

**WEST OXFORDSHIRE DISTRICT COUNCIL**  
**UPLANDS AREA PLANNING SUB-COMMITTEE**

**Date: 5<sup>th</sup> June 2017**

**Report of Additional Representations**



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**WEST OXFORDSHIRE**  
**DISTRICT COUNCIL**

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## Report of Additional Representations

Application Number	16/02515/FUL
Site Address	Long Close Oxford Road Woodstock Oxfordshire OX20 1QN
Date	2nd June 2017
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Blenheim Parish Council
Grid Reference	445234 E 216269 N
Committee Date	5th June 2017

### Application Details:

Erection of three detached houses and associated works

### Applicant Details:

Mr Lewis  
16A Bedbrook Crescent  
Oxford  
OX5 1RW

## ADDITIONAL REPRESENTATIONS

The Officer assessment has been amended to update the position on 5 year housing land supply and include reference to the impact on heritage assets. These changes do not affect the Officer recommendation.

## 5 PLANNING ASSESSMENT

5.1 This application seeks planning permission for the demolition of the existing dwelling and its replacement with three detached dwellings at Long Close, Woodstock. The application is before the Uplands Area Sub-Committee at the request of Ward Member Councillor Poskett and concern regarding the visibility splays.

### Background Information

5.2 The application site is site is approximately 0.4ha in size and accessed from the main A44 into Woodstock. The site comprises an existing substantial two-storey detached property, known as Long Close, and a number of outbuildings.

5.3 The site is located outside of the Cotswolds Area of Outstanding Natural Beauty. The boundary of the Woodstock Conservation Area is approximately 500m to the north west. The site lies opposite the Blenheim Palace Grade I registered Park and Garden and World Heritage Site (WHS), and its separately listed park wall, the Grade II listed Cowyards are located 115m to the south, a Scheduled Ancient Monument (Blenheim Villa) is located approximately 350m to the east.

5.4 The site lies east of the modern housing development Churchill Gate and west of the land granted outline planning permission (subject to a S106) by Members of the Uplands Planning Committee in February 2017 (ref: 16/01364/OUT). The hybrid planning application comprised part

outline/part full planning permission for up to a maximum of 300 residential dwellings. The part of the approved scheme adjacent to the application site has been granted full planning permission (subject to S106) with the dwelling sitings and orientations on the western boundary now fixed.

5.5 The application site itself is characterised by a landscaping screen on the eastern boundary and a landscaping scheme along the south boundary of the site which is subject to a Tree Preservation Area Order (Reference Chipping Norton No.6, 1966).

5.6 An application was submitted in September 2015 for the erection of four detached dwellings on the site however officers advised that this was too much development for the site and the application was withdrawn. The current application has been submitted for three dwellings with amendments made to the access, landscaping and drainage throughout the application process.

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 the application are:

Principle

Design, Scale and Siting

Access and Highways

Impact on Residential Amenities

Ecology

Trees

Impact on heritage assets

## **Principle**

5.9 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, currently 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.

5.10 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation .

5.11 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.

5.12 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.

5.13 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 2017. Although the Council's approach has yet to be endorsed by the Local Plan

Inspector, the direction of travel and commitment to boost the supply of new housing in the District is clear. Officers are therefore of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. Nevertheless, whilst there is still some uncertainty as to the housing land supply position, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of “decision taking” under paragraph 14 of the NPPF.

5.14 Essentially, the site is previously developed and is within the sustainable settlement of Woodstock which is identified as a one of the District's main Service Centres. It does not project beyond the existing boundary of the site and notwithstanding this, the adjacent site now has outline planning permission subject to a S106 legal agreement for housing development. Your officers support the principle of the redevelopment of this site for housing.

### **Design, Scale and Siting**

5.15 The site is triangular in shape and would be bordered by the existing housing development to the north-west and enclosed by the future housing allocation to the east, subject to the recent outline planning approval.

5.16 The three proposed 2.5 storey detached dwellings draw on vernacular forms and a 'farmhouse' style with the use of traditionally proportioned windows, gables, dormers, etc. The design reflects the surrounding approved dwellings and would be in keeping with the more modern character of this part of Woodstock.

5.17 The materials proposed are natural stone, timber and clay roof tiles. The existing dwelling is not considered to be of any particular architectural merit. The proposed roof tiles are the same as on the existing dwelling, however the existing dwelling is rendered walls. A sample panel of walling and a sample of the roofing material, however, will be required to be agreed by condition.

