

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 4th June 2018

**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

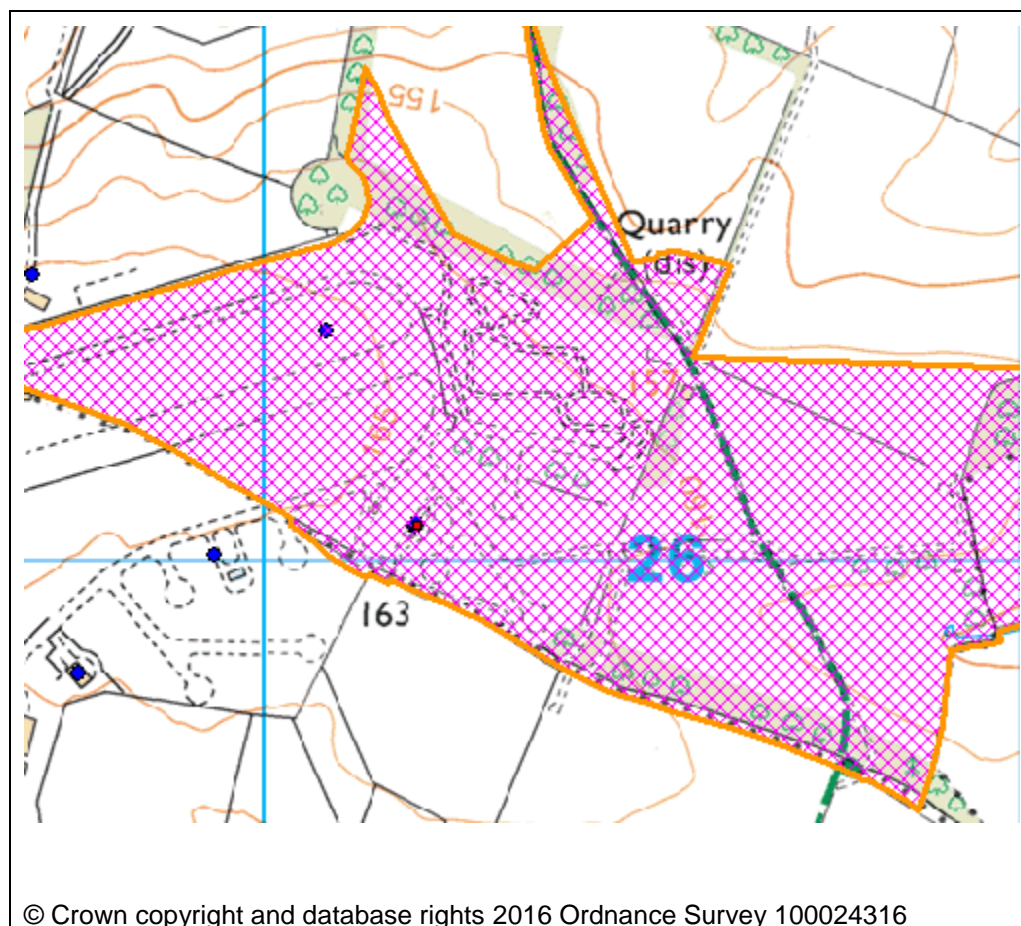
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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
17/03745/OUT	The Driving Centre, Enstone Airfield, Enstone	3
17/04153/FUL	60 West Street, Chipping Norton	49
18/00632/S73	Willowbrook, Radford	57

Application Number	17/03745/OUT
Site Address	The Driving Centre Enstone Airfield Enstone Chipping Norton Oxfordshire OX7 4DR
Date	22nd May 2018
Officer	Kim Smith/Phil Shaw
Officer Recommendations	Defer
Parish	Great Tew Parish Council
Grid Reference	440202 E 226047 N
Committee Date	4th June 2018

Location Map



Application Details:

Construction of museum building, show lane building, corporate hospitality building, energy centre/store building, workshop building. Formation of car exercise road. Construction of 28 holiday lodges. Formation of landscaped grounds. Associated site services and external works. Diversion of public footpath.

Applicant Details:

Mr Hedigan, Crimea office, New Road, Great Tew, OX7 4AH

I CONSULTATIONS

I.1 Parish Council

The following points need consideration by the planning authority:-

TRAFFIC - This is a huge issue. The proposed application will affect the area for six days per week. There will be an increase in pollution and considerable doubt was expressed at the meeting regarding the projected traffic volumes and the speed of traffic passing through local communities. With the already increase in traffic generated by Soho Farmhouse, the area will become inundated with vehicles.

Information is needed regarding new traffic signage, routes to the museum, a roundabout or other traffic calming measures.

S106 MONIES - This needs clarification - The application proposes to put £12.7 million on renovating the property on the Tew Estate but this is a private house on a private estate which would have no public benefit, not what S106 monies can be used for. S106 monies can be used to improve Highways, provide recreational facilities, make improvements regarding education and health or to support affordable housing. Everyone at the meeting was opposed to these monies being spent on the proposed renovation on the Tew Estate.

ROAD STRUCTURE - The roads in the area are inadequate. Traffic speeds consistently through local villages making it unsafe for pedestrians, dog walkers, cyclists, agricultural vehicles, horses and their riders. The recent increase in accommodation at Soho Farmhouse has also added to this problem. The road network requires investment to gain improvements. Ongoing road maintenance is a major problem - there are numerous potholes and the edges of roads are encroaching onto verges. Many visitors to the area are not experienced in driving in rural areas and are a danger to animal life. Their speed is considered to be completely inappropriate and the narrow lanes are used as rat runs.

EMPLOYMENT - Whilst the prospect of employment for local people is attractive, it was suggested that there is fairly full employment already and some businesses are struggling to fill existing vacancies.

JUNCTION OF A44 with B4030 - This junction is very dangerous, particularly for those unfamiliar with the area. The situation will

become worse with an increased influx of motorists visiting the museum.

ENVIRONMENTAL PROTECTION AGENCY REPORT - Concerns were raised regarding the pollution of water courses following disturbance during building works. There are believed to be Second World War disused fuel tanks on the proposed site - clarification is required with satisfactory arrangements organised to deal with these dangers.

ECOLOGY REPORT - This report was produced in December 2016 when most animals and all flora would have been dormant. A further study must be undertaken during the spring and summer months.

NOISE - Concern was expressed regarding an increase in noise. Whilst a report has been produced, the public require assurances and regular monitoring to be undertaken and for these requirements to be conditional, should planning be granted. With the rich buying the proposed properties, what controls can be exercised over the use of helicopters?

BRIDLEWAY - It has been suggested that the existing bridleway be moved to the perimeter of the new development. Should this be unacceptable it has been indicated that the bridleway can be left where it is.

AGRICULTURAL LAND - The question regarding the use of 60 acres of agricultural land was raised. The Agricultural Land Classification system forms part of the planning system in England and Wales. It classifies agricultural land into five categories according to versatility and suitability for growing crops. The top three grades, Grade 1, 2, and 3a are referred to as 'Best and Most Versatile' land, and enjoy significant protection from development. Grades 4 and 5 are described as poor quality agricultural land and very poor quality agricultural land. A member of the public advised that the land in question is not G1, G2 or G3a but more likely to be G4 or G5. Two points need to be considered:-

- i. The loss of agricultural land of differing quality and economic value
- ii. The change of character in the area, making it less rural and the resulting visual impact. The meeting raised several concerns regarding this.

HOLIDAY HOMES - Considerable concern was raised as to whether the 28 proposed "holiday lodges" would be residential or holiday homes. Some documents on the WODC website refer to Residential Community for collectors/owners of vintage and classic cars. There now appears to be a suggestion that they are intended as holiday homes for let. Clarification is required as different rules apply in terms of planning regulations in each case. The parish already has

enough property available for short-term holidays at Soho Farmhouse for example.

LIGHT POLLUTION - Opinions were expressed regarding light pollution, particularly from the main museum building. The assumption is that there are highly valuable cars stored and, accordingly, there will be security lights to support the security cameras. The public would expect appropriate conditions be placed on any development such as this.

Voting took place as follows:-

Those for the application = 0

Those against the application = 17

Those who abstained = 5

I.2 Adjacent Parish Council Duns Tew and the council and residents are very concerned about the impact of increased volumes of traffic on the village itself and the surrounding area. Whilst the council are not averse to economic development in the area the current proposal is flawed for following reasons:

1) The development will generate an unacceptable increase in car trips to a rural location on county roads and is therefore contrary to the concept of sustainable development in the National policy Planning Framework.

2) The increase in traffic on narrow country roads already overcrowded with visitors to Soho Farmhouse will offer a direct risk to all road users, particularly horse riders and cyclists. Duns Tew is already suffering from the increased traffic generated by visitors to Soho Farmhouse. The projected visitor numbers in the Transport assessment of just over 200,000 per annum, would suggest a minimum of 50,000 cars per year (assuming 4 per car), which is too much for the current infrastructure. Considering that the British Motor Museum at Gaydon attracts over 400,000 visitors per annum, the projected figures appear to be very low.

3) The development is contrary to the Local Development Plan (LDP) as it involves the development of greenfield land outside the LDP

4) The development is in the Enstone Uplands area very close to the Cotswolds Area of Natural Beauty and the resulting visual impact, noise and light pollution will cause harm to the historic value and character of the landscape. It will also have a detrimental impact on Sandford Park a Grade I listed park land and a Grade II* listed building.

5) The Environment Agency has objected to this application on the grounds that it "presents a high risk of contamination that could be

mobilised during construction to pollute controlled waters" This is an unacceptable risk to public health. A full Environmental Impact Assessment is required'

6) The public benefit is not currently sufficient to warrant the granting of permission for such a large development in the countryside. The planning statement states that the Museum will only create 40 new jobs. Also the proposal that £12.7m of s.106 funds will be spent on the renovation of a private residence, Great Tew Manor. Is unacceptable, renovating a private residence owned by a wealthy landowner is of minimal public benefit compared to investment in local public services such as education and transport.

If this development is to be approved the council would expect to see the following conditions attached.

- A Traffic Management plan to ensure the bulk of the traffic is kept away from the villages.

- An s 106 Agreement for a substantial upgrade of the highway infrastructure.

- A Full Environmental Impact Assessment.

The council wish to be included in any consultation or discussions in respect of the Traffic Management Plan.

I.3 Adjacent Parish Council

Steeple Barton PC had to decide its response to a planning application on what it considers is best for the village overall. WODC have not officially asked us our opinion as it is outside our parish, and they were not expecting a response from us.

The planning decision will be taken by West Oxfordshire District Council not the Parish Council.

The Parish council had to take into consideration the views of all residents even those that do not attend the parish council or a public meeting.

Our recent public meeting included a large number of people from outside of our parish; the Parish Council can only represent parishioners in our village.

Clearly, parishioners in other parishes have had the opportunity to raise any objections to their respective councils or directly to WODC planning.

We have canvassed around 50 parishioners who have clearly stated that they have no objections to the proposal subject to proper traffic

calming measures being introduced, and this information, together with any comments sent to the clerk have been sent to WODC planning. It's worth mentioning that WODC will take into account one objection per person, therefore if any objections have been sent via different parishes or independently, it will only be counted once.

The site has been subject to many speculative proposals over the years including housing development of up to 300 units along with other business developments that would have an impact on the village.

Traffic - One of the major concerns for residents is the level of traffic through the village - not just HGVs but all vehicles, and the speed of the vehicles is a matter that is regularly discussed at Parish council meetings. Over the years the PC has tried to address the matter of traffic with meetings at the airfield and continually prompting the police for better enforcement.

Whilst the PC recognises that the Mullins development will increase traffic through the village, it does give the PC the opportunity to get traffic calming that will impact on existing traffic as well as the traffic generated by the development.

Retrospective planning permission cannot be placed on existing developments. The only way to achieve traffic calming through the village is with a new application when conditions and S106 can be linked to an application.

