement character of this part of Chipping Norton as well as the setting of the Cotswolds AONB; this is explored in greater detail in the following section.
- 5.10 As the site falls within the Cotswolds AONB and the development comprises of 10 dwellings, it would be expected in line within Policy H3 of the Councils Emerging Local Plan that a commuted sum is made towards off site affordable housing provision. The applicant contends that as the development is self-build, there would be no need to contribute towards affordable housing provision. If permission was to be granted it would be appropriate to include a discount clause as a planning obligation, whereby the building plots are made available at less than market value. If no such arrangement is proposed then it would be appropriate to seek a financial contribution to the provision of off-site affordable housing.

Siting, Design and Impact on Landscape and Settlement Character

- 5.11 Officers consider that the siting of the proposed development would have an unduly urbanising impact on the character of this part of Chipping Norton. The undeveloped nature of the site and adjacent areas of land form a rural approach to the town which contributes significantly to the settlement character. Whereas the land south of Worcester Road opposite the site is predominantly developed, the land to the North has a distinctively rural character which is

defined by open fields with mature hedgerows fronting the A44, punctuated only by two isolated dwellings to the North West and east of the site. Permission is sought for layout and scale; however appearance remains a reserved matter. The development attempts to replicate the linear pattern of development opposite the site fronting Worcester Road. Whilst the proposed development is reflective of the built form opposite, this does not alleviate officers concerns that the general siting of the dwellings fails to form a logical complement to the existing built form in this part of Chipping Norton.

- 5.12 The site is located within the Cotswolds AONB; Paragraph 115 of the NPPF specifies that great weight should be given to conserving landscape and scenic beauty within Areas of Outstanding Natural Beauty. Paragraph 116 of the NPPF states that major development should be refused within Areas of Outstanding Natural Beauty except in exceptional circumstances where it can be demonstrated to be in the public interest. Paragraph 005 of the governments Planning Practice Guidance states that whether a proposed development in designated areas including AONB's should be treated as major development is a matter for the decision taker, taking into account the proposal in question and the local context. The Town and Country Planning (Development Management Procedure) Order 2010 classifies 'major development' as schemes comprising of 10 dwellings or more, the scale of the scheme proposed would therefore fall within the parameters of what would be considered major development. Officers also consider that accounting for the rural context of the site and the adjacent land and the fact that development to the north of the A44 is unprecedented and forms an important approach to the town, there is further contextual justification to suggest that the development proposed constitutes 'major development'. A balancing exercise therefore needs to be carried out to assess whether the need for the development, outweighs any detrimental impact on the environment and landscape.
- 5.13 In terms of the wider landscape impact of the development, longer distance views of the site from Shakespeare's Way, the nearest public right of way are limited due to landscape features and boundary screening. Officers consider that the impact of the development on the wider setting of the Cotswolds AONB would be relatively limited in terms of public views. The impact on the immediate setting would however be significant. Officers note that the proposals have been amended which involve a repositioning of the dwellings further back into the site. The amended proposals also include fewer accesses, reducing the extent of the boundary hedgerow which would be removed. Notwithstanding the retention of a larger quantity of the hedgerow, which is somewhat beneficial, the development proposed would still visibly urbanise what is presently an open and characteristically rural space, which forms an attractive approach to the town from the west. Despite the provision of landscaping, the development would still appear highly prominent when viewed from the A44, particularly on approach to the site from the west.
- 5.14 The West Oxfordshire Landscape character appraisal for Chipping Norton describes the North West edge of the settlement as having a soft urban edge with very few intrusive buildings or structures. The site in question and the outlying area of existing development falls outside the North West area specifically referred to in the Landscape Appraisal. The site falls within a wider area which is described as a semi-enclosed valley landscape characterised in the West Oxfordshire Landscape Appraisal as having high visibility but offering some limited development opportunities within a strong structure of trees or surrounded by buildings. The lower east section of the site is relatively low lying and development in this part of the site would appear less prominent. Development in the upper west section of the site is likely to appear substantially more prominent particularly when viewed from the Worcester Road. Officers consider that the development, particularly in the western part of the site would appear

obtrusive and unduly prominent and even in the lower sections of the site the development would have a clear urbanising influence. Crucially the development would not visually merge with the existing built form and subsequently risks appearing incongruous in the context of the immediate area.

- 5.15 Officers consider that the key harm would be to the character and appearance of the settlement of Chipping Norton as well as the harm caused to the character of an area of open countryside which forms a sensitive rural approach to the town. As the development fails to constitute a logical rounding off of the settlement, officers consider that the siting of the development would be incongruous and detrimental to both the settlement character and the character of the open countryside. There is also a significant issue of precedent; whereby development of this site could lead to future pressure for development on promoted sites to the east and north east, which in officers opinion would amount to great harm to the wider landscape setting as well as the settlement character.
- 5.16 Officers consider that the unduly urbanising impact of the proposed development would cause undue harm to the settlement character of Chipping Norton and would in terms of its immediate impact on the settlement character would fail to conserve the landscape and scenic beauty of the Cotswolds AONB. Officers consider that the development would subsequently be contrary to Policies NE1, NE3 and NE4 of the Existing Local Plan; Policy EH1 of the Emerging Local Plan and Paragraph 115 and 116 of the NPPF.

Highways

- 5.17 The application has been amended to reduce the number of accesses from 10 to 4; these amendments have been made on the basis of advice given by OCC Highways Officers. In the opinion of the County Council Highways Officers, it is not considered that the level of traffic likely to be generated would be unlikely to have a detrimental impact in terms of flows onto the A44 and would subsequently the cumulative residual impact of the development is unlikely to be considered severe in line with Paragraph 32 of the NPPF.
- 5.18 The amendments are considered to be positive from a highway safety perspective. The nine access points previously proposed were deemed to be hazardous to pedestrian and road safety, particularly given the busy nature of the road. The site plan has been amended showing a reduction in the quantity of access points to a total of 4 accesses, additionally resident and visitor spaces are now allocated for the properties. Officers consider that the amendments made satisfactorily overcome officers concerns regarding the suitability of the proposed access points to the site.

Drainage

- 5.19 The application was not accompanied by a flood risk assessment (FRA) and it has been requested by OCC Drainage Engineers that the applicant should demonstrate that the proposed SUDs features are appropriately sized to manage surface water flood risk onsite and that infiltration is achievable to manage surface water flooding events. OCC Drainage Engineers have requested that the applicant demonstrate through that a method of mitigating against the increase in surface water rates is achievable. The applicant has since provided an updated drainage strategy in an attempt to address the identified issues; the amended details are presently out for consultation with OCC drainage engineers.

Residential Amenities

- 5.20 The dwelling to the east of the site lies in reasonably close proximity to the easternmost dwelling in the proposed layout. Officers consider however that an acceptable separation distance would be retained between Plot 10 and the existing adjacent property and there would be little reason to suggest that the siting of the proposed plot 10 would impact to any substantial degree on the residential amenity of this dwelling.

Ecology

- 5.21 The site is unimproved to semi-improved pasture land surrounded by hedgerows and linear woodland. The site has potential to be ecologically valuable and an assessment needs to be carried out to ensure that the proposed development takes account of protected species, priority species and priority habitats in line with Section 11 of the NPPF and Policies NE13 and NE15 of the Existing Local Plan. An ecology survey would be required in order to properly assess the impact of the development on protected species and habitats, but has yet to be undertaken.

Conclusion

- 5.22 The planning application proposes the erection of 10 self-build dwellings on an edge of settlement site, which lies adjacent to one of the main service centres in the district. The development would provide a notable, but relatively minor contribution towards the local supply of housing, which needs to be factored into the planning balance. The sites benefits in terms of the provision of self-build housing also needs to be given appropriate weight. The benefits of the proposed development must however be assessed in relation to the resulting impact of the development on the landscape character and settlement character of Chipping Norton. This is particularly reinforced by the provisions of Paragraphs 115 and 116 of the NPPF, the latter of which states that planning permission should be refused for major developments within the AONB, unless in exceptional circumstances where it is in the public interest.
- 5.23 In relation to the proposals officers consider that the development would fail to represent a rounding off of the settlement area in line with the provisions of Policy H7 of the Existing Local plan and fails to logically complement the existing pattern of development in this part of the settlement. Subsequently the development would encroach and unduly urbanise the character of the presently rural approach to the town from the west. Officers subsequently consider that the benefits of the proposed development in terms of the contribution of ten self-build dwellings to the local housing supply would fail to outweigh the harms caused to the landscape character of the AONB and the settlement character of Chipping Norton. Officers subsequently consider that the development would fail to comply with the provisions of Policies BE2, H2, H7, NE1, NE3 and NE4 of the Existing Local Plan; Policies OS2, OS4, H2 and EH1 of the Emerging Local Plan as well as the relevant provisions of the NPPF, namely Paragraphs 17, 109, 115 and 116.

6 REASONS FOR REFUSAL

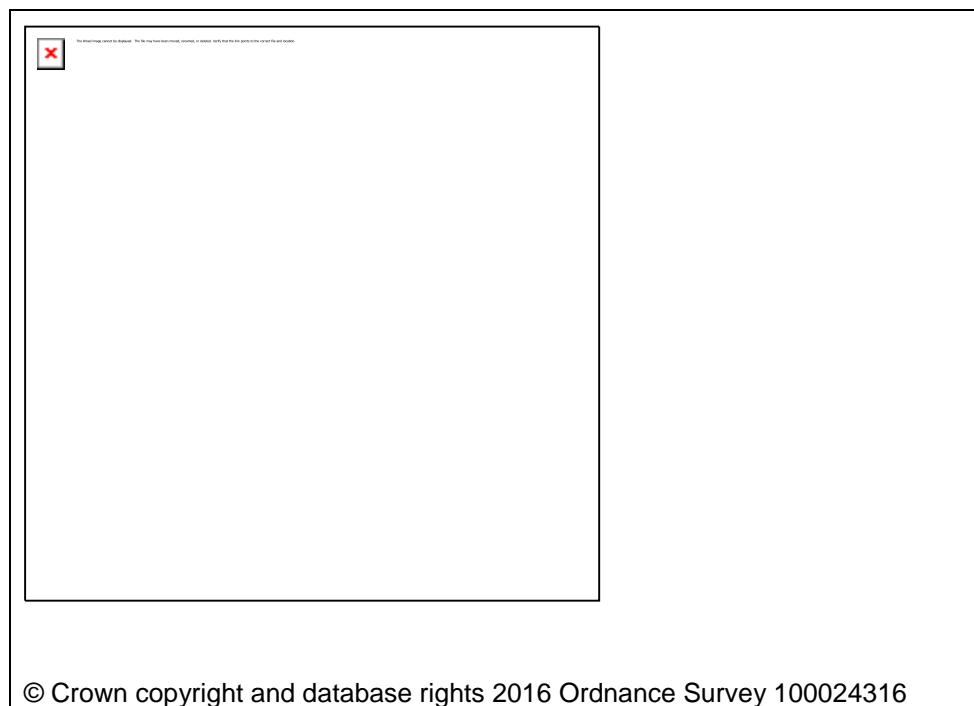
- 1 The development as proposed, by reason of its siting would fail to form a logical complement to the existing pattern of development in this area of Chipping Norton and would unduly urbanise the character and appearance of the rural approach to the Town. By reason of its urbanising impact, the development would be of detriment to the character and appearance of the settlement and the special landscape character of the Cotswolds AONB. The development

would therefore be contrary to Policies BE2, NE1, NE3, NE4, H2 and H7 of the Existing West Oxfordshire Local Plan 2011; Policies OS2, OS4, H2 and EH1 of the Emerging West Oxfordshire Local Plan; as well as the relevant provisions of the NPPF, namely Paragraphs 17, 109, 115 and 116 of the NPPF.