5.18 Whilst located on the main road, the site benefits from a significant sense of enclosure created by the mature hedges and trees around the periphery. The site's relationship with the existing urban edge and adjacent approved development, has a bearing on its suitability for development. The site is an existing residential curtilage and is therefore not publically accessible. It does not represent an important gap, or perform a particular function in the area. Officers recognise that the development would represent significant change. However, change is not necessarily the same as harm. On balance, it is considered that the development would bring about some environmental improvements and produce a scheme that is in keeping with the built form nearby. In your officers' view the development would not be harmful, and the character of the area would be preserved.

### **Access and Highways**

5.19 The speed limit in this location is 30mph. The Highway Officer agrees that because this proposed access sits on the edge of the town and is on a major 'straight' trunk road, visibility splays of 2.4 x 70m are more appropriate, in order to reduce the likelihood of a collision. The plans have been amended to show this is possible across land is in the jurisdiction of OCC. (Splays of 2.4 x 90m are also shown to be possible).

5.20 The existing access itself has an 8m bellmouth, which narrows to 3.5m after just 2.5m. The Highway Officer considered it unacceptable for an access off the A44 in this location and this has since been mitigated by way of a widened apron so that vehicles can enter and exit the site without the potential for a rear shunt collision on this stretch of the A44. The Highway Officer confirmed that the access should be at least 4.8m wide for at least the first 15m into the site, after which, the 3.5m is suitable. The Highway Officer has confirmed the amended access is acceptable (5m wide at

the pinch-point) and has suggested that the widening will involve the applicant entering into a S278 agreement with OCC to carry out works to the highway.

5.21 The net gain is two dwellings, in parking standards this warrants parking for an additional four cars. Each property has a garage for two cars and a driveway for visitor parking. Cycle parking provision is within the garage as is bin and recycle storage.

5.22 The objection comment refers to the provision of a public footpath to link to Churchill Gate. The Highway Officer has not requested this as a requirement of the scheme due to the scale of the development. The occupants of the dwellings can walk along the verge the short distance to the footpath. Any formal footpath provision here could also potentially harm the root protection areas for the TPO's. Furthermore, it is envisaged that the large development to the east will include improvements to the public footpaths in both directions, in due course.

### **Residential Amenities**

5.23 The current scheme reduces the number of units from four to three which sees the dwellings pulled away from the properties in Churchill Gate. Two dwellings are orientated towards the road so there is only one front elevation facing the existing dwelling. The separation distances involved are 22m from the front elevation of Plot 2 to the boundary and 40m to the main body of the relevant house in Churchill Gate). There would consequently be no material loss of light or a sense of any of the buildings being overbearing. There would also be no unacceptable overlooking.

5.24 With regard to the relationship with Phase 1 approved dwellings to the west, of the 4 dwellings located along the western boundary of the application site, the closest dwelling would be located 18m from the boundary with a single storey garage 11m from the boundary. The public footpath runs between the application site and the dwellings. Additional planting is proposed adjacent to the footpath to the front of the approved dwellings. Plot 1 is the closest dwelling to the western boundary. The single storey element is located 7m from the boundary. The degree of separation from the recently approved dwellings is considered acceptable and there would be no harm to residential amenity for the occupants of either scheme.

5.25 Within the site, all of the proposed dwellings would have acceptable interfaces. The relationship between the footprint of buildings, garden areas and open space is entirely appropriate. Overall the proposal is considered to comply with West Oxfordshire District Council Local Plan 2011 Policies BE2 and H2, and emerging West Oxfordshire Local Plan 2031 Policy H2.

### **Trees**

5.26 The updated Arboricultural Report dated 8th May 2017 states that on site there 31 trees, 2 groups and 1 hedge. The following is a summary of tree removal taken from the report.

- \* No Category A trees are proposed to be removed.
- \* A total of 17 trees, 7 groups and 1 hedge is proposed to be removed.
- \* 1 TPO Hawthorn tree to be removed.
- \* 3 category B trees to be removed which are located within the site and with limited public visual amenity.
- \* 1 category B group to be removed. Located along the frontage, however have now become overly dominant with some of the TPO trees. Sustainable mitigating landscaping proposed.
- \* 14 category C trees to be removed.
- \* 7 category C groups to be removed.
- \* 1 category C hedge to be removed.

5.27 The footprints of the 3 proposed dwellings fall outside the root protection areas (RPA's) of the retained tree stock and can be adequately protected during construction.

5.28 No dig techniques and porous surface treatment will be used to protect roots, particularly around the main access into the site and around the Copper Beech.

5.29 The TPO hedgerow to the front of the site will be protected and the scheme includes maintenance of the hedgerow to allow improved pedestrian access which is currently overgrown.