Jobs - The development will also create jobs some of which will be taken by local residents bringing money into the local economy, as the development matures then workers may decide to move into the village, this would mean fewer journeys from outside the village.

Conclusion

Taking into consideration all factors the Parish council supports the proposal subject to traffic calming measures are provided for the village such as entrance Gateways, Vehicle Activated Signs and road cushions.

- I.4 Adjacent Parish Council The Great Tew Parish Meeting met on 11th January to consider this application for the construction on a Motor Museum and 28 holiday homes on a corner of the Enstone Airfield.

It was noted at the meeting, which featured a presentation by Mr Kieran Hedigan on behalf of the applicant, that the project had already encountered a lot of opposition locally, included objections lodged on the WODC site by four residents of Great Tew.

However, the consensus of the meeting was that it was well-thought

out and sensitive application for an unattractive brownfield site and one which would prove easier to manage in terms of impact on the surrounding environment and road network than either the nearby Soho House development or the housing estate that been the subject of previous application.

The meeting was attended by 24 residents - a good turnout for a village with 150 on the electoral role. The decision was taken not to vote on the application at the meeting, but for villagers to study the plans and then to either speak or email their support to the Parish clerk before the 18th of January.

With now 40 responses gathered, there are 30 broadly in favour, 8 undecided and 6 opposed (including the four that have written to WODC). In light of this, the Great Tew Parish Meeting is able offer its support for this application, with one important condition.

The condition is that the applicant addresses the question of traffic, which will increase as a result of the application. The specific recommendation the Parish Meeting would like to make is that the committee adopt Enstone District & Uplands Conservation Trust's suggestion that the 208,000 annual visits be made a formal condition of planning approval being granted.

In addition, several residents raised the question of the section 106 obligation concerning the restoration of Tew Park, a privately owned listed building. While there was a general consensus that having a derelict listed building restored was positive development for the village, given that the planning application incorporates the building of high end residences and will generate extra traffic, an allocation of S106 funds to either affordable housing and/or road traffic improvement might be more appropriate. The applicant has countered that it would be difficult for WODC to extend the spend outside the assets of the applicant. The Parish Meeting understands that it was WODC itself which suggested this condition, so some further clarification would be helpful.

The Parish Meeting welcomes the applicant's offer to establish a traffic forum to include local stakeholders (including OCC Highways) in the ongoing review and management of the travel strategy for the site.

The Parish Meeting is keenly aware of and sensitive to the objections that have been made to this application. The preservation of a tranquil rural environment and road safety is also our priority. But we do think the opportunities for employment and carefully managed tourism in an area that has strong heritage links with the motor industry need to be considered and are important factors in the application's favour. We have no doubt that museum's collection would be of international importance.

We therefore ask that given the division of opinion, the WODC planning committee take a balanced view - it is in the nature of planning applications that people are more likely to lodge objections than write in support - as our consultation process has clearly demonstrated.

I.5 Adjacent Parish Council Over Norton and Nether Worton - Object on the following grounds:

1. Increase in traffic on local roads which are unfit even for current use;
2. The application is on agricultural land and in no way complies with the local development plan;
3. The scheme contains no social housing element;
4. The suggestion that monies raised by profits on high end housing should be devoted to repair of a privately owned dwelling under a section 106 agreement seemed to all present to be preposterous.

I.6 WODC Planning Policy Manager

This outline planning application seeks permission for the construction of a classic car museum comprising three exhibition floors and restaurant/ café facilities, a showroom facility, a manufacture's hospitality building and other ancillary buildings including workshops, repair facilities, storage and garaging. It also proposes 28 residential holiday lodges, access roads, demonstration road, security/ gate lodge, the diversion of the existing bridleway, parking for visitors and staff and a landscape scheme including new woodland, parkland and lakes.

The application site lies on the north eastern edge of Enstone Airfield. The western part of the site comprises part of an airstrip together with a number of internal roads related to motorsport use. The eastern part of the site is open countryside. Open countryside extends to the south and east, the majority of the airfield is located to the west and development associated with Soho Farmhouse is located to the north with staff accommodation and car parking immediately adjacent to the site boundary.

All matters have been reserved except access which is currently from the B4022 via Green Lane and it is proposed that this access will be used to serve the majority of the buildings, with the holiday lodges served via Tracey Lane to the north.

Status of Development Plan

The current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2011 which was adopted in June 2006 with the majority of policies having been formally saved under transitional arrangements. The Council is in the process of

introducing a new Local Plan which has reached an advanced stage. Following examination hearing sessions held in May and July 2017, the Inspector wrote to the Council in January 2018 setting out his thoughts on the most appropriate way forward for the plan. In his letter the Inspector concludes that subject to further modifications to the effect of those now proposed by the Council as well as further modifications in respect of the Cotswolds AONB, the plan as previously proposed to be modified (in 2016) is likely to be capable of being found legally compliant and sound.

Proposed further main modifications are currently out to consultation (until 9th April 2018) after which point the Inspector will consider the responses received and look to issue his final report. The Council is hoping to adopt the Local Plan around June/July 2018.

In light of the Inspector's letter, it is considered that the draft Local Plan can now be given an increased degree of weight (albeit not full weight until it is formally adopted). The applicant's planning statement suggests that the draft plan carries limited weight although in light of the Inspector's letter I do not accept that to now be the case.

Assessment

Principle

The Council is generally supportive of new businesses and tourism development which help support the rural economy, however in the interest of sustainability and to ensure rural places maintain their character; these businesses need to be commensurate to their context. Set out below is an assessment of the principle of development having regard to the adopted Local Plan 2011, the emerging Local Plan 2031 as well as the current and draft NPPF.

West Oxfordshire Local Plan 2011

In terms of the adopted Local Plan, Policy TLC1 (New Tourism, Leisure and Community Facilities) is of direct relevance to the application proposal and states that permission will be granted for:

- o Visitor related proposals which respect and enhance the intrinsic qualities of the District,
- o Community facilities to meet local needs,
- o The recreational and cultural use of land on a small scale to meet local needs,
- o New recreational and cultural buildings where they are essential to the existing use of the associated land and are appropriate in scale, design and siting.

The policy states that proposals for leisure, tourist and community developments will not be allowed where they would have an adverse

impact on the character or environment of the countryside or would generate unacceptable levels of traffic on the local highway network.

The applicant's supporting planning statement suggests that the proposals accord with Policy TLC1 although does not explain why in any detail. Reference is made to the opportunity to enhance the 'scarred landscape' associated with this part of the airfield however, that is only of relevance to Policy TLC3 (discussed further below).

The key considerations under Policy TLC1 are whether the application proposal would respect and enhance the intrinsic quality of the District or whether the proposal is essential to the existing use of the site and is appropriate in scale, design and siting.

Also of relevance is whether it would have an adverse impact on the character or environment of the countryside or on towns and villages within the District and whether traffic generation would be acceptable or not.

It will need to be determined whether the application proposal fails to conform to the requirements of Policy TLC1 due to the overall scale and nature of the proposed operation and the potential for adverse impacts on the environment, including the highway network.

Whilst this policy was adopted prior to the NPPF, it is considered to be consistent with paragraph 28 of the NPPF. This states that local plans should support sustainable rural tourism and leisure developments which benefit businesses in rural areas, communities and visitors and which respect the character of the countryside.

Policy TLC3 (New Build Tourist Accommodation) is also of direct relevance to the application in particular the proposed holiday lodges in the eastern part of the site which comprises open countryside adjacent to the airfield. The policy states inter alia that the construction of visitor accommodation in the open countryside will only be permitted where proposed in association with acceptable wider leisure and sporting facilities which either already exist or are being proposed on land that has been damaged or scarred by development where the proposed leisure and sporting facilities will enhance and improve the visual qualities of the area.

As the holiday lodges do not relate to existing sporting or leisure facilities it is the second criterion that is of most relevance. Here a judgement needs to be made as to whether the wider elements of the application including the car museum, showrooms, workshops, car parking and demonstration roads would enhance and improve the visual qualities of an 'already damaged or scarred landscape'. Potentially on this basis the holiday lodge element of the proposal could be seen to be in accordance with Policy TLC3.

Also of relevance to the application proposal are Policies BE2 (General Development Standards) particularly criteria (f) which requires development in open countryside to be easily assimilated into the landscape and wherever possible to be sited close to an existing group of buildings.

Policy NE1 (Safeguarding the Countryside) and Policy NE3 (Local Landscape Character) are also of relevance.

Draft West Oxfordshire Local Plan 2031

Of direct relevance to the application proposal are Policy E2 (Supporting the Rural Economy) and Policy E4 (Sustainable Tourism). The applicant's supporting planning statement suggests the proposals are in accordance with Policy E2 but provides no explanation as to why.

Looking at the wording of the policy (which I consider carries significant weight due to a lack of objections and the stage of examination reached) it allows for new small employment sites in or adjacent to service centres and larger villages where it would be commensurate with the scale of the settlement and the character of the area. Elsewhere new and replacement buildings will be allowed where required for diversification proposals.

What is being proposed is clearly not a small employment use - it is a large scale commercial proposal and it is not adjacent to a service centre or village. It is however part of an Estate diversification project and it may therefore be consistent with Policy E2.

Also of relevance is Policy E4 (Sustainable Tourism) which seeks to support tourism and leisure development which utilises and enriches the natural and built environment and existing attractions of West Oxfordshire to the benefit of visitors and local communities.

The policy stipulates that new tourist and leisure facilities should be located within or close to service centres and villages and re-use existing buildings where possible. In small villages, hamlets and the open countryside new tourism and visitor facilities may be justified in the following circumstances; where there is a functional linkage with a particular countryside attraction, the nature of the proposal is such that it could not reasonably be located within or close to a service centre or village, where it would secure the diversification of a farm enterprise or country estate in accordance with Policy E2 or the proposal will re-use an appropriate building in accordance with Policy E3. Subject to specific locational or functional requirements the town centre first approach will be applied to tourism and leisure development.

In their supporting planning statement the applicant suggests the

proposal is in accordance with Policy E4. The primary justification given for this is that the nature of the proposal is such that it is not possible to site it within a service centre or village and it is part of an Estate diversification.

A judgement therefore needs to be made as to whether this argument is sufficient to demonstrate accordance with Policy E4.

Also of relevance to the application proposal is Policy OS2 - Locating Development in the Right Places although I note the applicant's supporting planning statement makes little or no reference to this policy.

Importantly Policy OS2 (which applies to all forms of development) states in relation to small villages, hamlets and open countryside that development will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area.

Appropriate development in such locations will include the re-use of appropriate existing buildings (where it would lead to an enhancement of their immediate setting) proposals to support the effectiveness of existing businesses and sustainable tourism, development which will make a positive contribution to farm and country estate diversification and telecommunications development.

The policy also sets out a series of criteria including the need for development to be of a proportionate and appropriate scale to its context, form a logical complement to the existing scale and pattern of development and as far as possible protect or enhance the local landscape.

It is therefore relevant to ask the following questions: Does the proposal require a rural location and is it appropriate for a rural location? Does it respect the intrinsic character of the area? Does it involve the re-use of an existing building? Would it support an existing business or contribute towards farm or country estate diversification? Is it of a proportionate and appropriate scale and would it protect or enhance the local landscape?

A key consideration is the scale of the proposal which is significant and could result in a wide range of impacts, not least on the landscape and the rural highway network. Whilst the site does not form an unspoilt rural landscape, the existing level of development within the site boundary is reasonably low level and it sits comfortably within its context, having a neutral/minor negative impact on the surrounding countryside.

The site falls within the open countryside and is not within close proximity to a built up urban area. The level of current infrastructure

is presumably not capable of accommodating a venture of this scale without significant upgrades.

The cumulative impacts (including the impacts on the character of the area and the rural road network) resulting from this and the nearby Soho development will need consideration.

NPPF (2012)

The applicant suggests the proposal is in accordance with the NPPF (2012) which encourages local authorities to support economic growth in rural areas by taking a positive approach to sustainable new development.