- 2 In the absence of an ecology survey it has not been demonstrated that the proposed development would give rise to undue ecological harm. As such the proposal would be contrary to Policies NE13 and NE15 of the Existing Local Plan; Policy EH2 of the Emerging Local Plan; and the relevant provisions of the NPPF, namely Paragraphs 109 and 118.

Application Number	I6/03601/FUL
Site Address	Land West Of Witney Road Finstock Oxfordshire
Date	25th January 2017
Officer	Kim Smith
Officer Recommendations	Defer
Parish	Cornbury And Wychwood Parish Council
Grid Reference	435118 E 216252 N
Committee Date	6th February 2017

Location Map



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

I CONSULTATIONS

- I.1 Adjacent Parish Council No reply at the time of writing
- I.2 Parish Council No reply at the time of writing.
- I.3 Adjacent Parish Council Finstock Parish Council has commented in a précised form as follows:

The access and egress from the site is off the B4022. There will be limited visibility and this stretch of road is extremely dangerous as cars more often than not exceed the 40mph speed limit sometimes travelling at 50-60mph on this stretch of road;

This is a site with historical interest. The land was used during the Second World War as a hospital for wounded army personnel. Before Planning Permission is given the members request that a condition be made that proper archaeological survey is undertaken and published.

The Parish Council considers this is a further incursion into the AONB.

Members would also like to register their disappointment that the development in and around the Estate appears to be giving priority to visitor accommodation over residential homes, particularly affordable homes for local people.

The members would like to remind WODC that the sewage management system serving Leafield and Finstock appears to have limited capacity with the result that Dark Lane Pumping Station is occasionally flooded, resulting in leaks of raw sewage which gives local residents public health concerns.

Members are most concerned that this might not be the extent of the development.

- I.4 OCC Highways No objection

OCC as Highway Authority do not wish to object to this application from a highways perspective. I do not envisage the proposals to have significant detrimental impacts on the local highway network.

The existing site access appears to benefit from a good straight stretch of carriageway either side of it and sufficient verges which render visibility splays to be adequate for the road speed at this location.

The expected trip generation for the proposed land use shall likely fall outside of the normal peak hours hence it is unlikely that the use of the access shall be felt.

Adequate onsite parking has been provided.

- I.5 WODC Landscape And Forestry Officer No objection subject to conditions
- I.6 Thames Water No reply at the time of writing.
- I.7 Biodiversity Officer The proposed development is the revision of a previous proposal under planning application reference 16/01113/FUL, which was withdrawn. The previous application's ecological survey statement by Wychwood Biodiversity (dated November 2015) and arboricultural survey by Reliance Arboriculture (dated 16/01/2016) have been submitted with the current application.

The ecological survey statement and its associated TVERC data search are therefore over 12 months old. The survey also only comprised a one-day walkover survey in November, which is not the optimal time of year for woodland surveys. I therefore consider that much of the ecological interest of the site is likely to have been missed. A thorough Ecological Impact Assessment has not been carried out and therefore, mitigation and compensation measures have not been adequately designed into the proposal. In particular, the woodland appears to have several clearings, rides and track-ways that provide suitable habitat for several species such as fritillary butterflies, other butterflies, invertebrates, invertebrates and bats.

Further ecological surveys and assessments should be based on the detail of the proposed development, including those areas affected by tree removal, the footings of the proposed eco-tree houses and lighting.

2 REPRESENTATIONS

- 2.1 William Franklin of 37 Buchanan Drive Luton has commented as follows:

I am writing on behalf of Mrs Pamela Hutchings of 'Juniper', Witney Road, Finstock, Oxfordshire, OX7 3DF who is my wife's aunt.

Mrs Hutchings is very concerned about the erection of the tree houses in the forest opposite her property. Her concerns lie mainly with the B4022 road and the speed of vehicles that use it. Even though there is a speed limit through the village many vehicles are still above the speed limit particularly coming from the Witney direction.

Both Mrs Hutchings, my wife and I are concerned that the entrance to the site adds to the risks of an accident occurring as visitors slow down as they look for the entrance to the site. Also there is a very real risk to children and pets who are exploring the area and wander out of the woods onto the road.

Has the possibility of putting the entrance on the Leafield Road been explored? Although we would still oppose the tree houses as we do not believe that they will bring much in the way of financial benefit to the village.

Mr and Mrs C Turner of Wychgate House have written a five page letter of representation which can be viewed in full on line. In a précised form the comments made in the letter are as follows:

We have reviewed the amendments made to the original plan but see no reason to change our strong opposition to this development.

Notes regarding the new application plans

Due to the resiting of the main development location , some of the various ground and other surveys submitted with the original application do not appear to have been updated to cover the revised locations that are now applicable to the development;

The new plans have covering comments that mention the distances from our property .If these distances are based on the plan layout diagram showing the position of our property they will be incorrect as the diagram has shortened our boundary by 20 to 25 metres;

The comments made in this letter highlight our major objections. They are not intended to fully replace objections and comments submitted previously against proposal 16/01113/FUL. Therefore the previous submissions, in the possession of WODC, should now be taken as applicable to amended proposal 16/03601/FUL.(The representation received in respect of 16/01113/FUL can be viewed on line).

Proposed Development

The proposed development stretches in a 100degree arc around our property from the site entrance, 50m from our boundary, a waste storage area 40m, car park for 15 cars 75m, a store 150m, then 7 accommodation modules, mostly on 3m stilts, at an average distance of 180m.

The positioning of the accommodation is such that either the very large windows or raised viewing platform will directly face our property.

The intervening planting does not present a viable screen.

There is no public pathway serving the entrance.

We strongly object to this development because it will;

Overlook our property, cause additional noise, disturbance, security issues and other nuisance problems that will have a strongly adverse impact on our present amenity;

Will add to current problems and introduce new safety concerns with the B4022;

Is in conflict with the area, the AONB and past planning decisions and it may create a precedent for future piecemeal planning decisions in the area;

There is no critical need for a holiday letting business in the area;

Impact on present amenity

Visual intrusion. The modules will face directly in to our property and the screening whilst it exists in summer is minimal at other times. Future felling of trees will further decrease screening. By its nature the type of holiday offered by the modules will mean that visitors are likely to use binoculars, high resolution cameras and other HR equipment which could enhance visual intrusion of our property.

Noise and disturbance. With up to 28 holiday visitors on site a significant increase in noise level from zero will occur. Whilst trees may give some screening they will have little impact on noise.

The site has no supervision to enforce any regulation of activities such as parties, games, BBQ's etc.

Intrusion. With no barriers and no supervision and with limited recreational space some intrusion into the surrounding forest is likely, by both visitors and especially dogs. The open space beyond our boundary will be an obvious recreational area for ball games.

With only moderate occupation levels there are likely to be over 1,000 different people using the site each year. They will wish to observe wildlife, explore and relax It is difficult to believe that none will stray from designated paths and areas causing noise, disturbance, fair and in some cases security issues.

Waste and storage area. They should be sited close to the accommodation and taken to the site entrance only on the day of collection.

Car Park. Noise will be a problem, particularly at night.

Lighting. Finstock does not have street lighting. There is constant animal movement in the forest which will trigger the proposed lighting arrangement constantly causing light pollution.

Road Safety. The access arrangements are hazardous for vehicles and pedestrians.

Fire Risk. Visitors may be inclined to have BBQ's at some time, either within the leisure area or on the fringe. We note the fire arrangements on site but to minimise the chance of fire spreading to our property, a cleared band should be created, meeting fire safety guidance, between the site and our property.

Applicants response to representations received

2.2 Response to Mr and Mrs C Turner:

Configuration of the layout of the new site

Question your description that the site forms an arc encircling your property. The development runs is a parallel line to your property from the car park which lies 100m from you.

Visual Intrusion

No windows face directly toward your property;

Guests will not be walking towards your property, designated paths will be devised for them to use which will head north inside the wood and connect to public rights of way;

Guests using binoculars or high focus cameras will be more than likely trained on birds and animals;

The nearest accommodation is 170m away from your rear fence. To allay your worries we will request that the Estate does not carry out any felling in the wide buffer zone between the site and your property and plant appropriate evergreen shrubs to thicken the screening in the area.

Noise and Disturbance

Our target audience is not party groups and music will be prohibited;

Quality Unearthed will not be adding a restaurant or organising events for its guests;

The Wilderness festival only takes place for 3 days in the year;

The max number of cars using the site at any one time will be 15. However, the site will not be fully occupied throughout the year and the average number over the year is expected to be 8 cars;

Additional planting will take place around the perimeter of the car park to help contain light and noise from cars;

All exterior lights will function on LED sensors;

Waste Storage

Commercial sized waste bins at the site entrance will be completely screened by wooden panels;

Collections will be arranged weekly;

Housekeepers will transport rubbish to the bins from the accommodation units at changeovers i.e. twice a week;

Road Safety

As stated cars will not be arriving and departing from site at the same time. Guests on holiday will enjoy a lie in and are unlikely to make journeys at the same time as commuters;

No signs will be erected on the roadside to obstruct the view of drivers exiting the site. Arrangements will be made to keep the hedges trimmed and verges cut to preserve visibility for drivers.

Fire Risk

Purpose built brick built BBQ pits will be installed for each unit which will help to contain fire risk. Guests will not be allowed to build fires on the forest floor;

Our plans include fire hydrants which satisfies fire safety regulations;

Your suggestion of clearing an avenue between the forst and your property will negatively affect your privacy;

Response to Mr W Franklin

See Road Safety response in respect of response to Mr and Mrs Turner;

In terms of the financial contribution the site would make to the village our guests would be encouraged to use the community shop and The Plough Inn. Furthermore we will be looking to recruit 3 housekeeping staff from the village.

We have no intention of expanding the development beyond the current applications this would be counter productive to a holiday in a peaceful beautiful setting.

Response to Finstock Parish Council

Limited visibility at the site entrance

Creating an entrance to site from the quieter Leafield Road is not a viable option as there is no existing track through the wood;

Historical Interest

The development will leave all remnants of the former hospital intact. No foundations or derelict buildings will be removed;

From my investigations Grims Dyke which has connections with Grims Ditch , ran in a linear route between North Leigh and Glympton via Stonesfield. On this information it would appear that the proximity of the site to the Ditch is likely to be 1 mile at its closest point;

AONB Status

The development is of a modest scale with buildings that will not be seen from the village or from the nearest property;

They are not permanent structures as Quality Unearthed do not own the land;

This is not a 'foot in the door' tactic to upscale our development plans in the event that we receive approval.