5.30 With regard to drainage, the submitted drainage details show that drainage can be implemented outside the RPA's of the proposed retained tree stock.

5.31 The Landscape Officer is satisfied in principle that the amendments to the entrance would result in the north-western edge of the existing driveway to remain unchanged and the apron widened.

### **Ecology**

5.32 The Ecology Officer is satisfied with the methodology and findings of the submitted Extended Phase I Habitat Survey and Bat Survey Report dated July 2016 by Windrush Ecology. Three conditions are recommended relating to a landscaping scheme and bat and bird mitigation.

### **Drainage**

5.33 The drainage for the site is proposed via soakaways and an on-site sewage treatment plant. The Drainage Officer is satisfied that a full surface water drainage scheme condition can be attached and discharged following an approval.

### **Impact on heritage assets**

5.34 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.

5.35 The siting of the proposed dwellings would have a similar relationship with the WHS and Park wall, compared to existing development at Churchill Gate adjacent. It would also constitute infill between Churchill Gate and the large scheme the Council has resolved to approve to the east (16/01364/OUT). In addition, the application site benefits from existing screening from protected trees.

5.36 The relationship of the major development (16/01364/OUT) to the nearby heritage assets was fully assessed and the conclusions reached in that case have a bearing on consideration of the proposal under consideration here, given that they are neighbouring sites. It was concluded in that case that there would be less than substantial harm to the WHS/Listed Park and Garden (which includes the listed park wall), the Villa Scheduled Ancient Monument, and the Cowyards. There was limited harm identified to the Woodstock Conservation Area. This harm, under paragraph 134 of the NPPF, needed to be outweighed by public benefits.

5.37 In this case, there would be no material effect on the Scheduled Ancient Monument given the physical and visual separation. Although some harm to the setting of the Conservation Area was found in relation to the large, greenfield site, given that the application site is much smaller, brownfield and well screened it is also considered that there would be no material effect on the

Conservation Area. Although the site is relatively close to the Cowyards, the siting, scale, intervening screening and physical relationship cause no material harm to the setting here.

5.38 The more intensive use of the application site, and the scale and siting of the proposed dwellings (particularly Plot 3) would have some urbanising effect and change the character of the site to some degree. This would cause less than substantial harm to the setting of the WHS/Listed Park and Garden and listed park wall which are located directly opposite the site. This harm needs to be outweighed by public benefits in accordance with paragraph 134 of the NPPF.

## **Conclusion**

5.39 The adopted Local Plan is time expired and the Council is now moving forward with a revised plan up to the year 2031. The proposal is consistent with the need to deliver windfall housing on suitably located sites within the Eynsham-Woodstock Sub-Area, having regard to paragraph 14 of the NPPF.

5.40 The siting, design and form of the development are acceptable with reference to the character of the locality.

5.41 There would be no material impact on privacy, light or general amenity in relation to neighbouring properties.

5.42 The development would not have an unacceptable impact on the operation of the highway network in this location or on highway safety generally. The visibility splays have been agreed by the Highway Officer with the width of the access to be agreed via condition.

5.43 Retention and protection of trees, appropriate landscaping, and suitable mitigation and enhancements for wildlife can be secured by condition.

5.44 The delivery of new housing is a public benefit which is considered to outweigh the limited harm to heritage assets in this case.

5.45 Taking into account all of the above matters, the application is recommended for approval subject to conditions. Officers consider that the development as proposed would be acceptable and compliant with adopted Local Plan Policies BE2, BE3, BE5, BE8, BE11, BE12, NE1, NE3, NE6, NE13, NE15, H2, and H7, and emerging Local Plan Policies OS2, OS3, OS4, EH1, EH2, EH7, T1, T4, EW1 and EW2.



Application Number	16/03948/OUT
Site Address	Land West Of Church Road Long Hanborough Oxfordshire
Date	2nd June 2017
Officer	Catherine Tetlow
Officer Recommendations	Refuse
Parish	Hanborough Parish Council
Grid Reference	441778 E 213715 N
Committee Date	5th June 2017

**Application Details:**

Residential development comprising ninety four dwellings, including starter homes.