Paragraph 28 of the NPPF is of particular relevance and states that:

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- o support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- o promote the development and diversification of agricultural and other land-based rural businesses
- o support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- o promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Thus a generally positive approach should be taken towards all types of business and enterprise in rural areas. The key question however is whether the proposal will benefit businesses, communities and visitors and respect the character of the countryside and also whether there is an identified need which cannot be met through an existing facility in a rural service centre (tourist accommodation being of particular relevance).

NPPF (2018)

The Government is currently consulting on proposed revisions to the NPPF. Whilst these are subject to likely change it is useful to consider whether the application proposal accords with emerging draft national policy.

In this regard paragraph 84 is of particular relevance stating that:
84 - Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

A key consideration is whether the application proposal respects the character of the countryside in accordance with 84 (c).

Paragraph 85 is also of relevance stating that:

85 - Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found outside existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land and sites that are well-related to existing settlements should be encouraged where suitable opportunities exist.

This could be seen as providing a degree of support to the application although it raises the question as to whether the site/proposal is needed to meet a local business or community need.

Highways and Access

The number of traffic movements associated with this scale of development could be significant and various upgrades may be needed to support this level of development. Even if these upgrades can be achieved, we need to consider whether the works will in themselves create harm to the landscape/ rural qualities of the area and to habitats along the highway verges through the loss of vegetation and trees.

It is also important to consider the traffic associated with the

neighbouring development at Soho Farmhouse in combination with this proposal as the cumulative impacts will need to be assessed.

As such, even where a highway solution can be found in order to provide the upgrades necessary to serve this development, the wider implications of the works necessary needs to be carefully assessed.

Other planning considerations

Other relevant considerations in assessing this proposal include the following (this list is not exhaustive and is in no particular order):

- o Potential for flood risk (although the site is in Flood Zone 1).
- o Potential impacts on the setting of heritage assets.
- o Impacts on trees and ecology.
- o Contamination associated with the former uses on the site and that resulting from the scheme.
- o Potential for light pollution resulting from the buildings, roads and ancillary works.
- o Noise impacts, particularly associated with the demonstration / practice track given the proximity of staff accommodation for Soho Farmhouse which is directly adjacent to the application site
- o Potential for archaeological remains.
- o Impacts on footpath and bridleway in the vicinity of the site.
- o Health and safety (is this use and the existing airfield compatible and will the proximity of development give rise to any safety issues/ bird hazard risk).
- o Design of the buildings.
- o Potential urbanising impacts of the roads and parking areas etc. and the potential for surface water drainage.
- o Potential for reflection/ glare from the glazing proposed (are there any H&S implications associated with the adjacent airfield).

Overall Conclusion

This is an unusual proposal of a potentially internationally significant scale with anticipated visitor numbers of several hundred thousand per year. In part, the proposal is seeking to utilise previously developed (brownfield land) associated with the airfield and related motorsport activities and there is some general support in local and national policy for making the most efficient use of land and promoting rural tourism.

However a significant part of the site is undeveloped greenfield land in an essentially relatively isolated location that is not on a main transport corridor and provides limited opportunities for walking, cycling and public transport.

The location and nature of the proposal is such that there will be a particular emphasis on the use of the private car and this is a key

consideration.

A further key consideration is the scale of the proposal which is significant. The museum itself at 6,000 m² is equivalent in floorspace to a large retail supermarket. It is also coupled with workshop and exhibition space, car parking as well as the proposed holiday accommodation.

On the one hand it could be argued that the scale and nature of the proposal is such that it cannot reasonably be located in an existing service centre or village however this then begs the question as to whether the scale and nature of the proposal is appropriate for a relatively isolated rural location.

The fact that it adjoins and in part utilises some of the Enstone Airfield could be argued to lend support to the proposal (i.e. as a logical compliment) but it will need to be determined if this is sufficient to offset the concerns about the overall scale and nature of the operation and the impact it will have on this primarily rural location including the local road network.

There may be 'precedent' concerns that the proposal if permitted would lead to pressure to provide further accommodation to the north essentially joining up with that already established at the Soho Farmhouse. The undeveloped field between the two sites would appear to become an obvious candidate for further holiday accommodation in this location. I accept that this is not however part of the proposals and would need separate consent.

List of Relevant Planning Policies

The relevant policies within the adopted and emerging West Oxfordshire Local Plans are listed below:

- o Saved West Oxfordshire Local Plan 2011: BE2, BE3, BE13, BE19, BE20, BE21, NE1, NE3, NE6, NE13, NE15, T6, T7, TLC1, TLC3.
- o Draft West Oxfordshire Local Plan 2031: OS2, OS3, OS4, OS5, T1, T2, EH1, EH2, EH3, EH6, E4.

1.7 CPRE

CPRE objects to the above application.

The demand to build on greenfield land at present is strong. When doing so leads to the creation of affordable housing at least the harm done leads to some benefit. In this case, the plan is to build extremely large holiday homes. Tourism is an important industry in the District, but homes of this size are not likely to be used for the general holiday market, as most people would not be able to afford to stay in them. Instead, they are likely to be used as luxury second homes, occupied for a limited proportion of the year. Whilst people have a right to buy

a second home, it is not a practice driven by need, so it does not require active provision. CPRE feels that there are enough large, luxury homes in the District to provide for anyone who can afford one as a second home and that therefore using this land to build more is a waste of valuable land resources. The need in the District is for small units for first time buyers and the elderly. Building small houses will free up the larger houses in the District for families who might move here to work, as we need an amount of in-migration to maintain our working population. Building luxury second homes in sprawling countryside does not fulfill the housing need in the District and is not a practice encourages in the emerging Local Plan policies.

CPRE believes that the landscape effects will be greater than indicated with such large buildings planned. The LVIA views are taken from relatively far afield only in certain directions eg. from the south west, but what about closer to the buildings? The montage views rely on maturity of planned screening. The site is relatively flat, so it seems unlikely that the visual impact will be limited. This is clearly an area with sensitive landscape, so CPRE would recommend that the effect on landscape is checked carefully to ensure that there is no harm to the character and setting of the area.

Over such a large area of land, the ecological and biodiversity impacts are likely to be significant. The construction works will damage a large area of countryside. CPRE notes the desk study information, but a great deal of field work and mitigation would be needed. A field study should surely be requested before a decision can be made, taken over a period of time to monitor species.

In fact a full EIA might be applicable- after all the land take is of the same order as a strategic housing allocation site.

Traffic is a matter for OCC in terms of safety etc., but CPRE would be concerned that excessive traffic would affect the rural character of the area.

I.8 Adjacent Parish Council Sandford St Martin and Ledwell- A Parish Council meeting was held on 8 January, at which the above proposals were discussed. At this meeting, Kieran Hedigan, Project Manager for the proposed development, made a presentation of the scheme, following which those attending the meeting - approximately 60 people, almost all of whom were local residents - were given the opportunity to ask questions and express their views.

60 people represent an extraordinary attendance at one of our PC meetings, which seldom attract more than five people apart from councillors. This demonstrates the very high level of local interest in the Mullin scheme. The discussion following the presentation was animated, and lasted approximately 90 minutes.

A show of hands was called for at the conclusion of the meeting, which established that the attendees were overwhelmingly opposed to the development.

On this basis, the Parish Council is writing to OBJECT to the development.

[The remarks below are also informed by a walk over the local bridleway running through the site of the proposed housing carried out by the Parish Councillors on 7 January.]

We object to the proposals on the following grounds:

1. There is inadequate economic justification for the proposed development. The benefit of this application is to a wealthy American and a wealthy local land owner. It has a negative impact on the local community, for the reasons listed below, with limited local benefits to offset this.

2. In terms of economic positives, the project claims it will create 40 jobs. Whilst recognising that every new employment opportunity is of value, 40 jobs is a small number in the context of a scheme costing approximately £55m for the Mullin Museum, together with perhaps £15m for the construction of the holiday lodges (estimate based on the anticipated £20m revenue from the lodges) - an investment level of approximately £1.75 million per job created. Investment incentive in the region could be targeted to produce far greater returns in terms of local employment.

3. We question what proportion of these jobs will be from villages within a 5-mile radius, say, and thus supporting the immediate rural and village communities, and what proportion from local towns such as Bicester and Banbury. Further, what proportion will arise from relocation of existing staff in national businesses. For example, the proposed Bentley Pavilion will most likely be staffed by experienced front of house staff already employed by Bentley elsewhere in the country. It seems highly likely that very few jobs will go to people living within a 5-mile radius.

4. Rather than creating new jobs, there is a real risk that the development may adversely affect local businesses, in particular the pubs in nearby Middle Barton, Enstone and Church Enstone which may well lose business to new facilities at The Mullin.

5. In regard of items 1 to 4 above, we note that the proposals do not follow the principles laid out in the Local Plan 2031, for example Policy E2 - Supporting the Rural Economy, which contains requirements such as "diversification proposals which are fully integrated with an existing farm business", "remain compatible and consistent in scale with the farm/estate operation and a countryside

location", "in the interests of the local economy".

6. There is considerable concern among the residents of Ledwell and Sandford St Martin regarding potential visual impact and noise impact from motor museum and associated track. Kieran Hedigan assured the meeting that noise levels will be controlled so as not exceed those that were previously permitted to Vision Motor Sport. Many residents at the meeting expressed doubts as to whether this could in practice be controlled. Concerning visual impact, there is concern particularly that evening corporate events will lead to light pollution, which has not been a concern with the existing use of the airfield, which operates in daylight hours only.

7. The overwhelming concern of the Parish relates to traffic volumes. Visitor numbers are projected at 250,000 per annum, with a peak daily attendance of 1000 per day. There is a real risk that this is an underestimate, noting that the British Motor Museum, 23 miles away in Warwick, attracts 475,000 visitors annually. We particularly note that The Mullin seeks to be a "world class automotive museum and more" - with such a vision there will inevitably be pressure to push attendance up to match and exceed those of competing venues. Assurances from Mullin that visitors will arrive by bus are considered untenable, and not within the power of the museum to control. (Soho Farmhouse has made significant efforts to try to control the routes used by and driving behaviour of members using their facility, but with very modest success; in this context, the assurances made at the meeting came across as naive).

8. Residents have experienced significant rises in traffic volumes as a result of both the Soho Farmhouse development and more recently the siting of The Grand Tour at Great Tew Park and Enstone Airfield. In addition to raising the basic number of vehicles on the local roads, there are more large cars driven fast or inconsiderately, as several local traffic studies have established. Local roads have become significantly more dangerous to pedestrians, cyclists, horseriders - and indeed other motorists - in this rural area. The further loading of these roads by a large visitor attraction will have a deeply negative effect.

9. It seems self-evident that in order to have a sustainable transportation plan, any large new development of this type should be located close to an existing transportation hub; a motoring museum in Oxfordshire should surely be set in close proximity an M40 junction. In this respect, the siting of the museum on Enstone Airfield, in a deeply rural location, is opportunistic rather than strategic and integrated.

10. In reference to points 7, 8 and 9 above, we note numerous Objectives and Policies within the Local Plan 2031, including Objectives CO1 - "provide new development...which will improve

the quality of life of local communities and where the need to travel by car can be minimised", CO10 - "ensure that land is not released for development until the supporting infrastructure [is] secured", CO11 - "maximise the opportunity for walking, cycling and the use of public transport".

11. The proposal for the 28 lodges sites them on agricultural land under active management - by any reasonable measure this is greenfield land. During their site visit, the Parish Councillors found attractive and unspoilt farmland that is clearly a haven for wildlife (including four roe deer that were spotted during the walkover). To permit the siting of these units would be to ignore large parts of the Local Plan 2031 - in particular Policy OS2 - Locating Development in the Right Places. This states "Development...in open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area". Appropriate development is identified as "re-use of existing buildings; accommodation for...travelling communities; support the effectiveness of existing businesses; contribute to farm diversification; telecommunications development".