Affordable Housing

We recognise your concerns but are unable to offer further comment about this problem in the parish.

Sewage

Waste will be managed by our own bio plant which will include a septic tank. Consequently the development will have no impact on existing capacity or pose a strain on already limited resources.

3 APPLICANT'S CASE

- 3.1 Quality Unearthed Ltd are applying for permission to build 7 eco cabins to holiday let on a 1 hectare woodland site on the edge of Finstock. The site will also include a car park for guests, a store for use by the 4 housekeepers to be employed and, an access track for emergency vehicles.

The land is owned by Cornbury Estate. It will be leased to Quality Unearthed for a term of 20 years. The lease contains a break clause for the landlord on the tenth anniversary. The accommodation will be connected to mains water and electricity from supply points adjacent to the entrance on the road. Waste drainage will be handled by a bio treatment plant which will include a septic tank.

The cabins will take the form of tree houses. Each of the structures will be erected on 3m high steel stilts. They will be constructed off-site in South West Scotland using ecologically sourced materials. The dimensions of the units comply with the regulations for a mobile home classification and, if required, can be dismantled and transported to another location with relative ease.

In 2009 the Cornbury Park Estate prepared an Estate Development and Management Plan EDMP. This was submitted to West Oxfordshire District Council Planners to provide comprehensive information regarding the ownership of the estate, current property and enterprises and possible future projects and development opportunities.

It was intended that this document would inform WODC of the Estate's requirements and likely projects. It could also be used as a guide to inform planning applications and decisions.

Since the plan was written the Estate has continued to pursue diversification opportunities to enhance their income and to derive from sources apart from agriculture. For example, this has included converting a further agricultural barn at Southill Business Park to provide office accommodation for approximately 40 people. Additionally, the conversion of the traditional barns at Kingstanding Farm is currently underway to provide a manufacturing facility for an existing local business to enable them to have their manufacturing, office, and storage areas all on one site and remain within WODCs area.

In addition to diversification projects involving the conversion of buildings the Estate has grown revenue from events, educational and leisure uses. For example, the previous Cornbury Festival (having gone into administration) was replaced by the Wilderness Festival. This has been very successful, has won numerous awards, and is now nationally recognised. It has grown to now host 30,000 people per year.

There have been other events in the Park, such as the Caravan Club's National Rally in 2015 and this year the Field and Country Fair. It is hoped the latter will be repeated in 2017 and become a permanent fixture.

Educational and leisure uses have developed within the woodlands and Bushcraft run children's camps from May to October every year. Cornbury remains their original site and core base for its business educating children on outdoor activities in a forest environment. It also provides the Estate with an additional revenue stream from the woodlands.

Ecolodge proposal

The Estate has been looking for some time to develop a further tourism and leisure based business on the Estate. In 2011 planning permission was obtained for eight glamping tents on part of the Estate known as Stockfield Brake.

Unfortunately, the operator of that business died shortly after planning permission was obtained and the development did not progress.

That site was considered initially by Quality Unearthed as a possible location.

As part of its due diligence it commissioned an independent tree survey which showed that the trees on the site were too unstable and at severe risk of falling over or being blown down. The site was therefore dismissed for health and safety reasons.

Quality Unearthed then considered all the other possible woodland sites on the estate where it could develop its treehouses. This led to the current application site being chosen as it is the most appropriate site on the Estate.

This development is important to the Estate as it will provide another source of diversified income. In addition, and more importantly, the rent paid for the site will have required limited investment by the Estate. This is in contrast to other property development schemes which have required significant capital investment up front.

As an added benefit, the development will help to provide accommodation for visitors to events on the Estate or taking part in other activities.

The diversified revenue from this development, albeit quite small in the context of the overall Estate revenues, helps to build resilience.

From the Estate's side it is far better to have a more diverse income base from a variety of sources rather than rely on a significant income from one or two projects or enterprises.

This resilience will help the Estate plan forward and continue to invest in repairing and restoring many of its listed and heritage assets.

There has been significant expenditure on these assets over the last five years and a continued programme of works.

We have reviewed the current proposals against the development guidelines set out in section 7 of the EDMP. We wanted to highlight the following points.

The proposed development will not impact on the integrity of the Estate as the site will be leased to the operator and not sold. The Estate will therefore maintain strict control of the use during the 20- year lease. The development should pose no financial risk to the estate as the Ecolodges are being developed and operated by a third party tenant.

The Estate feels that the development is a sustainable development of what is a very small area of forest in comparison to the overall woodland area on the Estate. This will enable the area to generate an income, which it currently does not do. The buildings will be largely made from timber sourced from the UK, which is a sustainable resource.

As highlighted above this project will help improve the financial viability and resilience of the Estate.

It will provide a risk-free income without diverting requiring significant capital investment up front.

The project is planning policy compliant as part of a farm/estate diversification project. The Estate currently has no tourism or holiday let accommodation and the lodges will provide this. This also ties in with the wider WODC policies to promote tourism within the region with consequent economic benefits.

The proposals should benefit the local businesses, particularly in the local village of Finstock as well as businesses in the wider area.

The proposed development has been designed carefully and in fact the latest proposals represent a redesign to account for comments received from consultees. In particular, the site should not be visible from the nearest local residents nor from any public roads or rights of way.

Conclusion

The Cornbury Park Estate is keen to support this Ecolodge development as part of its ongoing estate diversification process.

4 PLANNING POLICIES

TLC1 New Tourism, Leisure and Community Facilities
TLC3 New Build Tourist Accommodation
E4NEW Sustainable tourism
BE2 General Development Standards
BE3 Provision for Movement and Parking
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
NE6 Retention of Trees, Woodlands and Hedgerows
NE4 Cotswolds Area of Outstanding Natural Beauty
NE13 Biodiversity Conservation
NE15 Protected Species
T1NEW Sustainable transport
T4NEW Parking provision
EH1NEW Landscape character

EH2NEW Biodiversity
EH6NEW Environmental protection
BC1NEW Burford-Charlbury sub-area
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 **This application was deferred consideration at the January Sub Committee meeting on the grounds that there were a number of key consultation responses outstanding at that time. Members resolved to visit the site prior to determining the application. The outstanding consultation responses have now been received.**

Planning History

- 5.2 06/1042/P/OP- Construction of 90 holiday lodges, reception lodge, tennis courts, children's play area and access with parking and associated landscaping - Withdrawn
- 16/01113/FUL -Erection of seven holiday lets and storage building, extension to track - Withdrawn

- 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:

Principal
Impact on trees
Impact on ecology
Visual Impact
Impact on highway safety
Impact of lighting in the open countryside
Impact on residential amenity

Principle

Principle of development

- 5.4 In terms of considering the principle of the proposal, the key policies in the adopted Local Plan (WOLP 2011) are considered to be TLC1 and TLC3. These policies remain in compliance with the NPPF and therefore these can be given significant weight. In addition policy E4 of the emerging local plan is of relevance.
- 5.5 Policy TLC1 (New Tourism, Leisure and Community Facilities) states under criteria (a) that visitor related proposals will be granted which respect an enhance the intrinsic qualities of the District. As such, to comply with this, the proposal needs to demonstrate how it will not only respect but also enhance the 'intrinsic qualities' of the District. Given the sensitive location of the proposal within the AONB and in close proximity to Ancient Woodland and the Conservation Area, the application needs to demonstrate that the proposal (and all ancillary works including services and car parking) will not harm the qualities of the surroundings and

further that opportunities for environmental enhancements within close proximity to the application site are fully explored.

- 5.6 Policy TLC3 (New Build Tourist Accommodation) states under criteria (b) that visitor accommodation in the open countryside should be part of a diversification project where the visitor accommodation will remain ancillary to the farm business, will be small in scale and will be integrated within a group of farm buildings which are being converted.
- 5.7 Policy E4 (Sustainable Tourism). This policy states that tourism and leisure development which utilises and enriches the natural built environment and existing attractions of West Oxfordshire to the benefit of visitors and local communities will be supported. In small villages, hamlets and the open countryside, new tourism and visitor facilities may be justified where there is a functional linkage with a particular countryside attraction or to secure the diversification of a farm enterprise or country estate in accordance with Policy E2. This policy also requires proposals in the Cotswold AONB (in which this site falls) to conserve the landscape quality and biodiversity of the area.
- 5.8 In light of the applicants case in respect of Estate diversification Officers consider that the principle of the use can be considered policy compliant.

Impact on trees

- 5.9 Four of the units (3,5, 6 and 7) will be located in the Scot's Pine plantation on the north and western boundaries of the site. The plots for units 1 and 2 will be located in the deciduous section of the site in existing clearings which will involve the felling of 5 Hawthorn trees. Unit 4 is to be situated in a clearing which forms an avenue between the deciduous section and conifer plantation. The store is to be relocated half way up the track, away from the car park and closer to the accommodation units it will service.
- 5.10 The proposal involves the felling of 23 pine trees and 7 Hawthorn. There are 3 young Ash trees each circa 15 years old which need removing to build the car park. The applicants intend replanting the removed Ash trees on the edge of this plot. The 7 felled Hawthorn trees will be replanted with Hazel which will provide additional screening and an enhancement of guest privacy.
- 5.11 The Council's Forestry Officer has been consulted on the proposals and has raised no objections in respect of the limited amount of tree cover that will be removed as part of the proposals. He has recommended a pre commencement condition in respect of a method statement for working around the existing trees in the interests of tree protection.
- 5.12 In addition to the above conditions any grant of planning permission will need to be the subject of a Legal Agreement to ensure that the established woodland which provides substantial screening for the development is retained for the life of the development. If any trees are to be felled during that time frame that they be in accordance with the programme of works which have first been agreed in writing by the LPA.

Impact on ecology

- 5.13 The Council's ecologist has raised what is in effect is a 'holding objection' in respect of the application on the grounds that the 2015 ecological report submitted with the application is out

of date and inadequate in respect of a detailed assessment of the impact of the proposals on the woodland habitat and how to mitigate any impact.

Visual impact

- 5.14 Six of the proposed tree houses are located on 3 metre high stilts with an overall height to the top of the unit above ground level of approximately 6 metres. The tree houses themselves are of a curved bespoke design clad with larch timber and have glazed window and door openings. Access to the accommodation pods is by galvanised steel stair structures with timber treads. Decked areas provide each pod with outside sitting areas at first floor level. The seventh unit is of the same general design and materials finish but is located at ground level in order to provide accommodation within the woodland setting for disabled visitors. Each unit is self contained providing bedrooms with en suite bathrooms, kitchens and living rooms.
- 5.15 The tree houses have been designed with the woodland setting in mind and whilst somewhat unusual, will not in your officers opinion by virtue of the substantial area of woodland surrounding the development, which is to be retained and bolstered as part of the proposals, unacceptably harm the visual character and appearance of the area ,conserving the wider landscape quality of this part of the Cotswolds AONB.
- 5.16 The proposed car parking area and utilisation of an existing track to serve the development are also considered to be handled in such a way that the development does not result in undue levels of visual harm.