**Applicant Details:**

Cantay Estates Ltd  
C/O Agent

**ADDITIONAL REPRESENTATIONS**

**Additional WODC Environmental Health advice** has been received in the light of the submission of a Phase I Geo-environmental report and an intrusive ground investigation for contamination, as follows:

- The reports go some way to characterising the site and it would appear from the intrusive investigation works that the site has not been infilled with a significant amount of non-inert waste. There are, however, pockets of localised man-made materials which may impact on the health of future residents. The made ground encountered in the centre of the site has not been delineated and further tipping of unknown materials is a significant possibility.
- The site is 8.9 ha in size and the investigation is very limited with regard to the amount of intrusive locations. Much of the site has not been assessed. Current guidance should be followed in order to confirm the condition of the site and render it suitable for future residential use.
- The gas monitoring was undertaken in three locations, however, these locations are found to be in natural ground near the boundary of the site and do not take into consideration the made ground encountered in the centre of the site around TP06 and TPI0.

It is considered that the site is most likely not producing significant amounts of ground gases to prevent the development, however, further investigation is required and this may be dealt with by way of conditions.

**Additional OCC Highways advice** has been received as follows:

I am in receipt of the JD Highways Technical Note dated May 2017 that seeks to address the reasons for objection in the county council's response to the planning application reference 16/03948/OUT. Having given the note due consideration, the county council's position is still one of objection.

Vehicle trip rate

Whilst I appreciate that the rate used by the original application was on the high side, I need more convincing that the proposed TRICS vehicle trip rate is appropriate. It is proposed to use the trip

rate used in support of the Pye Homes application, to the south of A4095. This was challenged at the time but a survey was carried out locally to verify it. Rather than use the survey carried out locally (at Hurdeswell), the Pye Homes site used the lower TRICS generated rate. Just because a rate was agreed previously does not mean that it should automatically be accepted this time. At the very least the survey from Hurdeswell should be used or further justification given as to why not.

#### Future traffic performance of Church Road mini roundabout

The issue of by far and away the most importance is the performance of the A4095/Church Road mini roundabout. Irrespective of the vehicle trip rate issue highlighted above, the JD Highways Technical note is currently concluding that the impact of the development traffic on the junction in the future is not severe. In reaching this conclusion, adjustments have been made to the model (ARCADY) because the consultant has observed that it doesn't allow as much traffic to get through the roundabout as has been observed on site at busy periods. This means that initially the model was showing much longer queues and delay than is apparently the case on the ground. A new queue length survey has been undertaken by the same contractor as the original survey – the same methodology has been used. This new survey recorded shorter queues than the previous one. The operation of the model has been adjusted/calibrated to reflect these smaller queues and as a result, the modelling of the junction in the future years is showing better results than were first presented in the TA submitted with the planning application.

However, my own on-site observations of peak period traffic flow lead me to conclude that the outputs of the model for the base year i.e. 2017 are not a reasonable reflection of real life conditions. I acknowledge that consistent methodology has been used in the two queue length surveys, but given the nature of traffic movement through Hanborough on the A4095 and the mini roundabout in particular, identifying a queue length is extremely difficult. More important in this case is how congestion and delay is measured. My on-site observations are that there are significant congestion issues on the A4095 approaches. Clearly the nature and extent of these vary from day to day and whilst a traffic queue might be moving at more than 4mph and therefore perhaps not technically count as a queue according to ARCADY, it still does so slowly and this certainly is congestion and causes considerable delay to vehicles. I have observed evening peak queues/congestion exceeding what the ARCADY results in the TAA are showing (8.2 vehicles). And I do not think it is realistic for the model to be concluding that the maximum delay on the westbound A4095 approach to the roundabout in the pm peak is 32 seconds. Congestion regularly begins in the westbound direction in excess of 500m from the junction and can extend as far as the railway bridge. In reality, delay approaching the roundabout can easily be something more like 2 minutes and more.

My view is that the ARCADY modelling does not adequately represent traffic congestion on the A4095 approaching the mini roundabout and must be revisited until it can show sensible results in the base year. It could be that only another approach to modelling can replicate the behaviour of traffic on the A4095 in this location. Certainly further surveys are needed to establish the journey times through the roundabout on the A4095 in both directions in the morning and evening peaks. These results can be compared to the free flowing journey times and used to provide an agreed baseline with which to start the testing of the future impact of traffic on the junction. Until that happens I do not believe that it is possible to have confidence in the results of the modelling in future years taking into account background traffic growth and new traffic as a result of planned and proposed development. As such I can only recommend that the district council do not grant planning permission.

For completeness and clarity I would like to see a marked up scale drawing of the roundabout with the various dimensions used as key inputs to the ARCADY. Clearly the geometry of the roundabout is somewhat unusual and the model is likely to be very sensitive to small changes in measurements.