12. The proposals are also not compatible with Policy H2 - Delivery of New Homes, nor with Policy H3 - Affordable Housing. The scheme exists to make some extremely wealthy individuals even wealthier, and to provide amenity for other extremely rich individuals who do not live in Oxfordshire and in many cases not in the UK, while creating a small number of local jobs and little other local benefit. At no level do the proposals adhere to the objectives of the Local Plan or meet its vision to "meet the needs of West Oxfordshire's communities without significant change to the intrinsic character of the District".

13. Unit 25 and separately units 26-28 are sited in isolation in two large fields marked as Northern Residential Zones. These zones are clearly intended to allow scope for expansion to the housing development at some future point; as such, we are concerned that in the long term this may potentially become a development of perhaps 50-60 large holiday homes rather than the 28 currently proposed. A staged expansion has occurred at Soho Farmhouse, showing clear precedence for this type of expansion some years after the original planning application, once a period of consolidation has occurred.

14. Access to the holiday lodges is via Tracey Farm Road & Ledwell Lane. As noted above, all this traffic will be additive to that for Soho Farmhouse and the Grand Tour, as well as the as yet unbuilt development at Great Tew crossroads - the New Gardens Great Tew, meaning that Ledwell Lane in particular, together with Sandford St Martin Road, becomes a highly stressed access route to three significant developments and a TV production.

15. We consider that the allocation of Section 106 monies to the restoration of a private property owned by the same individual who is selling the airfield and agricultural land for the proposed development is completely unacceptable. The Local Plan addresses the purpose of Section 106 works and the alternative Community Infrastructure Levy in Policy OS5 - Supporting Infrastructure. Examples of the type of work undertaken through this mechanism are given as "new road junctions, utility improvements, access to superfast broadband...contributions to local libraries and school places". Superfast broadband, in particular, as well as adequate mobile phone coverage, is desperately needed in this part of Oxfordshire. At no level can the restoration of Great Tew House for the benefit of its private owner be considered to come within this category of work.

On the basis of the points above, we strongly OBJECT to the proposal and urge the Planning Committee to reject it.

I.9 Major Planning Applications Team

Major Planning Application Team- OCC

Overall Oxfordshire County Council currently objects to this application on the following technical grounds:

Transport

Objection for the following reasons:

- Trip estimates for the lodges must be amended
- Junction capacity modelling must be amended
- Visibility splays along the B4022 from Green Lane do not meet DMRB standards
- The apparent lack of consideration of bridleway users' safety and amenity for the continuation of bridleway 13 towards and along Tracey Lane and Ledwell Road.
- The lack of consideration for non-vehicle users' safety and amenity in the surrounding area's public rights of way and along Green Lane
- System not appropriately sized (SUDS features not sized or lack of calculations to demonstrate this)

Archaeology

Further to Archaeology comments from 24th January 2018, the applicant has since submitted further information which removes the former objection. We recommend that should planning permission be granted the applicant should be responsible for implementing a programme of archaeological work. This can be ensured through the attachment of suitable negative conditions. Alternatively, the applicant could submit a written scheme of investigation in advance of the consent being granted that defines the required mitigation to be undertaken.

Drainage

Objection -In the absence of an acceptable Flood Risk Assessment we object to the grant of planning permission and recommend refusal for the following reason:

The applicant has not demonstrated that the proposed SUDS features are appropriately sized to manage surface water flood risk on site for all storm events up to and including 1 in 100 chance in any calendar year critical storm event, including an appropriate allowance for climate change. Consequently the attenuation will not be able to cope with increased volumes, leading to increasing flooding elsewhere. This is contrary to paragraph 103 of the NPPF.

The level of detail provided does not enable a full evaluation of the proposed strategy.

I.10 WODC - Arts No Comment Received.

I.11 Conservation Officer No Comment Received.

I.12 Environment Agency This site is part of former Enstone aerodrome built and used during World War II. From our experience with other airbases from this period this aerodrome is likely to have a POL (Petrol Oil Lubricants) system that would have been used to re-fuel bombers. The POL system consists of a circular network of underground pipework that connects to very large fuel tanks generally located on extensions from the run-way. In our experience these fuel tanks were decommissioned by filling with water and there is the possibility that a similar decommissioning method was used on this site.

Environment Agency position:

Based on the additional information submitted in respect of this matter dated 9 January 2018 together with Enzygo Geo-Environmental Report dated October 2017 we are able to withdraw our original objection and consider that planning permission could be granted for the proposed development subject to the imposition of planning conditions.

I.13 Biodiversity Officer Further to previous comments I am satisfied that 2 surveys can be carried out to inform reserved matters applications due to the type of proposal, its likely ecological impacts, the suitability of the site to provide adequate mitigation and compensation and the significant biodiversity enhancements that would result from the proposed landscaping.

I therefore withdraw my objection on the basis that planning conditions are required to ensure that the additional ecological surveys are implemented and that reserved matters applications are

based on this up to date ecological information ,particularly with regard to breeding bats, foraging/commuting bats(to inform sensitive lighting design) and semi improved grassland.

The letter dated 5th February 2018 by Windrush Ecology addressed to me (received by email) confirms that the applicant is committed to carrying out the required surveys. I am therefore satisfied in this instance that the additional ecological surveys can be carried out as a condition of planning consent to inform the detailed design of the proposed development for subsequent reserved matters application(s) rather than before determination of the application. This is mainly due to the type of development and the amount of open space, thereby providing the opportunities for appropriate biodiversity mitigation, compensation and enhancement. The ecological assessment of the site must form a fundamental part of the detailed design process and reserved matters such as layout and landscaping must demonstrate that all ecological mitigation, compensation and enhancements have been incorporated based on the recommendations of the ecological consultant.

Additional enhancements such as bat and bird boxes should also be incorporated.

Conditions

a) Phase 2 Ecology Surveys

No development shall take place until Phase 2 ecological surveys recommended in the Phase 1 Habitat Survey report dated January 2017 prepared by Windrush Ecology Ltd have been carried out to inform the reserved matters application(s). The results of these surveys and an updated Ecological Mitigation and Enhancement Strategy shall be submitted to the local planning authority for approval. The approved strategy shall then be implemented in full, according to the timescales laid out in the strategy, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that hedgerows, woodlands, bats, birds and priority grassland habitat are protected in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), policies NE13 and NE15 of the West Oxfordshire District Local Plan 2001-2011 and Policy EH2 of the emerging Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

b) Sensitive lighting strategy

A lighting design strategy for biodiversity based on a bat activity survey of the development site shall be submitted to and approved in writing by the local planning authority before the commencement of

the development hereby approved, particularly to limit the illumination of key foraging/commuting habitats for bats. The strategy shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), policy NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

c) Artificial roosting/nesting sites for bats and/or birds
Details of the provision of bat roosting features and nesting opportunities for House martin, House sparrow, Starling and Swift into the new buildings and other bird boxes in trees shall be submitted to the local planning authority for approval, including a drawing showing the types of features, their locations within the site and positions on buildings. The approved details shall be implemented before the development is first brought into use, and thereafter permanently retained.

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, policy EH2 of the emerging Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

d) Landscaping scheme

a) No development shall take place until a landscaping scheme has been submitted and approved in writing by the Local Planning Authority, including the creation of new native species-rich hedgerows, wetlands, species-rich grassland and other habitats, as informed by the Ecological Mitigation and Enhancement Strategy. The scheme shall incorporate the planting of native trees to become new standards of appropriate species and at appropriate locations. The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved.

REASON: To enhance the site for biodiversity in accordance with paragraph 118 of the National Planning Policy Framework, policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

Landscaping scheme

a) No development shall take place until a landscaping scheme has been submitted and approved in writing by the Local Planning Authority, including the creation of new native species-rich hedgerows, wetlands, species-rich grassland and other habitats, as informed by the Ecological Mitigation and Enhancement Strategy.

The scheme shall incorporate the planting of native trees to become new standards of appropriate species and at appropriate locations. The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved.

REASON: To enhance the site for biodiversity in accordance with paragraph 118 of the National Planning Policy Framework, policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

b) If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the success of the approved landscaping scheme.

Informative

The layout of the site should aim to retain key ecological features, including hedgerows, woodlands and species-rich grasslands based on the most up to date ecological survey information. The landscaping scheme submitted with a reserved matters application must include the recommended ecological mitigation, compensation and enhancements contained within the Ecological Mitigation and Enhancement Strategy required as a condition of planning consent. It is recommended that a suitably qualified ecologist should be involved in the landscaping design process to provide professional ecological

advice.

I.14 ERS Air Quality No Comment Received.

I.15 ERS Env. Consultation Sites The following report has been submitted in relation to contaminated land.

Enzygo.com Geo-Environmental Report. Enstone Airfield, Great Tew, Oxon, OX7 4NS. Ref. CRM.I463.001.GE.R.001.B

The intrusive investigation only covers part of the proposed development plot. It is agreed that intrusive investigation covering the whole area will be needed prior to development. Section 4.2.4 states that the former quarry identified on site is not considered a risk, it is not clear how this conclusion has been reached.

The conceptual site model presented in Section 6 dismisses a number of pathways, it is not clear on what basis these pathways have been dismissed. In addition a number of other pathways are considered to be of negligible risk, for example the fuel storage area, this is not supported and would require an investigation to confirm a low level of risk.

Section 7.7 states that in the absence of contamination samples were collected from the near surface. Have the potential sources of contamination identified in Section 2 been targeted? The source pathway receptor linkages associated with ground gas have been dismissed in the preliminary conceptual site model. However, ground gas monitoring has been completed. What were the objectives of the monitoring?

Section 7.12 of the report says that no contamination sources were identified on site and so a general suite of chemical analysis was undertaken, were the potential sources of contamination identified in Section 2 considered?

Section 9.19 of the report states that once any existing fuel and oil storage is removed and following demolition that these areas are inspected to verify that no significant contamination has resulted. It is agreed that further works, including intrusive investigation will be required in these areas.

A plan identifying the locations of the potential sources of contamination would aid the clear conceptualising of the site.

It is not clear what the red numbers in the Human Health Assessment Values Tables relate to in the appendix as there is no key.

Are there any comparison tables with details of the laboratory results against the human health assessment values.

Given that further intrusive investigation is required prior to development please consider adding the following condition to any grant of permission.

1. No development shall take place until a site investigation of the nature and extent of contamination has been 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 before any development begins.

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

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

Reason: To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: Cotswold District Local Plan Policy 5 and Section 11 of the NPPF.

I.16 ERS Env Health - Uplands

I recommend the following conditions to manage noise from the development:

1. The level of noise emitted by vehicles on the demonstration car exercise road at 20 metres from the midway point of the main straight shall not exceed 75 dB LAeq 5min or 83 LAm_{ax} (fast) at any time.

2. A comprehensive Noise management plan (NMP) shall be submitted for approval and agreed by the Local Planning Authority prior to the use of the car exercise demonstration road. The noise management plan shall include a requirement for trackside noise monitoring and reporting.

3. All mechanical services plant noise emissions shall be assessed and rated according to British Standard 4142: 2014 - Methods for rating industrial and commercial sounds. And a scheme of sound mitigation implemented according to the rating assessment for each plant or process. The rating noise level shall not exceed the measured daytime and night time background noise as measured by the British Standard at the nearest noise sensitive premises.

- | | | |
|------|-------------------------------------|---|
| I.17 | WODC Housing Enabler | No Comment Received. |
| I.18 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.19 | Natural England | <p>Provided the application has not yet been determined, we would like to make the following comments. We do not believe that the development will result in impacts on designated sites, however given the presence of priority habitats on site (deciduous woodland and good quality semi-improved grassland) we strongly recommend that a phase I habitat survey is undertaken and is included within the application so that developmental impacts can be assessed and mitigation measures designed appropriately.</p> <p>Furthermore, due to the size of the site, we recommend that an EIA screening is undertaken in order to assess whether the development will meet the criteria for EIA development.</p> |
| I.20 | WODC - Sports | No Comment Received. |
| I.21 | Thames Water | <p>Waste Comments</p> <p>Septic Tank - The planning application proposal sets out that Foul Waters will not be discharged to the public network and as such Thames Water has no objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network in the future then we would consider this to be a material change to the application details, which would require an amendment to the application and we would need to review our position.</p> <p>Water Comments</p> <p>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.</p> |
| I.22 | Open Space Officer | No Comment Received. |

I.23 Adjacent Parish Council The Westcote Barton Parish Meeting discussed the proposed development on 4th December 2017 and the unanimous vote of those members present was to OBJECT to the development on the grounds of Impact on the local infrastructure.