Impact on highway safety

- 5.17 Notwithstanding concerns raised by both local residents and the Parish Council about highway safety issues arising from use of the existing access onto the B4022 to serve the development, OCC Highways has raised no objection to the application.

Impact of lighting in the open countryside

- 5.18 Concerns have been raised in both the representations and by officers about the impact of lighting serving the development given the undeveloped nature of the woodland. The applicant has advised that in terms of visitors accessing the tree houses in the dark that all exterior lights will function on LED sensors and that additional planting will take place around the perimeter of the car park to help contain any light. In addition the applicant has advised that the windows and doors serving the pods will be fitted with internal blinds.
- 5.19 Officers consider that given the above and the substantial woodland planting situated between the proposed tree houses and the nearest public vantage point, that being the B4022, that the proposals for the site will not result in unacceptable levels of night time light pollution

Impact of residential amenity

- 5.20 The neighbour who lives at Wychgate House, the nearest dwelling to the application site, has raised a number of objections to the proposals some of which refer to the impact on residential amenity including overlooking, fire risk and noise and light disturbance. In terms of overlooking, light intrusion and noise Officers are of the opinion that given the limited number of units 7 in total, the substantial distance that the tree houses (107m) and car park (110m) are located away

from the dwelling and the well established intervening woodland, that the residential amenity of the occupiers will not be so adversely impacted as to warrant a refusal of planning permission, particularly given the proximity of the dwelling to the B4022.

- 5.21 In terms of fire risk the applicant has advised that their plans include fire hydrants which satisfies fire safety regulations.

Conclusion

- 5.22 Bearing in mind the above assessment the proposed application for eco tourist development is considered to have merit other than for the objection raised by the Council's Ecologist .It is anticipated that this objection is likely to be overcome subject to further work being undertaken in respect of the impact of the proposals on the woodland habitat and proposed mitigations.
- 5.23 In light of the above, if Members are of the opinion that the only concern in respect of the proposal relates to outstanding ecological matters, if the concerns raised by the Council's Ecologist can be addressed following further survey work that Officers be given delegated authority to approve the application with the conditions relating to the following matters and a legal agreement to secure the retention of the woodland screen and provide a connection for users of the holiday lets through the woodland to public rights of way.
- 5.24 Conditions to cover at least the following:

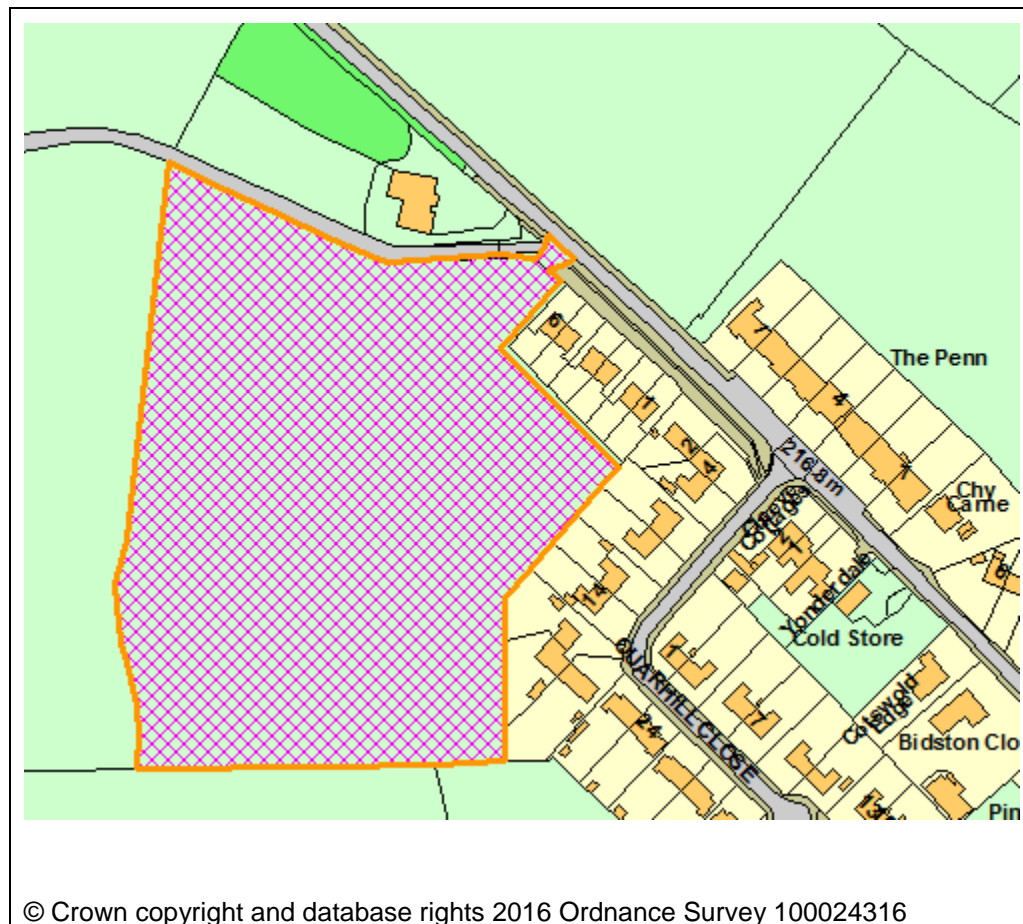
Time limit
Specify plans
Holiday lets only limited to 4 weeks
Materials approval
Tree protection.
Additional landscaping
Hardsurfacing
External lighting
Removal of PD rights- outbuildings, extensions, enclosures.
Foul water drainage details
Bin storage details
Ecology mitigation and management
Detailed of proposed boundary enclosures
Removal of units when not used as holiday lets or in 20 years whichever is the sooner
Store building only to be used as a store ancillary to the holiday let use
Limiting holiday let use to the red edged application site area only
Restriction on signs

6 RECOMMENDATIONS

Defer in order to allow the applicant time to address issues raised by the Council's Ecologist.

Application Number	16/03761/OUT
Site Address	Land West Of Quarhill Close Quarhill Close Over Norton Oxfordshire
Date	25th January 2017
Officer	Hannah Wiseman
Officer Recommendations	Defer
Parish	Over Norton Parish Council
Grid Reference	431190 E 228452 N
Committee Date	6th February 2017

Location Map



Application Details:

Erection of up to 18 dwellings and associated public open space (all matters except access reserved).

Applicant Details:

Stormport (UK) Limited
c/o Agent

I CONSULTATIONS

I.1 Parish Council

Over Norton Parish Council objects to this application on the basis of the following:

- Having regard to the adopted West Oxfordshire Local Plan 2011, Over Norton is categorised as a Category A village where residential development is limited to infilling and the conversion of appropriate buildings;
- Within the emerging West Oxfordshire Local Plan 2031, Over Norton falls in the Chipping Norton Sub-Area;
- Policy CN2 of the emerging Local Plan identifies that within the Chipping Norton sub-area the focus of new housing will be Chipping Norton. Policy CB2 continues that in the rest of the subarea, new residential development will be steered to the larger villages;
- The Councils Strategic Housing and Employment Availability Assessments (SHELAA) published on Friday 9th December concludes that this site is not suitable for development due to the following reasons: The site has not satisfactory vehicular access and also sitting behind existing properties does not represent a logical compliment to the existing built form of the settlement. The site is also visually prominent in views from the south and development is likely to have a harmful effect on the AONB.

The Parish Council agrees with the conclusions reached by the District Council.

- If it is argued that West Oxfordshire does not have a 5year housing land supply, notwithstanding para 14 of the NPPF, para 116 of the NPPF identifies that planning permission should be refused for major development in the Cotswold Areas of Outstanding Natural Beauty (AONB) except in exceptional circumstances and where it can be demonstrated they are in the public interest. Para 116 identifies that consideration of such applications should include an assessment of:
 1. The need for the development;
 2. The potential to develop outside of the AONB; and
 3. The detrimental effect on the environment and wider landscape.
- In terms of the need of the development, policy CN2 of the emerging Local Plan states that the identified need in the Chipping Norton sub-area will be delivered in Chipping Norton and the larger villages.
- The larger villages in the sub-area include Enstone and Middle Barton. Both villages are located outside of the AONB and benefit from a primary school, public house and shop. There is clearly an opportunity to deliver the need for housing within the sub-area outside of the AONB;
- The site is in a prominent location within the AONB. The site is prominent from public vantage points, including Choicehill Road and the Over Norton-Salford bridleway. Having regard to the West Oxfordshire Landscape Character Assessment, the site is described as being within the Northern Valleys and Ridges landscape

character area in particular within an area of semi enclosed limestone wolds (large-scale). Elevated semi-enclosed limestone wolds landscapes are identified as being visually sensitive with any development having to be closely and sensitively integrated with existing buildings or within a strong landscape structure. Within the SHELAA the Council conclude:

In this instance, development of this site is considered likely to have a significant detrimental impact on the Cotswolds AONB due to the topography and elevation of the site views from a number of wider vantage points including the bridleway to the south.

Again, the Parish Council share the conclusions reached by the District Council;

- Choicehill Road is constrained, with significant on street parking limiting traffic flows;

- Over Norton is an unsustainable location having no services and facilities other than a village hall. Residents of the village are dependent on the private car to gain access to schools, employment, retail and recreational facilities. Whilst there is a public footpath linking Over Norton

with Chipping Norton, due to the distance, topography and isolated nature of the footpath it is of limited benefit.

- Having regard to the above, the benefits of the development are not outweighed by the significant and demonstrable harm.

- The Parish Council recognises the need for affordable housing to meet local needs within the village and will work with the District Council to explore the delivery of a Rural Exception Site.

- If the District Council are minded to support this development, the Parish Council would request the following:

- 1) A financial contribution for the provision of play equipment to offset the impact of the development; and

- 2) The County Council comment upon the suitability of the local highway network to serve the level of development and identify the off site highway works to mitigate against the impact of the development.

I.2 Major Planning Applications Team

Transport

Recommendation

Objection, in the absence of an acceptable Flood Risk Assessment (FRA)

Access

The site currently benefits from a double gateway from Choice Hill Road. The Transport Statement has suggested that 58.5m as a required Y distance for visibility is achievable to the left of the access as taken from Manual for Streets 2. Having had an opportunity to carry out a site visit, I am of the view that the access lies between being classified as a street (based on its speed - MfS2) and a trunk road (based on its location - DMRB). That being said, I feel it shall

benefit users from a safety point of view if the left side visibility was improved to 70m (DMRB standards). This can be achieved by trimming the mature hedgerow that forms the Village Hall boundary adjacent to the site access. This hedgerow does not lie within Highway boundary and the developer would need to enter into negotiations over the maintenance of the section of the hedge with the third party landowner (for Over Norton Village Hall) so that visibility is achievable at all times - this would need to be demonstrated.