On the basis of this advice, an additional reason for refusal is recommended as follows:

*The submissions on vehicle trip rates are not accepted and more information is required by way of new survey data or justification why existing survey data has not been used. The performance of the A4095/Church Road mini roundabout has not been resolved. On site observations of the Highways Officer find traffic queues in excess of those suggested by the applicant. Further surveys are needed to establish the journey times through the roundabout on the A4095 in both directions in the morning and evening peaks. These results can be compared to the free flowing journey times and used to provide an agreed baseline with which to start the testing of the future impact of traffic on the junction. In the absence of this information it is not possible to have confidence in the results of the modelling in future years taking into account background traffic growth and new traffic as a result of planned and proposed development. In addition, the provision of convenient pedestrian and cycle links to the north east of the site, and to the public right of way to the west of the site (238/9/10), have not been demonstrated as being feasible or deliverable. The proposal is therefore unacceptable in highways terms and contrary to West Oxfordshire Local Plan 2011 Policies BE3 and T2, emerging West Oxfordshire Local Plan 2031 Policies T1 and T3, and the relevant paragraphs of the NPPF, in particular 17, 32, 34, and 69.*

An additional representation has been received from a resident in Isis Close referring to impact on wildlife, and flood risk.

Application Number	I7/00485/FUL
Site Address	Land West Of Enstone Manor Farm Oxford Road Enstone Oxfordshire
Date	2nd June 2017
Officer	Michael Kemp
Officer Recommendations	Defer
Parish	Enstone Parish Council
Grid Reference	436113 E 225370 N
Committee Date	5th June 2017

### **Application Details:**

Erection of an exceptional and innovative new country house (para 55, NPPF) and formation of vehicular access. Construction of self contained guest accommodation with car parking underneath.

### **Applicant Details:**

Mr And Mrs Zibarras  
c/o agent

### **ADDITIONAL REPRESENTATIONS**

The Following letter has been received from Mr and Mrs Zibarras (Applicants). The letter has also been forwarded individually to members of the Planning Committee.

### **Amended Details – Gatehouse**

We met with the case officer and WODC Architect in May to discuss the details of the design scheme. We subsequently responded to all their recommendation by submitting revised plans for the gatehouse with a reduction in its height (750mm). This amended detail is not referenced in the officer report. It is noted that the attached Design Review Panel letter (bottom page 2) supports this revision. It is noted the WODC Architect consultation response listed at para 1.3 of the committee report is out of date on this amendment and a revised response should be posted there on the WODC Architect's response to this amendment.

### **Innovation – Committee report incorrect – Passivhaus PLUS**

The committee report at para 5.18 references an appeal that relates to Passivhaus standard only and not the planned higher standard of Passivhaus PLUS. Passivhaus is the original standard and no longer innovative. Passivhaus PLUS moves on much further, requiring the upper limit to be 45kWh/(m<sup>2</sup>a), at the same time the house must now generate at least 60kWh/(m<sup>2</sup>a) using renewables. The renewables for the new house exceed the requirements for Passivhaus PLUS renewables, actually producing more energy than is required. ***It has not yet been achieved in the UK for a whole house to be Passivhaus PLUS certified.***

### **Significantly Enhance Immediate Setting**

There are two key areas of uncertainty on the scheme raised by the officer at the committee report the first one is whether the scheme will significantly enhance immediate setting. As stated above the specialist professional views of the members of the Design Review Panel are that this requirement is fully met. The attached plan by Philip Dixon Design qualifies the significant number of design and ecology elements which cumulatively lead to a very solid judgement that the requirements of this

criterion are met.

### **Sensitive to the defining characteristics of the local area**

The other area of officer uncertainty is whether the scheme is sensitive to the defining characteristics of the local area. In the words of the Design Review Panel at its second letter (dated 12/1/2017) on “Be sensitive to local character” – “.....*this new approach has had myriad benefits in helping the design meet the requirements of para 55 of the NPPF*” and concluded in supporting the overall approach in its being sensitive to the defining characteristics of the area.

### **Summary**

The determination of the application hinges on the expert interpretation and application of para 55 of the NPPF. The case officer and Council’s Architect were both directly involved in the extensive Design Review Panel processes; we have invested heavily in time and resources in serving this expert panel. The officers had stated that the response of the Panel was fundamental to the determination of the application. The Panel has now responded stating that the:

***“Proposal fully meets all the tests of Paragraph 55 of the NPPF”.***

We hope the committee will support our proposal and join us in assisting the creation of a lasting legacy that future generations of the district will appreciate and enjoy.