Traffic Volumes:

The traffic impact assessment makes a number of assumptions regarding traffic flow, routing and methods. However, what is not considered is the worst-case scenario,

The development hopes to receive 200,000 visitors each year over a 6 day week which gives an average in the region of 640 per day but using the assumption within the document this may peak at double this level c1280 visitors. In addition there is an additional number of visitors to the holiday villas and members of staff. Whilst it would be safe to assume that a number of these visitors will travel by train or in multiple occupancy cars there is no guarantee of this and the applicant will have no control over this element.

The traffic assessment assumes that there will be only a maximum of 167 vehicle movements per day but at the other extreme if all visitors arrived individually by car this would increase to c2600 movements per day. The suggestion of 3 'session' times will have the effect of compressing the traffic into specific time windows with the potential for traffic flows of c800 movements in an hour.

Traffic Routing

The development at Soho Farmhouse has shown that despite the best efforts of the management a high level of traffic is using the local 'B' and unclassified routes as drivers follow their Sat Nav to the destination. This has seen a marked increase in traffic through Steeple Barton, Westcote Barton, Duns Tew, Sandford St Martin, Gagingwell and Ledwell and deterioration in the road surface on these unclassified routes.

It should be noted that Soho farmhouse has a lower traffic density than the applicant is predicting, but has doubled traffic flows on local unclassified routes. (Soho House traffic survey to support recent planning submission)

As an example, the Google Maps route from London to the location uses one of 2 routes.

Firstly, exit the M40 at Junction 9, Bicester and follow the B4030 through Lower Heyford, The Bartons and Gagingwell to the B4022 entrance. The traffic for the Holiday villas using Tracey Lane would also travel through Westcote Barton, Sandford St Martin and Ledwell on largely single track unclassified lanes.

The alternative takes the M40 further north to Junction 10 and then takes a route through Ardley, Somerton, North Aston, Duns Tew and Ledwell.

The assumption that most traffic will remain on either the A44 or the A361 is therefore not supported by Satellite Navigation technology.

This routing will add significant flows at peaks to the local infrastructure, the roads of which are in the main unsuitable in their design.

The impact on Westcote Barton will be significant at our ancient narrow stone bridge, which is unsuitable for 2 cars to pass and on the approach into the village from the West where the 30 limit is already poorly observed. We have houses that exit onto Enstone Hill and Enstone Road, which will have a significant increase in the risk of an accident entering or exiting their property. At peak a potential for an additional vehicle passing these properties every 5 seconds is possible.

There is anecdotal evidence of the quality of driving associated with members of Soho House, who have a policy of warning or terminating membership for offending drivers. The proposed development would have no such recourse on members of the public arriving at the facility. Indeed, whilst Soho House have a percentage of their membership which know the local area, it has to be assumed that this will not be the case for visitors to the museum who may be unused to driving on rural single track roads. This will increase the risk of conflict and accidents involving cycles, horses and walkers.

The use of Tracey Lane increases the use of unclassified routes through Westcote Barton, Sandford St Martin, Ledwell, Duns Tew, North Aston and Somerton as the routing tends to approach Tracey Lane from the East for traffic from the M40. These are all unclassified, single width lanes unsuitable for increased vehicle use.

Whilst the applicant has suggested that they will support a degree of traffic calming we cannot see how this will limit the flow of traffic without turning our village into an urban sprawl full of speed humps, build outs and additional signage.

The Parish Meeting believes that the increase in traffic associated with the development would have a significant impact on the lifestyle and enjoyment of its members and would **OBJECT** to the application.

Sustainability:

Whilst the design of the development is in itself sustainable the impact of traffic flows we would suggest reduces this sustainable argument significantly as the overall energy impact will be far from sustainable.

Building on Green Field:

Whilst there is a number of concrete paths crossing the area proposed for the housing element it is not felt that this should determine this land as 'brown field'. The land has not been used for any industrial or business use and the concrete routes are believed to be a relic of the World War 2 history of the airfield or its agricultural use. We would therefore contest that this is NOT a brown field site and that the development does not meet the requirements for green field release.

Local Benefit:

The applicant claims that there will be a significant bonus to the local economy, which is unclear. They associate their attraction with Blenheim Palace and Bicester Village which increase traffic and do not support the economy of the local area. The facility will have its own restaurant and catering facility and thus little will be required from the local facilities and likewise as Soho House has demonstrated the suppliers to the facility are likely to be distant from the facility thus increasing traffic yet again.

There may be a small number of hospitality staff that could be sourced from the local community but the skills required for the engineering or support functions are unlikely to be found locally.

Section 106 Funding:

WODC we believe have a responsibility for funding the restoration of significant local buildings and believe that Tew Park falls under this umbrella. There is therefore an incentive for WODC to grant permission for this development, as it would fund these obligations. In our view this could be viewed as WODC having an 'interest' in the development and could result in a 'partial' decision or focus.

The Tew Estate will already benefit from the development in terms of land tenancy and infrastructure improvement. Indeed Tew Park also has an "interest' in the success of the development. It is our belief that Tew Park have significant revenue streams from the development at Soho Farmhouse, The Cornbury Music Festival, Amazon Studios and its Quarry to support the restoration from its own funds without recourse to WODC under Section 106.

We would contest that any section 106 funding should be used for the benefit of the communities affected by the development for the improvement in local facilities, local infrastructure and community projects.

On the basis of the above points the members of Westcote Barton Parish meeting would suggest that there are other sites, such as part

of the Upper Heyford development, which could support the development in a more sustainable and appropriate manner than the land at Enstone Airfield.

We OBJECT to the proposal in the strongest possible terms and urge the planning committee to reject the proposal.

- 1.24 Adjacent Parish Council Little Tew - Object to the proposed construction of a motor museum and 28 holiday lodges at Enstone Airfield. Those who have contacted the Chair are opposed to the scale of development, the construction of luxury second homes (on a greenfield site) and the possible allocation of funds to the house at Great Tew. We have no time to discuss this at a parish meeting, so that I cannot provide you with a formal expression of Little Tew opinion, but I have been visited, telephoned and emailed by villagers.

2 REPRESENTATIONS

2.1 Representations:

A large body of representations have been received in respect of this application of which there are in excess of 250 objections and 2 support comments. The objections refer to the following matters:

2.2 Objection Comments:

Design and Layout

- 'Exercise track' with cause added noise pollution, and encourage fast, reckless driving around local area.
- No public transport available for visitors.
- Scale of development will overwhelm the surrounding area.
- Visual impact on the landscape.
- Development does not need to be in such a rural area.

Ecology

- A large variety of wildlife can be found on the Greenfield land at Enstone Airfield. These will be heavily disrupted.
- Risk of pollution will be a hazard for the local wildlife and ecology.
- Plan not supported by the Environment Agency. Full environmental impact assessment has not been carried out.
- Bats known to feed and breed in the area.
- Phase I Habitat Survey was undertaken in December 2016 when many species were not identifiable. Recommendations to undertake the survey at another time of the year has been ignored.
- Planned housing would destroy abundant areas for wildlife that is used all year round by the local ecology.

Highways

- Sheer volume of traffic arriving to a motor museum. Visitors are very unlikely to travel by public transport being motor enthusiasts.
- Amount of traffic already increased on the B4030 which is a route for a busy school, leading to dangers for children and parents.
- Proposed frequent shuttle buses will add to the pollution and traffic.
- Speeding already an issue within local area with introduction of local Soho Farmhouse. The problem will only get worse with an increase of exotic and high power vehicles.
- Increased use as a 'rat run'.
- Reckless driving down narrow country roads already an issue. Very unsafe for pedestrians and horse-riders.
- Influx of heavy vehicles on roads with deliveries now going to the museum as well as Soho Farmhouse.
- Bridleway currently dangerous to use during week days. The busiest period for The Driving Centre will be over the weekend, leaving little time for horse riders, cyclists and pedestrians to use the roads relatively safely.
- Traffic calming measures must be put into place. Traffic calming bollards will be inappropriate due to size of farming machinery and heavy load vehicles.
- Erosion of verges on Mill Lane.
- Green Lane is a historic drovers route which should be preserved.
- Emergency services will struggle down damaged, narrow roads. Already at capacity to deal with additional issues.
- B and C roads will not be able to cope.
- Tourist traffic is unaware of how to behave safely on country lanes and around horse-riders. Many riders have been left feeling intimidated, angry and that it is a danger especially to younger riders. Dog-walkers also very much at risk.
- Recent bad weather and snow has made the roads even worse, and would cause many dangerous driving environments in the future. Would lead to chaos if quantity of cars increased during these periods.

Landscape

- Risk of contamination from situation on WWII site.
- Water clarity has been depreciated from Soho Farm run off. Large deposits of silt have been found at the head of Mill Pond.
- Roadside wild flowers have been destroyed.
- Development on prime agricultural land.
- Increased chemical waste.
- Site neighbouring a Cotswold Area of Outstanding Natural Beauty.

Neighbourliness

- Increased noise and light pollution.
- Private and corporate events could will disruption if they continue on into the night. Could incur more firework shows and loud music, thus disturbing neighbours further.
- Clientele may travel in by plane or helicopter, resulting in ample noise disturbances.

- Plan to build a cafeteria and restaurants at the museum will not profit local pubs and shops. So far they have not seen a benefit from local large developments such as with the Soho Farmhouse, so are doubtful for the future.
- Local Shooting School already very noisy.
- Locals predict a lack of integration with the local community and amenities.
- Being open for business over the weekends will result in loud noise throughout the whole week.
- Local demographic is being altered with properties tailored only to the super rich.

Flooding

- Concreted areas increasing risk of flooding.
- Roads need drainage and surfacing improvements.

Airfield

- Needs to be more support to retaining active airfields.
- Visitors to the museum would be at risk from being within the extension area to an active airfield.
- Object on the grounds of possible restrictions being applied to the ongoing and future operations at Enstone Airfield that this proposal may generate.
- The overall principles of an airfield Safeguarding Plan for Enstone should be applied to this proposal
- The 28 holiday homes will be in an area where aircraft will be very low, taking off on high power or descending and manoeuvring to land. I foresee residents making vociferous complaints, in the future, if this goes ahead.
- I assume that WODC have the suitable insurance cover if it allows this proposal to go ahead knowing full well the siting of the homes, buildings and attending public will be in a statistically proven area of increased danger on the end of 6 active runways.

Other

- Allocating £12.7m of S106 funds to Great Tew Manor is not a benefit to the local community or economy, as it is a private residential Grade II Listed property. These vital funds should be implemented into the local infrastructure, such as fixing the poor quality roads, education, health and affordable housing.
- Plan is contrary to Development Plan and National Planning Policy. Lack of affordable housing.
- The very expensive holiday homes would constitute yet another set of 'sterile' houses to go along with the unlive in villages in the Cotswolds.
- This is another elitist venture.
- Demographic of visitors likely to use dwellings at the museum as second homes. Local economy will not see a steady benefit from residents.
- Lack of jobs produced from the Driving Centre. Locals will not benefit only be specialist jobs or low paid.
- Lack of Right of Way.
- Roman remains at Beaconsfield Farm should be protected.
- Questioning sustainability.
- As a charity, it will not pay corporation tax.