Besides the need to improve the left side visibility, I agree that the site access is of sufficient standard that it would be suitable to serve as an access onto the public highway for a development of this scale. A 1.1m wide footway currently runs along the western side of Choice Hill Road, which terminates at the Village Hall boundary immediately after the proposed site access. The drawing submitted entitled Access Arrangement and Visibility Requirements (Drawing No. 2016-F-038-002 Rev C) does not appear to show this. As part of the access arrangements, we would require dropped kerbs across the site access to provide connectivity for pedestrians including wheel chair users.

Internal Layout and parking

It is expected that the site layout will be the subject of either a reserved matters or full planning application. The indicative masterplan does not provide sufficient detail on which to comment on the internal layout. However, OCC would require the details of estate roads to be set in line with 'Manual for Streets guidance' and the County Council's Residential Design Guide. They shall need to be wide enough to accommodate an 11.4m long refuse vehicle. In addition tracking plans will be required to demonstrate the ability of refuse vehicles and cars to turn within any proposed highway particularly turning heads and leave such areas in forward gear. OCC recommends early engagement with developers on possibilities of offering any part of the estate for adoption and I would recommend talking to the county council's Road Agreements Team to establish at the earliest possible stage what would or would not be acceptable (roadagreements@oxfordshire.gov.uk).

Section 4.1 of the Design and Access Statement states that the shared surface estate roads will be supplemented with footways - which I find contradicting the whole concept of shared surface. It is expected that future details on any reserved matters or full application shows a comprehensive pedestrian network throughout the site with footways provided on both sides of the carriageway. The adjacent and surrounding area benefits from a somewhat adequate pedestrian network which may need various degrees of improvement.

Car parking will need to be provided in accordance with the standards set out in the county council's residential road design guide. These standards are no longer maximum standards. Provision should

take into consideration the sustainability of the development, bearing in mind that the site shall likely be heavily dependent on car use. The county's residential design guide sets out how developers should provide sufficient secure and covered cycle parking for residents. This can be in garages (as long as they are at least 6m by 3m internally) or lockable garden sheds.

I agree that the development would generate a relatively small number of trips as presented by the TRICS report although my view is that some surveys used are not representative of this site in terms of location (edge of town).

Drainage

The applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage for surface water generated on site, in line with the National Planning Policy Framework Paragraph 103, that requires development to give priority to the use of SuDS.

The applicant has also failed to demonstrate that infiltration shall be achieved to manage surface water flooding onsite for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently this may increase the flood risk on site and in surrounding areas. This is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF).

Overcoming our objection

The applicant must demonstrate through their surface water strategy that the use of SuDS has been given priority over more traditional pipe and tank systems, providing justification where it is not considered practicable to utilise infiltration based SuDS on site.

The surface water strategy should be carried out in accordance with the National Planning Policy Framework.

If the application can be shown to include the issues flagged herein it is likely the objection could be removed.

Archaeology

No objections

Education

No objections - contributions required for special education needs provision, but due to regulation 123 of the CIL regulations OCC is prevented to seek via way of section 106 obligation.

Property

No objections

OCC is not seeking property contributions to mitigate the impact of this development on infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended).

If a S106 agreement is required to secure either transport or education contributions then the County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured. An administrative payment would also be required for the purposes of administration and monitoring of the proposed S106 agreement.

- | | | |
|------|-------------------------------------|--|
| I.3 | WODC - Arts | <p>ARTS</p> <p>We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site.</p> |
| I.4 | WODC Architect | <p>The proposal would fill in a re entrant corner of the former LA scheme, but also spreading a little further west. It isn't quite rounding off, but neither is it a huge number of houses or a huge encroachment in to the countryside. And as it is notable that the existing built edge is of no great architectural quality. So from our point of view I don't think that there are any objections to the basic principle, although I have concerns about the precedent that may be set. I also suggest that the illustrative site layout could be tightened up - and in my view it would be preferable for the houses in the south west corner to be moved to the suggested site for the pumping station, to more closely follow the line of the existing housing scheme, and to limit the spread into the countryside. It would be comforting to see a revised illustrative layout...</p> |
| I.5 | Environment Agency | <p>No Comment Received.</p> |
| I.6 | Biodiversity Officer | <p>No objections subject to conditions.</p> |
| I.7 | WODC Head Of Housing | <p>No Comment Received.</p> |
| I.8 | WODC Landscape And Forestry Officer | <p>No Comment Received.</p> |
| I.9 | WODC Planning Policy Manager | <p>No Comment Received.</p> |
| I.10 | WODC - Sports | <p>Should this proposal be granted planning permission then the Council would require a contribution towards community facilities (sport, recreation and play).
Sport/Recreation Facilities</p> |

Offsite 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 £85,000 (Sport England Facility Costs Second Quarter 2016) and a commuted maintenance cost of £212,925 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £481,819 per 1,000 population or £1,156 per dwelling (at an average occupancy of 2.4 persons per dwelling).

Contributions

£1,156 × 18 = £20,808 off site contribution towards community/sport/recreation facilities within the catchment. This is index-linked to second quarter 2016 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 for Play, LEAPs - Local Equipped Areas for Play and NEAPS - Neighbourhood Equipped Areas for Play).

DEVELOPMENT TYPES, THRESHOLDS AND REQUIREMENTS

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).

$£818 \times 18 = £14,724$ for the enhancement and maintenance of play/recreation areas within the catchment. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.

I.11 WODC Env Services – Waste Officer No objection - general guidance provided on bins sizes and suggested locations

I.12 Thames Water Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

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

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

I.13 ERS Env Health – Uplands Mr ERS Pollution Consultation No objection subject to the following conditions;

A. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages

- (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.

B. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

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 a Verification Report confirming that all works were completed in accordance with the agreed details".

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination. An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with part C.

2 REPRESENTATIONS

- 2.1 Ten third party objections have been received in relation to this application. A majority of the comments are from residents of the adjacent settlement in Little Rollright. The comments are summarised as;

Impact and harm to AONB
Development not Infill and therefore not policy H5 compliant
This is unsustainable development
Impact on landscape and views
Overbearing impact
Highway safety impacts
Light pollution

3 APPLICANT'S CASE

- 3.1 The applicant has provided within their submission supporting documents in the form of a Design and Access statement, a heritage assessment and a Landscape Visual Appraisal assessment. The summaries of each of those reports are copied below. The full reports can be read online.

Design and Access Statement

This document has demonstrated that a high quality, responsive and sustainable development is achievable and deliverable at Choice Hill Road, Over Norton. The scheme will deliver a significant number of affordable homes, in line with the aspirations of the Local Plan' including a variety of housing types and tenures to help support the ongoing vitality of the village. The over-arching vision is to deliver an attractive cluster of new homes, greenery and publicly accessible green space - enclosed by dry stone walls - at the edge of the village, sympathetic to the older parts of the village vernacular, whilst improving the visual amenity of the western settlement edge.

Thorough and extensive evaluations have led to a deep appreciation of both the site's immediate character and its environmental credentials. The Illustrative Masterplan and associated design strategies have been shaped by this comprehensive understanding. The series of accompanying reports has confirmed that the application site does not require significant technical challenges to be overcome to develop it successfully.

- The proposals would:
- Deliver up to 18 high-quality and inclusive homes of mixed tenure, including nine affordable units.
- Provide safe vehicular access and connect to pedestrian routes to supporting services and facilities.
- Make a positive contribution to the natural beauty and enjoyment of the Cotswolds landscape by enhancing the local landscape and the setting of the settlement.
- Respect the village character and local distinctiveness and form a logical complement to the existing scale and pattern of Over Norton.
- Help to maintain the vitality of the community.
- Create and strengthen local landscape elements such as stone walls, trees and woodland.

- Deliver a high quality public realm including significant areas of new public open space.

Heritage Assessment

This archaeological and heritage assessment has been prepared by EDP to inform a potential planning application for residential development on land at Choice Hill Road, Over Norton.

The site does not include any designated heritage assets, such as scheduled monuments, where there would be a presumption in favour of their retention and against development.

In the wider study area, there is one scheduled monument, four Grade II listed buildings (not including those within the Over Norton and Chipping Norton Conservation Areas) and two conservation areas. None of these are susceptible to change through the implementation of the proposed development.

Therefore, the proposed development adheres to s66 and s72 of the 1990 (Listed Buildings and Conservation Areas) Act and Paragraph 132 of the NPPF. It also complies with Policies BE5, BE8 and BE12 of the 2011 Local Plan, and Policy EH7 of the 2031 unadopted Local Plan.

The site has a low potential to contain any remains from the prehistoric, Roman and early medieval periods.

During the medieval to modern periods, the site was likely in continual use as farmland, as such, there is a low potential for any archaeological remains, other than 'low' value features and deposits related to its cultivation.

As such, the information contained within this report should be sufficient to determine this planning application, and no pre- or post-determination fieldwork should be required. This assessment is in line with Paragraph 128 of the NPPF and Policy BE13 of the 2011 Local Plan.

Landscape Visual Appraisal Assessment

In summary, the proposals submitted with this application respond well to the Vision and Objectives set out for the site (see page 4), the published planning policies and the design guidance available for the area. The scheme, if consented, would provide a positive and appropriate extension to Over Norton, including much needed affordable housing and improving the setting of the village within the Cotswolds AONB.

Although this plan remains only illustrative, it has been carefully designed to illustrate the key characteristics of plot composition, street structure and overall diversity that should underpin subsequent detailed design work. The layers of detail that informed this plan are further described within a series of strategies in Section 4 and should form the basis of future detailed Reserved Matters applications.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE1 Safeguarding the Countryside
NE13 Biodiversity Conservation

NE3 Local Landscape Character
 NE4 Cotswolds Area of Outstanding Natural Beauty
 H5 Villages
 H2 General residential development standards
 OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 EH2NEW Biodiversity
 EH1NEW Landscape character
 EH6NEW Environmental protection
 H6NEW Existing housing
 H3 Range and type of residential accommodation
 H1NEW Amount and distribution of housing
 H2NEW Delivery of new homes
 H3NEW Affordable Housing
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This is an outline application for the erection of up to 18 dwellings and associated public open space (all matters except access reserved. There is no related planning history to the site as it is previously undeveloped land.
- 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

- 5.3 In terms of considering the principle of the proposal the key policies in the adopted Local Plan (WOLP 2011) are considered to be H5, H2 and BE2. Policy H5 relates specifically to the provision of new dwellings in Villages. Over Norton is classed as a village for the purposes of this policy. This policy limits new dwellings to circumstances of in filling or the conversion of appropriate existing buildings.
- 5.4 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, 1836 dwellings. In order to maintain an annual requirement that is realistically achievable, Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times, and the accumulated shortfall will be spread over the plan period

using the “Liverpool” calculation. The supply includes commitments, small sites and allocations which total 4,514 dwellings. This gives rise to a 5.5 year supply. However, the convention is to use the “Sedgefield” method of calculation where the shortfall is dealt with in the next 5 year period rather than being spread over the entire plan period. Using this calculation, the 5 year supply is 4.18 years. The Council will be making a case for “Liverpool” at the resumed Examination, but accepts that this is currently untested and not endorsed by the Inspector. Accordingly, prior to further monitoring information becoming available and the outcome of the Examination, it remains appropriate to apply “Sedgefield” and therefore it is acknowledged that the Council cannot currently demonstrate a 5 year supply. In this context paragraphs 14 and 49 of the NPPF are engaged.