A revised response has also been received from the Design South East Review Panel; the full response is included below

This report summarises the Panel’s comments during this third review of the project. The previous two reviews were undertaken in August and December of 2016, during which time through dialogue with the Panel, the architects and the design team have systematically redesigned and refined the designs of the proposals. During the previous review in December 2016, the Panel felt that, despite considerable positive design development and refinement, further work was still needed. The Panel highlighted several design elements that, in its view, prevented the proposal from fully meeting the tests of Paragraph 55 of the NPPF at that stage.

For reference, the relevant tests of Paragraph 55 are:

“Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the exceptional quality or innovative nature of the design of the dwelling.

Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.”

At the December review the Panel concluded that, there was scope to further improve the design and went on to highlight a number of areas that needed further attention relating to the site entrances, the detailing of the balustrades and building fascias, how the site entrance worked and how the renewable energy technology was integrated into the building. The Panel noted that ‘provided that these revisions and adjustments to the building entrances are dealt with satisfactorily,

we can foresee no reason that this design should not be considered an outstanding and innovative proposal for the purposes of paragraph 55 of the NPPF.’

A further response has been received from Windrush Ecology, regarding proposed ecological enhancements

I am writing to provide further information regarding the proposed habitat creation and mitigation at Broadstone Quarry, Enstone, subsequent to the response from the West Oxfordshire District Council’s Biodiversity Officer. Key elements of this response are as follows:

- • Compensation measures for loss of priority habitat are required in more detail (not specified in Landscape Design Statement)
- • Existing hedgerows should be enhanced with additional planting and appropriate management
- • Recommendations in ecology report do not appear to have been considered as part of the landscape strategy – retention of unimproved calcareous grassland areas is not shown and driveway, pond creation and tree planting appear to affect this priority habitat – more clarity is required
- • External lighting plan does not show type of lighting in sensitive locations
- • No species enhancements are included in the development, e.g. bird and bat boxes

The Phase I Habitat Survey undertaken by Windrush Ecology Ltd in January 2016 identified the presence of unimproved grassland within the application site (see Phase I Habitat Plan within Appendix 1). The grassland is considered to be of high ecological value, and the recommendation was to retain as much as this habitat as possible. The Biodiversity Officer appears to require more clarity and detail with regard to the landscaping, and the ability to provide habitat compensation and biodiversity ‘gain’ within the proposals.

Details for proposed habitat creation are provided within this letter, along with a Habitat Mitigation & Ecologic Enhancement Plan presented in Appendix 2.

### ***Grassland Creation***

The footprint of the proposed dwelling will result in the loss of a relatively small area of unimproved grassland. In addition, the installation of a new access driveway will bisect an area of unimproved grassland located at the south-western edge of the site. Given that the proposals also include a pond within the south-western area, it is likely that much of this grassland will be temporarily disturbed, with disturbance affecting an approximate 0.25ha area of unimproved grassland. It is recommended that disturbance in this area is kept to an absolute minimum.

It is proposed to compensate for this disturbance through the creation of approximately 0.4ha wildflower meadow within the south-western area of the site, either side of the proposed new driveway and around the new pond (see Appendix 2). Once the pond and driveway have been created, it is proposed to sow this area of the site with a wildflower seed mix such as Emorsgate EM6 Meadow Mixture for Limestone Soils (or similar) at a rate of 40kg/ha. This is a species-rich mix which will provide a diversity of grasses and flowers that are typical of this area, and that will complement the natural seed bank.

Seed is best sown in the autumn or early spring. The seed must be surface sown and can be applied by machine or broadcast by hand. To get an even distribution and avoid running out, divide the seed into two or more parts and sow in overlapping sections. The grassland will be subjected to an annual hay-cut in mid-summer.

### ***Strengthening of Hedgerows***

The hedgerow along the south-western boundary of the site will be strengthened through the planting of native shrubs (see Appendix 2). Recommended species are:

- • Beech *Fagus sylvatica*
- • Blackthorn *Prunus spinosa*
- • Buckthorn *Rhamnus cathartica*
- • Crab apple *Malus sylvestris*
- • Dog rose *Rosa canina*
- • Dogwood *Cornus sanguinea*
- • Field maple *Acer campestre*
- • Guelder rose *Viburnum opulus*
- • Hawthorn *Crataegus monogyna*
- • Hazel *Corylus avellana*
- • Holly *Ilex aquifolium*
- • Gorse *Ulex europaeus*
- • Silver birch *Betula pendula*
- • Spindle *Euonymus europaeus*
- • Wayfaring tree *Viburnum lantana*
- • Wild cherry *Prunus avium*

### ***Maintenance of Grassland Refuge Areas for Reptiles***

Given that the grassland habitats within the site have been assessed as offering suitable habitat for common species of reptile (grass snake, slow worm and common lizard) it is recommended that precautionary measures are adopted within the working method to prevent potential killing/injury of reptiles.