- Development will continue to gentrify the area, leading to increased housing prices and less affordable housing.
- Already plenty of motor museums in the UK.
- Proposal is in contradiction with the 2011 Local Plan and 2031 Local Plan.
- The landowner has considerable personal wealth and as such should not benefit from 106 funds to part fund Tew Park House Restoration.
- There are no letters of support from well-established organisations who were mentioned as possible collaborators.
- Conflict with policies for tourism (including Local Plan policy E4)
- Visitor numbers are likely to be higher than predicted figures. Alterations to application now state there will be provisions for people to turn up to the site. Original application stated this would not be allowed.

2.3 Support Comments:

Design and Layout

- Development appears on the plans to be well landscaped and hidden from main viewpoints.
- Supporting the museum but not the housing.

Highways

With the development comes an opportunity for traffic calming measures to be put into place.

Other

- Will bring income to local pubs, restaurants and shops.
- Proposal makes positive use of a Brownfield site.

3 APPLICANT'S CASE

3.1 The proposed development comprises:

- The construction of a world class classic and collector car museum
- totally approximately 6,000 sqm, comprising three exhibition floors,
- restaurant and café facilities;
- The provision of a demonstration road;
- The provision of parking for both visitors and staff;
- The provision of a site wide energy centre;
- The construction of general storage and car repair/ servicing
- workshops;
- The construction of a 'show lane' building, which will incorporate six
- exhibition spaces;

- The construction of a corporate entertainment pavilion;
 - The construction of 28 residential holiday lodges; and
 - Associated hard and soft landscaping.
- 3.2 The application is submitted in outline. All matters except access are reserved for future consideration. The detailed site layout, scale, appearance and landscaping are proposed as reserved matters for which a subsequent detailed approval would be sought.
- 3.3 The applicants state that the creation of a world class automotive museum and park, through the implementation of a landscape led development fully accords with the saved policies of the West Oxfordshire Local Plan 2011, the draft policies of the emerging West Oxfordshire Local Plan 2031 and guidance contained in the National Planning Policy Framework.
- 3.4 The application site comprises an area of approximately 63 hectares that lies on north eastern edge of Enstone Airfield. Enstone Airfield was constructed during World War II
- 3.5 Enstone Airfield is bound to the south by the B4030 (Church Enstone to Middle Barton road) and to the west by the B4022 (Enstone to Great Tew road). To the north, Enstone Airfield is partly bound by Green Lane which is now used to provide vehicular access for staff and deliveries associated with Soho Farmhouse, together with vehicular access to the former Vision Motorsport Circuit. To the east, Enstone Airfield is partly bound by a bridleway linking Gagingwell (to the south) with Great Tew (to the north).
- 3.6 The runway at Enstone Airfield measures 1100 metres which runs in an east to west direction. The runway is still used for light aircraft, motor gliders and microlights. There is also a grass runway immediately to the south.
- 3.7 Enstone Airfield currently benefits from two vehicular accesses, one from the B4022 to the east and one from the B4030 to the south.
- 3.8 The vehicular access from the B4022 currently serves the development to the north of the runway, which includes a poultry farm.
- 3.9 The vehicular access from the B4030 currently serves the development to the south of the runway, which comprises an industrial complex including predominantly B8 (storage and distribution) and B2 (general industrial).
- 3.10 The application site comprises that part of the site previously occupied by Vision Motorsport, and includes the rally circuit and motorsport circuit constructed under planning permission 08/0143/P/FP.
- 3.11 The application site is bound to the north by the staff accommodation and staff car park associated with Soho Farmhouse, with the farmhouse and associated accommodation beyond. To the east and south the application site is bound by open countryside. To the west the application site is bound by the remainder of the airfield.

- 3.12 Vehicular access to the site is currently from the B4022 via Green Lane. It is proposed that this access is also used to serve the proposed museum, restaurant and demonstration road and visitors to the proposed residential holiday lodges will utilise Tracey Lane to the north.
- 3.13 In terms of constraints, there are relatively few environmental constraints at Enstone Airfield. The airfield falls outside of the Cotswolds Area of Outstanding Natural Beauty. For the avoidance of doubt, the application site also falls outside of the Oxford Green Belt.
- 3.14 In terms of heritage constraints, there is no designated Conservation Area at Enstone Airfield. Other designated heritage assets within the vicinity of the airfield are also limited. The closest listed building is Tracey Farm, barn range and water wheel, approximately 500 metres from the northern boundary of the application site.
- 3.15 The application site falls outside of any designated Flood Zone.
- 3.16 The proposed museum building sits centrally within the masterplan and will comprise a building totalling approximately 6,000 sqm and will incorporate:
- 3 exhibition floors;
 - Restaurant and café facilities;
 - Ancillary retail shop; and
 - Research and administrative offices.
- 3.17 Circling the museum building and extending to the north and west is proposed a demonstration road. The demonstration road will incorporate part of the existing vision motorsport circuit and will be used for the exercising of vehicles. The use of the demonstration road is dealt with within the Noise Report prepared by Sharps Redmore.
- 3.18 The masterplan details the provision of parking to the west of the museum building, incorporating in the order of 220 spaces.
- 3.19 To the north of the main car park area a 'show lane' building is proposed, which will incorporate 6 exhibition spaces, which will be used by companies to launch new brands and products, such as Rolex, Hermes, Moet Chandon.
- 3.20 The proposed 28 residential holiday lodges are to be sited on four parcels to the east of the museum building. It is proposed that 14 lodges are centred around a lake to the south-east of the application site. A further 10 lodges are proposed to the centre of the site, with 4 further lodges proposed on the northern edge of the site.
- 3.21 The proposed development includes the diversion of the existing bridleway (23413) between Gagingwell and Great Tew.
- 3.22 The masterplan details the provision of the site-wide energy centre, workshop and security building at the entrance to the site and adjacent to the existing warehouse and staff accommodation serving Soho Farmhouse.
- 3.23 Vehicular access to the site is proposed from the B4022, via Green Lane.

Principle

- 3.24 The principle of the development is considered to be in accordance with paragraph 17 and 28 of the NPPF, Policies TLC1 and TLC of the adopted West Oxfordshire Local Plan 2011 and policies E2 and E4 of the emerging West Oxfordshire Local Plan 2031.

Noise

- 3.25 The Noise Assessment submitted with the application has demonstrated given the nature of the proposed development and the use of the demonstration road, the noise levels will be no greater, and likely less, than those currently experienced by local residents. As such the proposed development is considered to be in accordance with policies BE2 and BE19 of the adopted West Oxfordshire Local Plan 2011 and policies OS2 and EH6 of the emerging West Oxfordshire Local Plan 2031, together with guidance contained in the NPPF.

Highways

- 3.26 A Transport Assessment has been prepared by Mode Transport Planning and is submitted in support of the application.
- 3.27 Having regard to the above, the proposed development is considered to be in accordance with policies BE2 and BE3 of the adopted West Oxfordshire Local Plan 2011 and policies OS2 and T1 of the emerging West Oxfordshire Local Plan 2031, together with guidance contained in the NPPF.

Landscape

- 3.28 The Landscape Assessment submitted with the application concludes that the potential visual impacts of the museum are judged at worst, and in only a few restricted areas to be of moderate adverse effect, with most views judged to be of low to negligible effect. Having regard to the above, the proposed development is considered to be in accordance with policies NE1 and NE3 of the adopted West Oxfordshire Local Plan 2011 and policy EH1 of the emerging West Oxfordshire Local Plan 2031, together with guidance contained in the NPPF.

Ecology

- 3.29 In respect of ecology, the proposed development is considered to be in accordance with policies NE13 and NE15 of the adopted West Oxfordshire Local Plan 2011 and policy EH2 of the emerging West Oxfordshire Local Plan 2031.

Flood Risk Assessment

- 3.30 The site is at low risk and accords with both development plan and Government guidance.

Other matters

- 3.31 Revenue from sale of the residential holiday lodges will partly facilitate the building of the museum and fully facilitate the restoration of the Grade II listed Tew Park House at Great Tew. The business plan identifies that the museum will yield £4 700 000 per annum profit before tax bringing long term stability and inward investment to the museum. The lodges will generate a

return of £32 724 340 and facilitate £20 000 000 towards the museum base and £ 12, 700 000 towards the restoration of the Tew Park House which accords with paragraph 140 of the NPPF. The restoration would sustain and enhance the significance of Tew Park as a heritage asset, remove the risk to the asset, secure its optimum viable use and support its long term conservation.

- 3.32 Writing in response to the letter from Officers advising as to the key current issues and concerns the agent advises as follows:
- 3.33 To assist in the drafting of the issues report, I thought it would be useful to confirm the position in respect of the technical matters and other matters raised in your letter of the 12th March and subsequently discussed at the meeting.

Highways (OCC)

- 3.34 The response from OCC as highway authority dated 9th May 2018 and uploaded to the Council's web-site is identical to that previously submitted 29th January 2018. The consultation response makes no mention of matters agreed with OCC, and omits reference to the Technical Note prepared by Mode Transport Planning, submitted to address the first consultation response from OCC.
- 3.35 It is understood that a revised consultation response is being prepared by OCC as highway authority, having full regard to the submitted Technical Note.

Archaeology (OCC)

- 3.36 As you are aware, the predetermination investigations have now been completed. In response to the predetermination investigations, Hugh Coddington (OCC Archaeology) is recommending that conditions be attached to the planning permission requiring a Written Scheme of Investigation (WSI) and the associated mitigation measures to be undertaken. I can confirm that the applicants would be happy for such conditions to be attached to the planning permission.

Environment Agency

- 3.37 The Environment Agency has confirmed that the additional information set out in the letter from Enzygo Geoenvironmental Limited dated 9th January 2018 and their report dated October 2017, provides confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. It is understood that the Environment Agency has now withdrawn their objection to the proposed development on this basis.

Ecology

- 3.38 I understand that the Council's Biodiversity Officer has now withdrawn her objection on both ecological and biological grounds. Indeed, I note that the Biodiversity Officer considers that there is a significant opportunity for a variety of biodiversity enhancements within the site, including the creation of species-rich grassland/ wildflower meadows, as well as the creation of new ponds and woodlands.

Other Matters

- 3.39 Concern has been raised by yourself and Phil Shaw regarding the potential for an increase in bird strikes as a result of the proposed new water bodies. As you are aware, the indicative masterplan that has been submitted in support of this outline planning application is for illustrative purposes only. The detailed layout is a Reserved Matter and will be the subject of future planning application.
- 3.40 I understand that no technical objections have been received in respect of bird strike and both Oxford Sport Flying and Enstone Flying Club have confirmed that the proposed development would not result in an increase in danger from bird strikes.
- 3.41 Notwithstanding the above, I can confirm that the indicative masterplan will be amended to omit the proposed water bodies.
- 3.42 Concern has also been expressed by both yourself and Phil Shaw regarding the concourse and viewing mound and their relationship with the runway. Again, I am not aware of any technical objections being received. Whilst these features are detailed on the indicative masterplan, the detailed layout is a Reserved Matter and will be the subject of future planning application.
- 3.43 Notwithstanding the above, I can confirm that the indicative masterplan will be amended to omit the viewing mounds.
- 3.44 Other matters previously raised related to lighting and retail. As discussed, the only element of retail would be ancillary to the museum development and there would be no further sales taking place across the site. It was also discussed that lighting could be dealt with through planning conditions, or a subsequent Reserved Matters application.

4 PLANNING POLICIES

Please see Policy response reported earlier in this report as part of the Consultation responses. The National Planning Policy framework (NPPF) is also a material planning consideration.

5 ISSUES REPORT

- 5.1 This application is put before members in order that they can be appraised of the current state of play with this contentious application, give initial consideration to the issues identified by Officers and raise any other matters that they may wish to see analysed in the main report as may be raised by way of their site visit or otherwise. However it is not a report whereby the application can be determined as it does not have a full analysis of all of the relevant issues. Determination of the application would need to be by way of a separate full report at a future meeting.