- 5.5 This proposal does not strictly comply with policy H5 in terms of ‘in filling’, however in the context of the Council currently being unable to demonstrate a 5 year supply of land for housing, this policy is increasingly considered out of date with reference to paragraph 49 of the NPPF.
- 5.6 Emerging Local Plan 2031 policy OS2 does allow limited development in Villages which respects the character and would help maintain the vitality of these communities. Over Norton is classed as a Village within the settlement hierarchy as set out within the emerging local Plan which notes that some villages are capable of accepting development (Policy H2) on land within or adjoining the built up area where it is necessary to meet housing needs and remains consistent with the criteria in OS2 and other policies of the plan.
- 5.7 The site adjoins the existing built up area of the village and therefore on the basis of emerging policies for the supply of housing, the proposal may be considered acceptable in principle, providing it does not conflict with other policies of the Plan when taken as a whole.

Siting, Design and Form

- 5.8 As this is an outline application an indicative lay out plan has been provided. This indicates that the 18 dwellings can be reasonably accommodated on the site making use of the existing access. However Officers note the comments from the Councils’ Conservation Architect and Biodiversity Officer which make reference to the slight amendments in the layout to reduce the impact of the encroachment into the countryside and to maintain the hedgerow in order to protect a wildlife corridor.
- 5.9 As such Officers are expecting the submission of a revised layout plan which has not been received at the time of writing; however Officers hope to be in receipt of the plan by the Committee Meeting date.
- 5.10 In light of the applicant’s case and the documentation submitted to date, it appears the proposal may have some merit however there are other key matters that still require further consideration in respect of the application which have not as yet been fully assessed due to outstanding comments from specialist consultees.
- 5.11 The proposal will affect the landscape and impact on the setting of the rural character of the village, and wider AONB. Other material considerations related to this application that remain outstanding are considered to be;

Visual Impact on Landscape and AONB

Highway Impacts
Impact on Residential Amenities
Affordable Housing
Impact of the development and S106 contributions

Conclusion

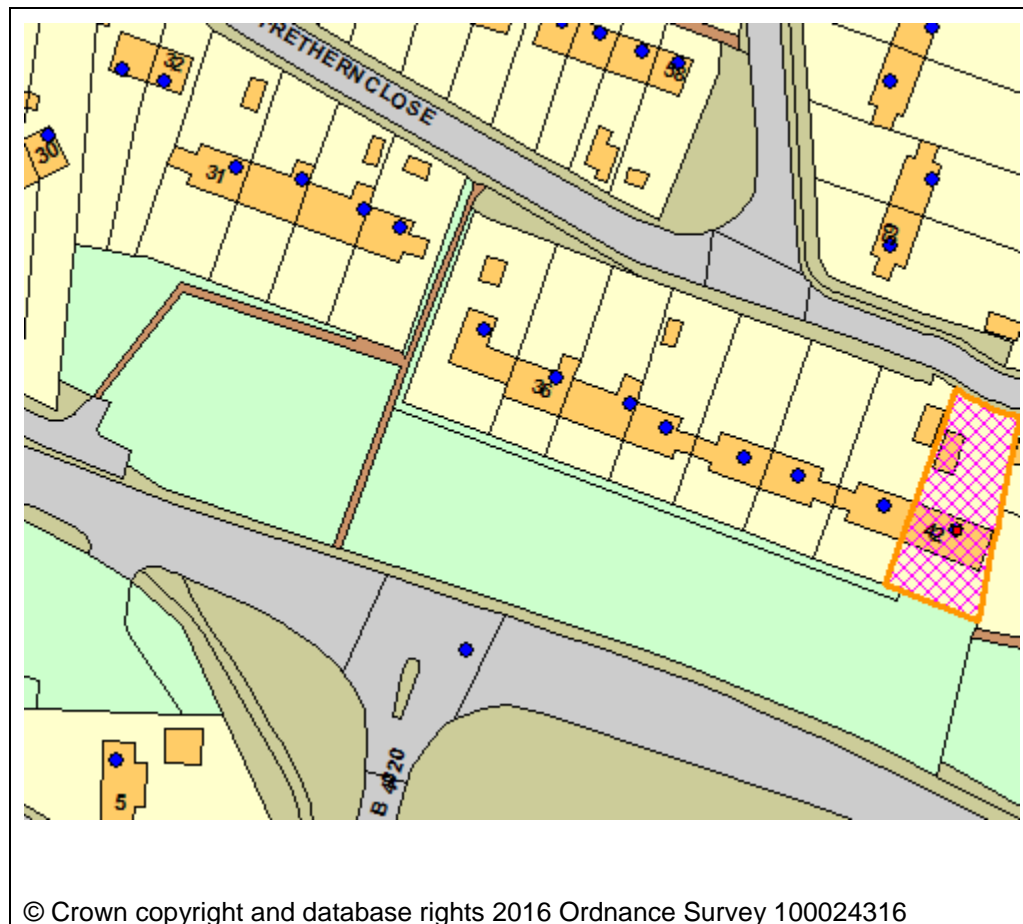
- 5.12 At the time of writing the report there are a number of important consultations responses outstanding which would be fundamental to any officer recommendation at this stage. This includes further information from OCC Highways, Landscape and Forestry Officer and input from the Planning Policy Officer and Affordable Housing Manager. As such Officers are not in a position to conclude to a firm recommendation at this time. Taking into account the position set out above Officers are unusually recommending a decision of a deferral with a view to allowing Members the opportunity to visit the site in order to consider the impact the proposal may have on the landscape and village location with a view to determining the application in March, by which time Officers anticipate having received outstanding comments and as such being in a position to form a firm recommendation.

6 RECOMMENDATION

Defer

Application Number	16/03989/FUL
Site Address	42 Oxford Road Burford Oxfordshire OX18 4NR
Date	25th January 2017
Officer	Joanna Lishman
Officer Recommendations	Refuse
Parish	Burford Parish Council
Grid Reference	425490 E 211536 N
Committee Date	6th February 2017

Location Map



Application Details:

Alterations, including erection of first floor extension, to convert existing dwelling into two.

2 off-street parking spaces have been designated for each property together with clear pedestrian access footpaths to either side (min. width 1m).

The proposed new house will be designed to comply with all aspects of Building Regulations Part M, providing disabled access from the parking area at the rear into the ground floor of the property.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
H8 Sub-division of existing dwellings
OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
T4NEW Parking provision

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for alterations to no.42 Oxford Road, including the erection of a first floor extension and to convert the existing dwelling into two properties.
- 5.2 No.42 Oxford Road is the end property in terrace. The site is set back from the main road and accessed via a footpath. The rear garden and parking area is via Frethern Close.

Background Information

- 5.3 Pre-application advice was given to this scheme wherein the overbearing impact on the adjacent property was highlighted as a concern. It appears the form of the first floor extension has subsequently been altered as submitted in this planning application from a gable side elevation to a hipped roof.
- 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
Scale, Siting and Design
Residential Amenity
Highways

Principle

- 5.5 Burford, a Service Centre, would have historically fallen under Policy H7 of the West Oxfordshire Local Plan 2011 which allows for infilling, rounding off and conversion of appropriate existing buildings and specifically allocated sites. However, as the Council has not been able to demonstrate that it has a 5-year supply of deliverable housing sites, relevant Local Plan policies for the supply of housing cannot be considered up to date. Housing applications

within the District therefore need to be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of The Framework says that for decision-taking where relevant local plan policies are out of date, this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in The Framework taken as a whole.

- 5.6 In light of the above, and given that the site is essentially a conversion of a single dwelling to form two dwellings (Local Plan Policy H8), within the built up limits of the sustainable settlement, the development proposed is considered acceptable on balance.

Siting, Design and Form

- 5.7 The proposed extension to no.42 would comprise a gable to the front and rear elevations and a hipped roof back into the existing roof. The extension would comprise two bedrooms and a lounge to serve the 3-bed dwelling.
- 5.8 From the streetscene the first floor addition appears a little awkward at the front elevation with raised eaves due to the lower eaves on this side of the dwelling. However, officers do not consider there is justification for a refusal on this basis. On balance, the design and form are considered acceptable, with materials to match the existing dwelling.

Residential Amenities

- 5.9 Private residential amenity space is proposed for both properties, 85 sq.m is available as private amenity space for the proposed 2-bed dwelling and 106 sq.m for the 3-bed dwelling. Your officers consider this is sufficient amenity space for each property.
- 5.10 The impact of the proposed increased height and mass of the side elevation of the dwelling, would be exacerbated by the proximity to the rear elevation of no.4 Faulklands Close (7.5 metres). Officers consider that an increase in the scale and mass of the dwelling in the manner proposed would appear dominant and imposing in relation to this property and would adversely impact upon the residential amenity of the occupants of this property.
- 5.11 The ground floor window is existing and would not result in overlooking as a result of existing boundary treatment.

Highways

- 5.12 Two off-street parking spaces have been designated for each property. County Highways have raised no objection to the development subject to a parking condition.

Conclusion

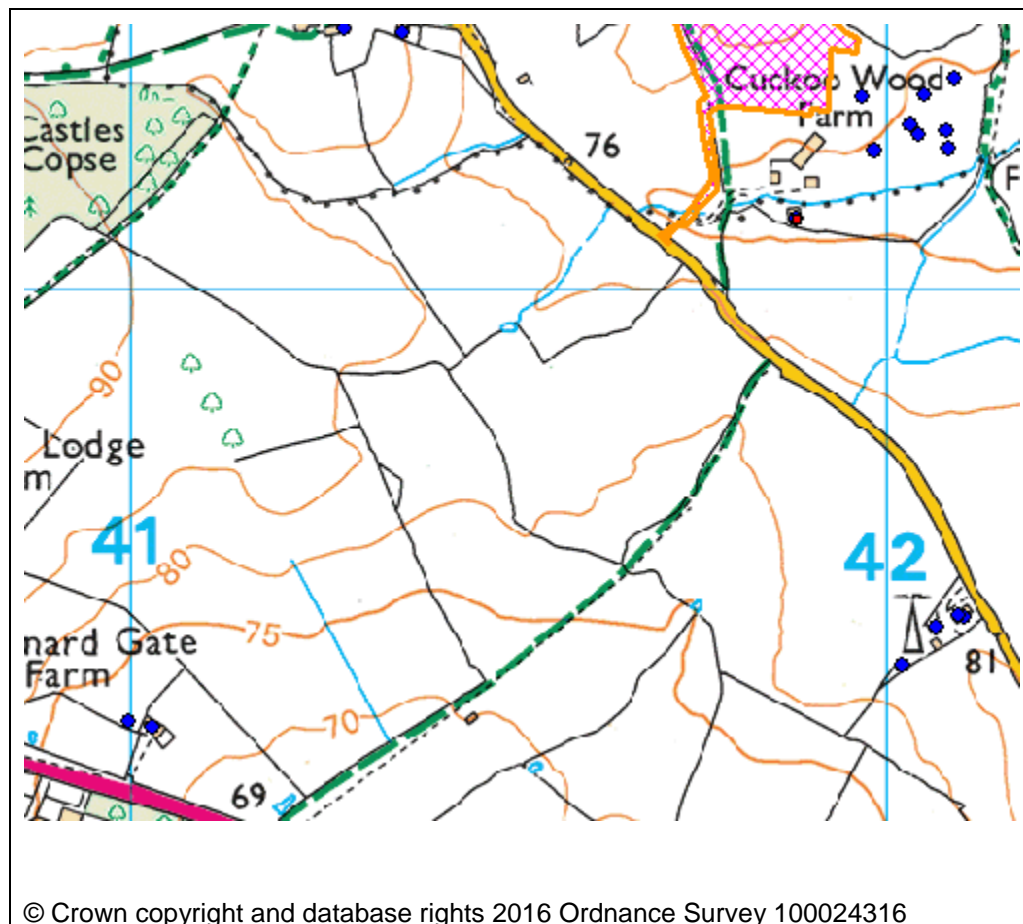
- 5.13 Having considered the relevant planning policies and all other material considerations, the principle of the conversion is considered acceptable. However, your officers consider that the proposed development is unacceptable on its planning merits in terms of the scale and proximity of the extension to the neighbouring property, resulting in it appearing overbearing and therefore should be refused.