Given the proposed works within the south-western area of the site, it is recommended that prior to development the areas of unimproved and semi-improved grassland are taken under management to encourage any reptiles to move away from the area of the proposed new driveway and pond, and any other areas that are likely to be affected by groundworks and/or vehicular movement. Before the commencement of works, the grassland should be regularly cut to create a short sward. It is recommended that the initial cut is approximately 10cm above ground level, being gradually reduced during subsequent cuts to 2-3cm of ground level. Arisings should be removed.

Refuge areas will be maintained along the south-eastern boundary of the site. These areas will not experience any groundworks and will provide safe refuge for any displaced reptiles. Cutting of the grassland should commence at the western edge of the site and should proceed gradually moving eastwards. This will allow any reptiles that are present to move from the area into the retained refuge areas.

### **Pond Creation**

A wildlife pond will be created within the south-western half of the property. The creation of a pond is considered to result in a significant ecological enhancement. Ponds provide habitat for aquatic plants, invertebrates, amphibians and reptiles and are a priority habitat for the enhancement of English biodiversity (as listed under Section 41 of the NERC Act 2006).

It is recommended that the pond is designed and managed to maximise its value to wildlife. The profile of the pond should contain gently sloping sides and shelved platforms to create areas of varying depth in order to provide suitable micro-habitats for invertebrates, plants and amphibians. The ponds should have sufficient depth in the middle to prevent regular drying. Planting within or around the pond should comprise of native species, preferably of local origin, and should aim to provide marginal cover around a central area of open water. Species of plant considered suitable for inclusion within a wildlife pond include:

#### Submerged vegetation

- Curled pondweed *Potamogeton crispus*
- Hornwort *Ceratophyllum demersum*

#### Floating vegetation

- White water lily *Nymphaea alba*
- Yellow water lily *Nuphar lutea*

#### Marginal vegetation

- Spearwort *Ranunculus flammula*
- Water mint *Mentha aquatic*
- Yellow flag iris *Iris pseudacorus*
- Water forget-me-not *Myosotis scorpioides*
- Starwort *Callitriche* spp.
- Ragged robin *Lychnis flos-cuculi*
- Watercress *Nasturtium officinale*
- Brooklime *Veronica beccabunga*
- Branched bur-reed *Sparganium erectum*
- Flowering rush *Butomus umbellatus*
- Water plantain *Alisma plantago-aquatica*
- Purple loosestrife *Lythrum salicaria*
- Yellow loosestrife *Lysimachia punctata*



- • Water mint *Mentha aquatica*

**Other Features**

A series of stone gabions will be installed within the grounds of the new property. The gabions will be created through the arrangement of smaller and larger stones within a cube of wire mesh (measuring 1m x 1m x 1m). The cubes will be stacked in a variety of arrangements, ranging from 1m in height to a maximum height of 3m in places.

The incorporation of such features within the design is considered to offer opportunities for biodiversity enhancement through providing habitat for: invertebrates, nesting birds and roosting bats. The wire mesh to be utilised within the design will contain sufficient gaps of at least 6cm x 6cm. The stones within the wire mesh cubes will be arranged in such a way as to create a variety of crevices and cavities (of varying sizes).

I trust that this information provides the required clarification for habitat/biodiversity mitigation and enhancement within the site.

- Marsh marigold *Caltha palustris*
- Cuckoo flower *Cardamine pratensis*
- Marsh woundwort *Stachys palustris*
- Hemp agrimony *Eupatorium cannabinum*
- Gipsywort *Lycopus europaeus*

Two log piles will also be created in close proximity to the pond (see Appendix 2). The pond will be situated within the proposed wildflower meadow, and the two habitats will complement one another.

### **Maintenance of Dark Corridor along Woodland**

Without a sensitive lighting strategy, external lighting along the north-western elevation of the proposed dwelling could result in a negative impact on foraging bats along the edge of the adjacent woodland. In order to avoid this, there will be no lighting along the north-western elevation of the proposed new building, and no lighting or light spillage onto the woodland.

No lights will be mounted on trees, or on the new dwelling at the north-western elevation. This is considered to be appropriate since trees and boundaries are potential bat habitats (movement and foraging routes) and lights mounted high up would inevitably result in increased light spillage. The aim of the strategy will be to create a 'dark corridor' along the north-western side of the proposed new building, between the building and the woodland (see Appendix 2).