The Application

- 5.2 This application relates to a partly brownfield and partly greenfield site on and adjoining Enstone Airfield that has in the recent past been used for motorsports by Vision Motorsport and without consent for trackday filming by a TV company. Flying still takes place from both the surfaced and grass runways on the airfield. Access to the application site is to be taken from

Green Lane which has recently been resurfaced in connection with the SOHO House development and additionally along Tracey Lane which is a Bridleway.

- 5.3 The proposals have been the subject of extensive pre application and post application submission discussions on a without prejudice basis whereby officers have sought to identify the key factors likely to be relevant in the determination of the application and work through them such that the application as presented to Members is clear as to exactly what is proposed and to identify the issues that are most likely to be of relevance in the decision by Members as to whether to support or otherwise the scheme.
- 5.4 It is proposed to create a world class museum facility of approx. 6000 sq m with numerous associated buildings, a car exercise track and retail exhibition space on the airfield site along with 28 holiday lodges/second homes on the greenfield site. This latter element would involve diversion of a public footpath that currently runs through the site. The application is in Outline but is accompanied by a masterplan to seek to give an indication as to what may be developed. Officers will make extensive use of the display material as part of the presentation of the application.
- 5.5 The application relates to approx. 1/3 of the airfield site which as Members are aware has been the subject of various activities that have given rise to complaints over the years - although relatively few associated with this part of the airfield. Complaints in the vicinity have ranged from noise from the shooting school, traffic from the Soho Housie development or activities associated with the operation of the airfield. The redevelopment of the site would thus offer a partial opportunity to bring matters on site under full planning control by restricting the opportunities for other uses to take place. In that regard the applicants cite the new "permission in principle" regulations as potentially allowing alternative use without planning control as another reason to support redevelopment.
- 5.6 The applicants indicate that the lodges and the museum are an inseparable whole whereby the lodge owners will be car collectors and will provide their cars to add to the existing world class range of classic cars that will be rotated between this site and the owners existing museum in California such as to refresh the exhibit. It is stated that the project will result in £150million of inwards investment and create a wide variety of job opportunities.

The Issues

- 5.7 There are a very wide variety of legal, procedural and planning issues and objections that have been raised in the context of the processing of the application thus far and those which Officers consider are the main ones are reported in no particular order below:

Is EA Required and was the EA screening request processed appropriately?

- 5.8 Lawyers acting on behalf of objectors have raised concerns regarding the necessity or otherwise for a full Environmental Impact Assessment and have queried the processing of that request. Separately legal advice has been received from the applicant and the LPA has taken its own legal advice regarding the issues raised. Much of the substance of the concerns raised centres on whether the proposals are for a housing development in the open countryside alongside a museum use or whether the two elements are intrinsically interwoven such that it is the museum that is the prime element and the houses are ancillary to the primary tourism use. The legal advice received essentially reflects the views of the persons seeking the advice and is not

considered to preclude determination of the application- albeit that your officers have advised that the matter could be addressed better were the application withdrawn and re-cast using the free-go such as to further reduce the risk of a successful JR (although not perhaps avoiding the likelihood of a challenge per se).

Planning Policy

- 5.9 The issue as to whether the proposal is an interlinked whole or 2 parallel proposals is clearly important as in Planning Policy terms an unjustified housing development in the open countryside would clearly be contrary to both national and local planning policies whereas residential use ancillary to acceptable uses and serving an operational need can be considered acceptable. Similarly policies seeking re-use of previously developed and damaged land are generally more permissive whereas those targeted at green field sites are generally more restrictive. The tourism policies of the adopted Plan are clearly very important as they represent the starting point for assessing the merits. The overall tourism policy (TLC1) is a permissive policy that identifies inter alia that tourism uses will be granted permission provided that the development respects and enhances the intrinsic qualities of the District but will not be allowed where they would have an adverse impact on the character or environment of the countryside or would generate unacceptable levels of traffic on the local highway network. Policy TLC3 sets out inter alia that visitor accommodation in the open countryside will only be permitted in association with wider leisure facilities which are being proposed on land that is damaged or scarred by development where the proposed leisure facilities will enhance and improve the visual qualities of the area.
- 5.10 In the context of whether this is a tourism or housing or both development Officers consider that greater clarity is thus required in the matter as to whether the two uses are fully interlinked, the extent of the need for the housing element in operational terms and in cross subsidy terms. Clearly the visual and highway impacts will also be critical when assessing the scheme against policy- hence why Officers suggested that an extended formal site visit would be required before determination of the application.
- 5.11 Emerging policy E4 does allow for tourism development that utilises and enriches the natural and built environment and existing attractiveness of the District to the benefit of visitors and local communities provided that they are located within or close to Service centres and Villages (Enstone is one such) and in the open countryside allows for tourism and visitor facilities where there is a functional linkage with an attraction, it could not reasonably be located in a service centre or village and as part of an estate diversification. Emerging policy E2 similarly allows for projects which contribute to Estate diversification if they will operate as part of the viable core estate business and remain compatible and consistent in scale with the Estate and countryside location.
- 5.12 The policies of the emerging plan will thus need to be properly addressed and, dependent upon the date of determination, may have superseded those of the adopted plan so a revised position statement from the applicants assessing the proposals against the emerging policies as finally framed and the policies of the recently released draft changes to the NPPF would also be required. As above Officer advice has been that for clarity this would be best done by withdrawal of the current submission and utilisation of the "free -go" to recast the merits of the proposals against the evolving policy position and to help the applicant fully and directly to address the many objections but also some misconceptions that are evident in some of the representation received.

Affordable Housing

- 5.13 A housing scheme of this size would usually attract a requirement for affordable housing on site. In that the houses are partly stated as being an integral element of the museum with the need for occupiers to own expensive classic cars and partly because the sale of the units is intended to underpin the development economics no such offer has been made and it may in any event be considered that affordable housing in this context would not be appropriate. However contributions towards affordable housing provision off site, particularly as the wider Estate is a significant landowner in the vicinity of the application site may be a mechanism whereby this policy shortfall could be addressed. No such offer is as yet formally tabled.

Highways Issues

- 5.14 It will be noted that OCC has raised a series of objections regarding the proposed access arrangements. Your Officers would concur with their assessment and from the outset of negotiations have been suggesting that Green Lane is inadequate to serve the use as the main access (for example as a result of mixing service traffic from SOHO with the public main entrance to the museum, lack of pedestrian facilities, lack of lighting, inadequate vision when emerging etc) and similarly that use of Tracey Lane (which is already the subject of significant pressure as a result of the SOHO House development) would compromise its use as a bridleway. Measures to improve highway safety such as lighting, creation or diversion of footpaths etc could in themselves have unacceptable urbanising or ecological impacts which could give rise to new objections - but until the technical issues raised by OCC have been addressed it is not possible to fully quantify the other collateral harms as may be raised. Much more information/clarification is needed on these points and potentially a new access could address many of the issues raised.

Landscape Impact

- 5.15 Again- springing from the most relevant policy, landscape harms or benefits are critical to the assessment of the merits of the application. The existing airfield is blighted to some degree by its previous use and as such there is an opportunity to provide visual betterment. That scenario does not apply to the site where the lodges are proposed which is a very attractive area of unspoilt countryside bisected by a public footpath and screened away from the airfield by mature and extensive screening. Whilst the detail of the buildings would be the subject of a separate application it is clear that the buildings proposed are large and there will be a need for extensive external parking areas. Officers have been exploring whether by taking a more comprehensive look at the whole airfield there may be opportunities for the main parties all to benefit from some development but at the same time bring matters on the wider airfield until tighter control and look at screening, access etc in a more holistic way. This appears not to be an option that has any realistic potential to be realised at present and as such the impact of the museum use and lodges, and the ability to mitigate any harms or enhance the wider area appear to be limited at present to land within the direct control of the applicants.

Technical Issues

- 5.16 Various issues have been raised as regards the ecological impacts, archaeological impacts, drainage/contamination, pollution, noise impacts etc and the applicant is undertaking additional survey works and/or it is anticipated that these matters will be capable of resolution before a decision is made or by way of a condition imposed on any consent issued.

Mitigation Package

- 5.17 As part of the pre application discussion Officers identified that the application was likely to attract considerable objections in terms of landscape and highway issues and that as such significant compensatory benefits and mitigation would be required to offset these concerns, provided of course that such benefits were compliant with the relevant regulations. The main benefits offered as part of the proposals related to the works needed to bring Tew Park to a wind and weather proof condition. This has however been the subject of extensive debate and criticism and it is understood that as part of the applicants publicity efforts various alternatives have been suggested to members and local Councils. None of these has however been formally tabled for consideration and as such the package remains as when the application was tabled, plus any matters arising to meet the needs of consultees.
- 5.18 As advised above the greatest area of criticism associated with the mitigation package has been directed at the suggestion to reserve a substantial capital asset to put towards the restoration to wind and weatherproof condition of the main Tew Park listed building- which is the last remaining asset at risk on the estate that has not been addressed by way of enabling development funding. There is a legal objection that the scheme does not follow the relevant advice as regards enabling development and much is made by objectors of the personal wealth of the current owner of the Estate who thus query the need to put \$106 funding into the restoration of Tew Park. Your Officers have taken the view that this personal wealth of the current owner is not relevant in so much as the Estate could be sold on or the finances lost. What Officers have directed themselves to is the assets of the Estate itself and the need to try to ensure that it is a viable entity in the long term in its own right such as to be able to sustain the landscape and listed assets that it is responsible for and in this respect the personal assets of the owner would be immaterial.. That is not an argument that has much traction with objectors and it is understood that the applicants have been considering revising the offer accordingly. However no details have been made available to officers.
- 5.19 Officers are however satisfied that the principle of allowing a development on one part of the estate- particularly if it is considered to be a policy compliant tourism development, and utilising funds generated as a planning benefit elsewhere on the estate is legally sound. However if the view is taken that the scheme is essentially a non-policy compliant housing scheme hiding behind the museum then this position becomes much more problematic legally as the general principle is that whilst it is proper to consider any such benefits in the planning balance of a policy compliant scheme such enabling developments can't be used to make unacceptable developments acceptable.
- 5.20 Other funding suggestions have been made that 106 monies should be directed towards schooling etc. but 106 funding is tightly controlled by legislation and it is difficult to conceive of a direct link between the use as a museum and the schooling needs of the local population. There may however be other mitigation/enhancement opportunities as would meet the terms of the legislation but again these have not been formally discussed with officers although it is understood that a number of discussions have taken place with local Councils to seek to ascertain what they may wish to seek funding for. Clarification as to the nature, extent and legality of such mitigation and as to whether the applicants are prepared to meet the funding requests of the formal consultees is required.

Aircraft Safety

- 5.21 At present the application site has a semi-public use as a motor sports venue albeit at a relatively low level. If approved this scheme would entail much more activity and indeed some buildings at the end of three active runways. Additionally the applicants were as part of their submission proposing extensive water bodies as part of the development and there will be a need for similarly extensive landscaping to be undertaken. These features are likely to attract wildfowl and birds generally and the impact of birdstrike upon an aircraft landing or taking off, ingesting a bird, losing power and crashing into the spectator areas, museum or lodges will need to be the subject of considerable thought. The regulations affecting private aerodromes appears to be not as rigorous as that affecting civil airports or military installations but that does not in your officers assessment obviate the need to ensure that foreseeable albeit unlikely scenarios are not fully and properly considered. Again this matter is still under consideration.

Setting of Heritage Assets/AONB

- 5.22 There are no designated Heritage assets on site and the funding received if secured would ensure that a heritage asset in the form of Tew Park would be safeguarded from further deterioration. The buried archaeology and standing remains from WW2 represent non designated Heritage Assets and in that they will be lost if the development proceeds the loss of them will need to be fully understood, justified and documented if it is to be acceptable. It is not considered that development would adversely impact upon the AONB as it lies some distance from the boundary.