6 REASON FOR REFUSAL

The proposed first floor side extension, due to its scale, height and massing, exacerbated by the siting of the property and its close proximity in relation to the adjacent dwelling, no.4 Faulklands Close, would result in a development which appears overbearing and would adversely impact upon the be contrary to existing West Oxfordshire Local Plan 2011 Policies BE2, H2 and H8i; emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4 and H6 and paragraphs 9.4, 17.4 & 64 of the NPPF 2012 and the harms are deemed significant and demonstrable enough to justify refusal notwithstanding the provisions of paragraphs 14 and 49 of the NPPF.

Application Number	I6/04188/FUL
Site Address	Cuckoo Wood Farm Eynsham Road Freeland Witney Oxfordshire OX29 8AD
Date	25th January 2017
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Eynsham Parish Council
Grid Reference	441880 E 211094 N
Committee Date	6th February 2017

Location Map



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

I CONSULTATIONS

- | | | |
|-----|------------------------------|--|
| 1.1 | Parish Council | No Comment Received. |
| 1.2 | WODC Planning Policy Manager | No Comment Received. |
| 1.3 | OCC Highways | No Comment Received. |
| 1.4 | ERS Env Health – Uplands | Mr ERS Pollution Consultation

I have no Objection and no conditions to recommend. |

2 REPRESENTATIONS

- 2.1 A letter has been received from the Showman's Guild of Great Britain supporting the application on the basis that there is a need for the additional plots, that all occupiers will be bona fide travelling showpeople with an unmet need and that the land will be used for no other purpose

3 APPLICANT'S CASE

- 3.1 Writing in support of the proposals the agent has tabled a variety of supporting information which may be viewed in full on line. The conclusion of the planning statement is that the proposal is compliant with the overall aims of the Council's latest Local Plan proposals in providing for the needs of travelling showpeople who resort to the area. The applicant has at the same time addressed the remaining points at issue concerning the amount of need and phasing. He will be making representations to the latest consultations over the local plan revisions with suggestions as to appropriate changes that can be made to the supporting text of the relevant policies.

4 PLANNING POLICIES

H15 Travelling showpeople
H7NEW Travelling communities
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to a site located in open countryside and served from the road connecting North Leigh/Long Hanborough to Eynsham. It seeks consent to extend the existing Showman's site that is already located there to form an additional 6 plots and an area of open space for amenity use. As part of the proposals it is proposed to create substantial additional peripheral landscape belts and a central spine road serving the new plots. A public right of way runs in close proximity to the western boundary of the site and the site itself sits close to the northern boundary of the proposed Garden Village

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

Principle

- 5.2 The policies of the adopted local plan (H15) and emerging local plan (H7) contain criteria based policies that seek to enable development to support the needs of travelling showmen provided that the land is not designated as Green Belt/flood plain etc, the character of the area is protected, screening is provided, services are relatively close by, there is a good standard of amenity and the access is safe and convenient. Proposed modification H8 to the emerging plan specifically identifies this site as suitable for 6 plots provided that there are strategic landscaping proposals, safe access, flood risk is mitigated, there is a connection to mains sewage systems and an area of open space. Whilst none of these policies currently carry full weight they are reflective of the requirements of the NPPF to meet the housing needs of all sectors of society and as such your officers consider that the principle of development is established.

Siting, Design and Form

- 5.3 In so much as the proposal is for a change of use of the land to allow the stationing of showmen's living accommodation and equipment there is no built form proposed. However much of the equipment stored in connection with the Showman's activities is large/conspicuous and the caravans/mobile homes are also potentially quite conspicuous in the wider landscape. At present the landscape proposals concentrate on peripheral screening but the experience with the existing plots on the adjoining land is that the very open nature of the interior means that the cumulative impact of the site when heavily occupied is that it can be quite conspicuous from certain vantage points. Similarly the impact from the adjoining rights of way need to be considered. The potential for this site to be more intrusive/conspicuous than the existing one is exacerbated in that the land is generally higher. In that regard the applicants suggested location of the amenity area on the highest part of the site is considered on reflection to be a more appropriate location than where it was originally suggested by Officers in a more central location on site. However, notwithstanding this benefit it is considered that more internal landscaping is required to both this site and the extant site if the overall visual impact is to be reduced to an acceptable level. This will require further negotiation with the applicant'
- 5.4 Additionally the proximity of the site to the proposed Garden Village needs to be more fully considered in terms of potential connections to enable users of this site to access future facilities there such as shops and education without the need to use Cuckoo Lane. Officers want

to explore this element further too to ascertain if opportunities exist to create footpath links. A verbal update will need to be given regarding these aspects

Highways and drainage

- 5.5 The views of OCC as Highway Authority have yet to be received. The agent has offered to accept a condition that the site is not occupied until such time as previously consented access improvement works are implemented and it is anticipated that this will be sufficient to satisfy OCC. However a formal response is required before this matter can be finalised. The emerging policy also requires connection to Mains drainage. The agent asserts that this is not possible but again perhaps this is a matter that can be picked up with infrastructure improvements that will be associated with the Garden Village. Further work is needed to resolve this matter

Residential Amenities

- 5.6 The current site is very popular with generous plot sizes, relatively close to Eynsham and its amenities and with good access to the principal road network so that fairs can be easily accessed. The provision of the additional communal area will enhance what is already establishing itself as a popular site.

Phasing

- 5.7 The emerging policy anticipates that the site will be brought forward in a phased manner. The agent indicates that the demand is there now to fill the site but that it will in any event be occupied in a progressive way by families with a historic, cultural or family connection with Oxfordshire and that if released in one go it would enable the financing of all the landscaping etc. Practically this might not be possible if the scheme were developed piecemeal

Conclusion

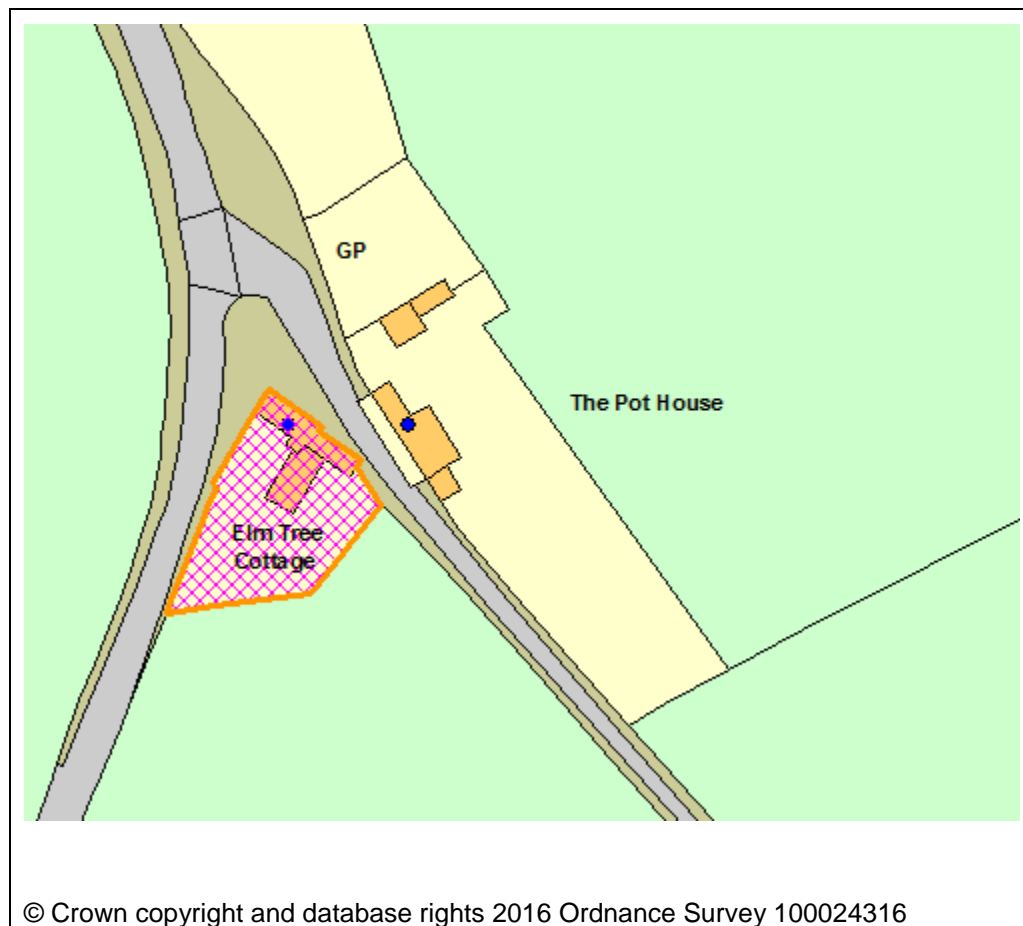
- 5.8 The principle of this general form of development is considered acceptable but at the time of agenda preparation there are key consultation responses outstanding and some further negotiation/clarification is required. It may be that this will have been concluded at the point that the application comes before members whereupon a verbal recommendation could be made. As things stand however it is recommended for Deferral

6 RECOMMENDATION

Defer to await outstanding consultation responses and the outcome of negotiations with a view to bringing forward for determination if matters are resolved

Application Number	I7/00005/HHD
Site Address	Elm Tree Cottage Witney Lane Leaffield Witney Oxfordshire OX29 9PG
Date	25th January 2017
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Leaffield Parish Council
Grid Reference	432014 E 214760 N
Committee Date	6th February 2017

Location Map



Application Details:

Erection of single storey extensions. Installation of new window to first floor and alterations to windows in Utility room. Internal alterations.

Applicant Details:

Mr And Mrs David Nicklin
Elm Tree Cottage
Witney Lane
Leafield
Witney
Oxfordshire
OX29 9PG

1 CONSULTATIONS

- 1.1 Parish Council No Comment Received.