Elsewhere, lighting will be kept at low level and at low intensity, with hoods and baffles used to direct the light to where it is required (Bat Conservation Trust 2008, Emery 2008). To minimise the impact on bats, the use of low pressured sodium lamps is recommended in preference to mercury or metal halide lamps which have a UV element that can affect the distribution of insects and attract bats to the area, affecting their natural behaviour.

All lighting within the proposed site will be provided at low level, and directed to where it is required along paths and access routes. There will be no light spillage onto the adjacent woodland. Lighting will be provided through bollards (or similar) that will not exceed 1m in height (see Figure 1 for an indicative design for the bollard lighting).

The main revisions suggested during the last review related to the site entrance and pergola on the secondary entrance which was felt to be confusing and overscaled, the balustrade detailing to the terraces, the treatment of the building fascias (including the screening grillage to the gable elevations) and eaves, and the way photovoltaics were integrated into the roof. The Panel were satisfied that the proposal significantly enhanced the immediate setting, with the landscape scheme and placement of the building on site all helping to support that principle.

The design team have, in the Panel's view, satisfactorily addressed the concerns raised in the previous reviews through the redesign of these elements, and it is the Panel's opinion that this proposal now fully meets all the tests of Paragraph 55 of the NPPF.

## **Background**

This third review was conducted as a desktop review, and was commissioned specifically to deal with minor design revisions resulting from the previous, full Design Review sessions. It is the culmination of an iterative process of design assessment and development, and the Panel wishes to commend the design team and their clients for engaging openly and responsively with the Design Review process.

Should readers of this report wish to better understand how the design has evolved through the Design Review process, they are urged to read the previous reports in detail.

## **Previous Design Reviews**

The Panel first saw proposals for this site in August of 2016, and concluded that, whilst many of the design elements proposed had considerable merit in themselves, the overall approach was not site-specific enough to meet the tests of Paragraph 55. More work was needed in order to demonstrate that the design was not just high quality, but responsive to the specifics of the location. At this review, we assessed the qualities of the existing site, both in ecology and landscape terms, and concluded that there was considerable scope for the proposal to significantly enhance its immediate setting. The poor general condition of the site, plus the removal of the 15m telecommunications tower were both seen as positive aspects of reusing the site for the development of a new home. The second Review, carried out in December 2016, saw the introduction of a total redesign aimed at integrating a full understanding of the locality, the specifics of the site, and of the immediate setting. The Panel were impressed with the scope and breadth of the redesign, and it was clear at that time that the design team had developed an approach that embedded the specific tests of Paragraph 55 into the design process. The proposed building was seen as making good use of the immediate setting, with site levels helping to nestle the main massing of the house into the landscape. Some issues with the design became apparent, especially relating to the site entrances, the detailing of the balustrades and building fascias, how the site entrance worked and how the renewable energy technology was integrated into the building.

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## **Latest revisions**

This latest iteration of the design sees the following changes:

- A revised gatehouse and site entrance treatment.
- Revised louvres to the north elevation.
- Revised balustrade detailing to the terraces.
- Photovoltaics integrated into the roof plane.

We support the revisions suggested to the gatehouse; the lowering of the height by 750mm allows the proportions of this element to better reflect the Barton House precedent. The removal of the pergola to the service/second entrance provides the scheme with a stronger hierarchy of structures on site, whereas the previous symmetry worked against this.

The revised louvre detailing addresses the concerns raised about how these elements work in detail; larger spaces between the louvre grillage and the glazing will allow for access for maintenance and cleaning etc. and for windows to open.

The revised balustrade detailing works well with the densely composed vertical balustrade system supporting the overall character of the architecture.

Application Number	I7/00578/RES
Site Address	Land South Of Witney Road Long Hanborough Oxfordshire
Date	2nd June 2017
Officer	Hannah Wiseman
Officer Recommendations	Approve
Parish	Freeland Parish Council
Grid Reference	441246 E 213984 N
Committee Date	5th June 2017

**Application Details:**

Application for the approval of appearance, landscaping, layout and scale for 169 dwellings, open space and associated works for planning permission 14/1234/P/OP.

**Applicant Details:**

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

**ADDITIONAL REPRESENTATIONS**

Condition 9; the landscaping scheme has been confirmed and the drawing no. 5728/ASPI.0 Rev E, is to be inserted.

Officers also consider that it is necessary to impose a condition removing certain permitted development rights so that some control may be maintained regarding the character and appearance of the development and potential impacts on residential amenity. Therefore condition 11 will be added and will read;

“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, and D 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 the residential amenity of the occupants of the adjacent properties as well as the visual amenity of the area”