2 REPRESENTATIONS

No third party comments have been received in relation to this application.

3 APPLICANT'S CASE

- 3.1 We do not feel that the development is harmful to the surroundings and we believe that it does not give rise to unacceptable loss of residential amenity to the neighbouring properties and would therefore be in accordance with Policy BE2. A safe access and parking is provided therefore complying with Policy BE3.

We also feel that the proposal pays proper regard to the preservation and enhancement of the character and appearance of the Conservation Area and Listed Building and would be in accordance with Policy BE5, BE7 and BE8.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE7 Alterations and Extensions to Listed Buildings
H2 General residential development standards
OS4NEW High quality design
EH7NEW Historic Environment
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENTBackground Information

- 5.1 The application seeks planning approval for extensions and external alterations to Elm Tree Cottage, a detached 17th Century Grade II listed stone cottage, which lies on the edge of Leafield. A rear orangery extension is proposed which would measure 4 metres in length and would be constructed from natural stone with a roof lantern. A 1.7 metre long porch is proposed to the front elevation of the cottage, adjacent to the front door of the dwelling, in the position of a small roof canopy. Alterations are also proposed to enlarge a ground floor window

in the North Elevation of the cottage alongside the addition of a new window to a south east facing gable of the property.

- 5.2 The dwelling lies outside the Leafield Conservation Area, but lies within the Cotswolds AONB.
- 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:
- Design, scale and siting of the extensions
 - Impact on the heritage character of the listed building
 - Residential Amenity

Siting, Design and Form

- 5.4 In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration.
- 5.5 The proposed orangery extension is of a simple form and design and would read as secondary in scale to the existing cottage. The extension would be constructed from matching natural stone and would have a traditional appearance, which officers consider would satisfactorily harmonise with the character of the Grade II listed building. Officers consider that the siting, design and form of the orangery extension is appropriate and would not result in harm to the heritage significance and character of the Grade II listed building.
- 5.6 The front extension is a modestly sized addition to the dwelling, which would be sited adjacent to the front entrance of the property. The extension would be subservient to the main dwelling and sympathetic in design terms to the character of the Grade II listed cottage. The extension would be constructed from natural stone with reconstructed stone roof slates, which would match the natural stone and stone slates of the existing cottage. Officers consider that this modestly sized and sympathetic additional would not result in harm to the historic character of the Grade II listed cottage.
- 5.7 Subject to details being provided by condition, the addition of the additional window to the south east gable end and the enlargement of the north elevation window are considered acceptable in design terms and would not harm the character of the Listed Building.
- 5.8 Owing to the scale of development and the context of the site, the development would not impact on the landscape character of the Cotswolds AONB.

Highways

- 5.9 The development would not result in a reduction in off street parking and would not impact detrimentally on highway safety or amenity.

Residential Amenities

- 5.10 Owing to the positional siting of the extensions, the development would not compromise the amenity of the occupants of the only neighbouring property, which lies to the north of Elm Tree Cottage. The proposed enlargement of the north elevation ground floor amenity would not substantially increase overlooking of this property. The proposed first floor window would not directly overlook the neighbouring property to the north of the site.

Conclusion

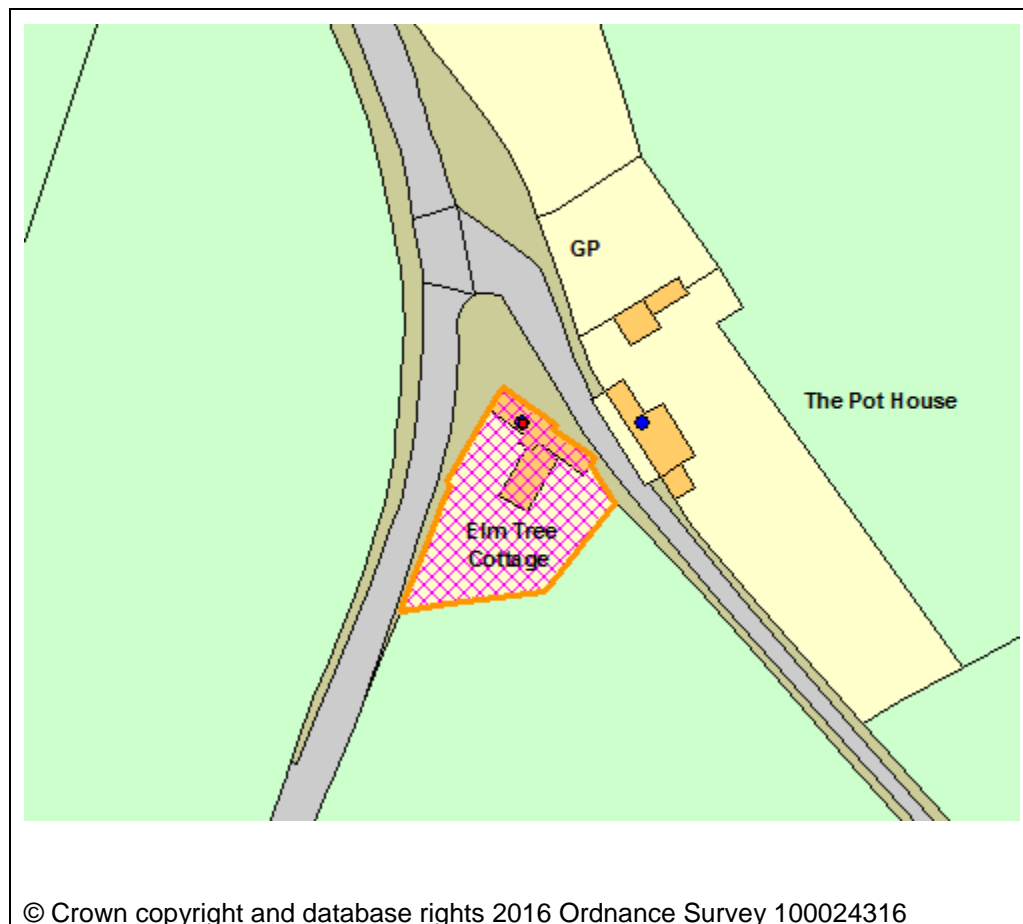
- 5.11 The proposals involve sympathetic and visibly secondary additions to this Grade II listed cottage, which would not result in harm to the historic character and significance of the building. The proposals would not be of detriment to the residential amenity of any existing occupants and would not result in harm to the character of the Cotswolds AONB. Officers consider that the development as proposed would be acceptable and compliant with Existing Local Plan Policies BE2, BE3, NE4 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: 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 external walls of the extensions; shall be constructed with natural stone, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

Application Number	I7/00006/LBC
Site Address	Elm Tree Cottage Witney Lane Leaffield Witney Oxfordshire OX29 9PG
Date	25th January 2017
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Leaffield Parish Council
Grid Reference	432014 E 214760 N
Committee Date	6th February 2017

Location Map



Application Details:

Erection of single storey extensions. Installation of new window to first floor and alterations to windows in Utility room. Internal alterations.

Applicant Details:

Mr And Mrs David Nicklin
Elm Tree Cottage
Witney Lane
Leafield
Witney
Oxfordshire
OX29 9PG

I CONSULTATIONS

I.1 WODC Architect **CONTEXT:** Detached C17 and later stone-built Listed House in prominent roadside setting.

OPINION: This has been subject to a fair amount of pre-app., and the proposals appear largely to accord with the guidance given. Regarding the proposed new porch, while the way this overlaps with the shallow gable to L is unfortunate, the design is otherwise fairly straightforward and traditional, and this is discreetly located to the rear. Regarding the proposed garden room, this is of traditional type/ design, stone-built, parapet-walled and with a lantern. The scale and massing seem reasonable, and the works would leave unaltered the existing original window in the SW elevation (making use of the existing doorways here). No objections to the proposed new window, or to the alterations to the windows in the NE elevation.

RECOMMENDATIONS: Advise consents be granted, but with condition for demolition only where shown; sample panel of natural stone; sample of roof slates; windows to be recessed min. 75mm; and joinery conditions at 1:20 & 1:5 for all joinery and windows (incl. roof lantern).

REASONS: Appears compliant with policies BE2 and BE7.

I.2 Parish Council No Comment Received.

2 REPRESENTATIONS

No third party comments have been received in relation to this application.

3 APPLICANT'S CASE

We do not feel that the development is harmful to the surroundings and we believe that it does not give rise to unacceptable loss of residential amenity to the neighbouring properties and would therefore be in accordance with Policy BE2. A safe access and parking is provided therefore complying with Policy BE3.

We also feel that the proposal pays proper regard to the preservation and enhancement of the character and appearance of the Conservation Area and Listed Building and would be in accordance with Policy BE5, BE7 and BE8.

4 PLANNING POLICIES

BE7 Alterations and Extensions to Listed Buildings
EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks listed building consent for extensions and internal and external alterations to Elm Tree Cottage, a detached 17th Century Grade II listed stone cottage, which lies on the edge of Leafield. A rear orangery extension is proposed which would measure 4 metres in length and would be constructed from natural stone with a roof lantern. A 1.7 metre long porch is proposed to the front elevation of the cottage, adjacent to the front door of the dwelling, in the position of a small roof canopy. Alterations are also proposed to enlarge a ground floor window in the North Elevation of the cottage alongside the addition of a new window to a south east facing gable of the property. The internal alterations relate to the proposed removal of non-original walls within the ground floor of the property.
- 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:
- Impact of the development on the historic character of the Grade II listed building

Siting, Design and Form

- 5.3 In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration.
- 5.4 The proposed orangery extension is of a simple form and design and would read as secondary in scale to the existing cottage. The extension would be constructed from matching natural stone and would have a traditional appearance, which officers consider would satisfactorily harmonise with the character of the Grade II listed building. Officers consider that the siting, design and form of the orangery extension is appropriate and would not result in harm to the heritage significance and character of the Grade II listed building.
- 5.5 The front extension is a modestly sized addition to the dwelling, which would be sited adjacent to the front entrance of the property. The extension would be subservient to the main dwelling and sympathetic in design terms to the character of the Grade II listed cottage. The extension would be constructed from natural stone with reconstructed stone roof slates, which would match the natural stone and stone slates of the existing cottage. Officers consider that this modestly sized and sympathetic additional would not result in harm to the historic character of the Grade II listed cottage.

- 5.6 Subject to details being provided by condition, the addition of the additional window to the south east gable end and the enlargement of the north elevation window are considered acceptable in design terms and would not harm the character of the Listed Building.
- 5.7 The internal alterations relate to the removal of non-original walls and would not involve the removal of any features which contribute to the historic character and significance of the listed building.

Conclusion

- 5.8 The proposals involve sympathetic and visibly secondary additions to this Grade II listed cottage, which would not result in harm to the historic character and significance of the building. The proposals are considered to be compliant with the provisions of Policy BE7 of the Existing Local Plan.

6 CONDITIONS

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) 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 external walls of the extensions; shall be constructed with natural stone, a sample of which commences.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 6 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.
REASON: To preserve internal features of the Listed Building.

- 7 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.
REASON: To preserve the architectural integrity of the Listed Building.