Cumulative Landscape Impact

- 5.23 As identified above in the policy section the landscape impact is a key issue. However this issue is exacerbated in your officer's view due to the proximity of the development to SOHO House and the direct visual and footpath links between the two. There is a danger that the two entities could visually coalesce and that the experience of any user of the bridleway will be compromised for a considerable time. Officers have been exploring whether the number of residential units is essential, whether there is the prospect of relocation of some or all of these units onto the 'brownfield' airfield site, whether they could be confined to the area contained by the existing footpath and two woodland wings such as to ensure they do not spill out as far into the countryside as at present (and avoids the need for a footpath diversion) but again these negotiations have not moved on for a while. In a similar vein the impacts of additional lighting associated with the museum use and the lodges in association with that at SOHO has the potential to increase visual impacts at night- and perhaps is an issue in its own right given the more elevated nature of this site compared to the generally valley bottom position of SOHO.

Some potential planning conditions/controls

- 5.24 Clearly if permission is to be given for the residential element there will need to be control over the occupation of the units to ensure that they are related to the use of the museum. Similarly the extent of retail exhibition floor space and its use will need control. The use of the site for both motor related and non-motor related events in addition to the museum use would need careful control as these events could have significant traffic generation implications and the means whereby numbers on site are limited and controlled (e.g. timed tickets etc) would need careful thought if such controls are to be effective. Noise controls and control over the use of the track and the nature and impact of vehicles using it would be essential to limit noise impacts.

Conclusions

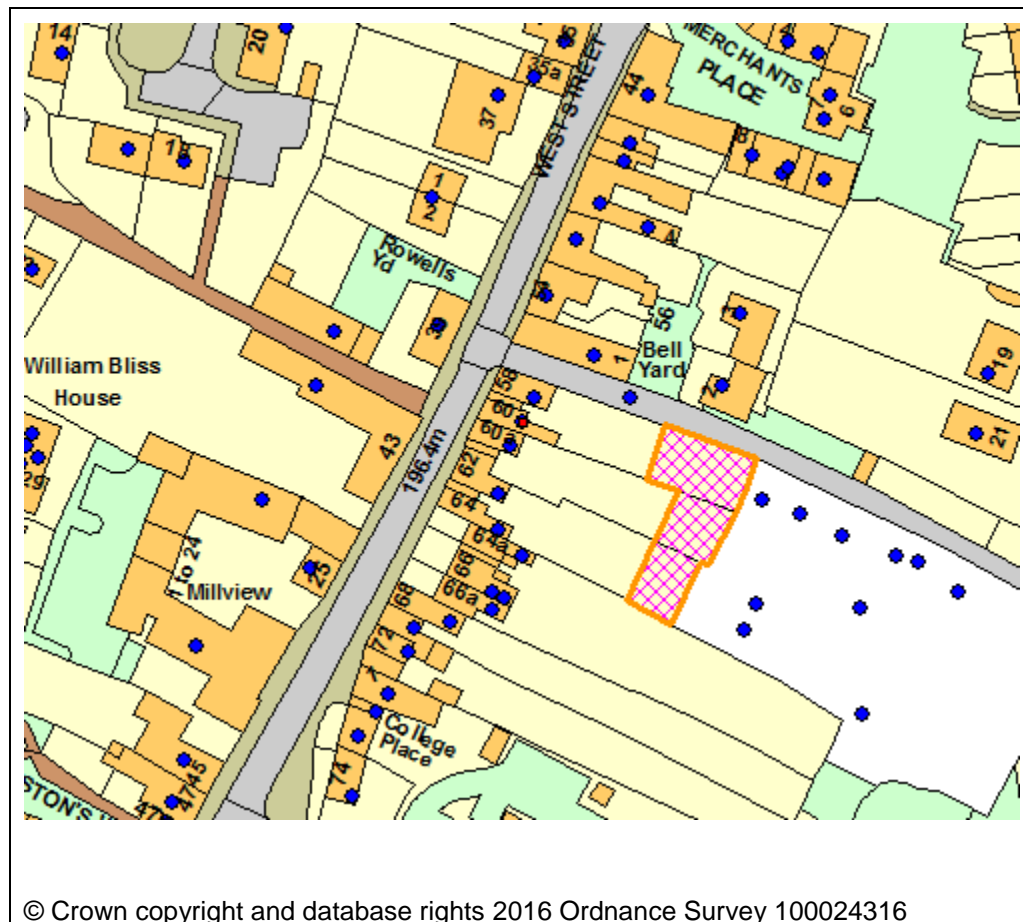
- 5.25 This issues paper is an attempt to give members a flavour of the nature of the application, the issues that have arisen and the concerns of some of the key respondents. Officers have been working with the applicants to seek to clarify and resolve issues as they have arisen. However progress in more recent months has stalled with more effort apparently being put into resolving the technical matters, publicity and PR and less in working to resolve those planning matters that remain unresolved. Additionally the application has now reached a point where Member input is required as to whether the considerable potential benefits of the scheme in particular in terms of the economic and tourism benefits justify further work or whether the highway and other concerns and other unresolved matters are such that no matter how much further work is undertaken it is unlikely that a favourable outcome will be reached. Members may also have additional issues arising from the considerable lobbying exercises undertaken by both sides of the case that they would like to see explored in detail as part of any final report and there may be issues arising from the site visit that give rise to concerns or advantages that Members would like addressed as part of the final report.
- 5.26 As identified above your officers view is that the extent of change/clarification required is such that it would be in all parties interest that this were undertaken by way of a free-go as opposed to a series of ad hoc amendments to the current proposals. Member's advice on this aspect may also be sought.
- 5.27 Any debate on the matter is not intended to be a commitment to any particular outcome and indeed to reach a "final position" before receipt of a full report analysing all the relevant issues would not be appropriate and could be the subject of legal challenge. However negotiations have currently reached somewhat of an impasse and as such Member input and a without prejudice steer as to whether the considerable further work required to get this application into a position whereby officers could make a positive recommendation is warranted would potentially move matters forward.

6 RECOMMENDATION

Defer.

Application Number	17/04153/FUL
Site Address	60 West Street Chipping Norton Oxfordshire OX7 5ER
Date	22nd May 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Chipping Norton Town Council
Grid Reference	431248 E 226781 N
Committee Date	4th June 2018

Location Map



Application Details:

Erection of detached dwelling and associated works, removal of log cabin (amended plans)

Applicant Details:

Mr & Mrs Smith, 60 West Street, Chipping Norton, Oxfordshire, OX7 5ER

- Very close proximity to no.2
- Lane is very busy with pedestrians
- Would be an over development of the site
- Gardens add value as an open space
- Will impact on the trees in the garden and ecology
- Fire service would be unable to access properties
- Inaccurate information submitted
- Form completed incorrectly

3 APPLICANT'S CASE

Supporting information has been provided as part of the application which can be viewed in full on the Council website, the summary and conclusion of the planning, design and access statement states:

- The principle of design against the lane with the form and scale proposed seems to accord with pre-application advice, local and national planning policy and is within the framework of Chipping Norton where there is a presumption in favour of sustainable development of this kind.
- The applicants have engaged constructively with the planning process and sought relevant and informed advice. They have made a significant and wholesale review of their design approach after pre-application feedback and have then sought further planning input on a new, more appropriate design. They have then reviewed this and sought to incorporate further design amendments or to address remaining concerns by carefully considered design changes where, for example with the suggested removal of the western end of the house, their architects have felt this would compromise design too much. This is in line with planning policy guidance placing design choices and preference with applicants and their designers and encouraging decision makers not to be over prescriptive in steering design decisions.
- The result of this we feel, is a sensitive high-quality design, informed by the local character and pattern of development and of an appropriate scale. The clients propose high quality materials and high levels of insulation and so on all levels it meets the sustainability criteria of current policy.
- The impact on adjoining properties has been minimised as far as practical and reasonable on a site in this location where there is a presumption supporting development and so we urge the case officer to support the latest proposals.

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
 NE4 Cotswolds Area of Outstanding Natural Beauty
 H7 Service centres
 NE13 Biodiversity Conservation

OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
EH1A AONB
EH9 Listed Buildings
EH2NEW Biodiversity
EH8 Conservation Areas
T6 Traffic Management
T4NEW Parking provision
H2 General residential development standards
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the erection of a detached dwelling with associated parking.
- 5.2 The application site is located within the built up limits of Chipping Norton, within Chipping Norton conservation area and within the Cotswold AONB.

Principle

- 5.3 In terms of five-year housing land supply, the Council's most recent position statement (May 2017) suggests the Council is able to demonstrate a five-year housing land supply with anticipated delivery of 5,258 new homes in the 5-year period 1st April 2017 - 31st March 2022.
- 5.4 The issue of five-year housing land supply was debated at length through the Local Plan examination hearings in 2017 and on 16 January 2018 the Local Plan Inspector wrote to the Council setting out his thoughts on the Local Plan. Importantly there is nothing in his letter to suggest that the Council is unable to demonstrate a five-year housing land supply. This is a key component of 'soundness' and if the Inspector had any concerns in this regard it is reasonable to suggest that he would have set those out.
- 5.5 On this basis it is considered that the Council is able to demonstrate a five year housing land supply albeit this cannot be confirmed with absolute certainty until the Local Plan Inspector's Final Report is received and the draft Local Plan 2031 is adopted.
- 5.6 Given the current position it is considered appropriate to continue to adopt a precautionary approach in relation to residential proposals and apply the 'tilted balance' set out in paragraph 14 of the NPPF whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in this Framework indicate development should be restricted.
- 5.7 Chipping Norton is classified as a service centre in both the adopted and emerging local plan. Policy H2 of the emerging local plan is permissive of new homes and states that the principle of new development is acceptable subject to compliance with the other relevant policies of the plan.

- 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:

Siting, Design and Form

- 5.9 The site is located to the rear of West Street accessed via Bell Lane which currently comprises a number of dwellings which front on to the lane. The site is made up from the rear gardens of 58-64 West Street. The application site is currently used as garden to the corresponding properties located in West Street.
- 5.10 The property is within the Cotswold AONB. Paragraph 115 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance the proposal is for a dwelling which will be located in a built up residential area and therefore it is not considered it would be harmful to the AONB.
- 5.11 The dwelling had been designed to sit on the site frontage facing on to the lane following the pattern of development. The dwelling will be viewed in in the context of the built form along the lane.
- 5.12 Officers consider that the development would be in keeping with the pattern of development in the Lane as well as the linear pattern of development in West Street. The design of the dwelling has undergone a number of amendments with the overall scale of the dwelling being reduced. Officers are of the opinion that on balance the scale and position of the dwelling is considered acceptable.
- 5.13 The dwelling will incorporate the boundary wall, retaining this element of the street scene. The dwelling will use the boundary wall as a design feature. The garage element has been set back to allow the massing of the building to be reduced when viewed from West Street. The dwelling is proposed to be built in a combination of stone and render. The materials proposed would be in keeping with those in the wider area and a condition will be added requiring material samples, to ensure that the building forms a visually appropriate relationship with the surrounding dwellings.
- 5.14 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application. In this regard the proposed alterations would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. The dwelling would read as a logical addition to the pattern of development in the area and is not considered to have an adverse impact on the street scene or wider conservation area.
- 5.15 The two closest listed buildings are 1 Bell Yard and 54 West Street which are both grade II listed. 1 Bell Yard is located on the corner of the Lane. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard should be given to the desirability of preserving a listed building or its setting 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. Officers are of the opinion that given the separation distance and the existing development in the vicinity, the dwelling would not have a harmful impact to the setting of the listed buildings.

Residential Amenities

- 5.16 The dwelling will be located in close proximity to the neighbouring properties. Given the separation distance from those located in West Street the dwelling is not considered to be overbearing or impact the light or outlook afforded to the properties. As the site is set higher than those in West Street further boundary details will be required by condition to ensure that the height of the boundary treatment can prevent overlooking given the levels of the site and the proposed raised patio area.
- 5.17 With regard to the adjacent properties located in Vernon Court, given that the dwelling will set in line with no. 27b the dwelling is not considered to be overbearing.
- 5.18 The dwelling would be located in line with 27b which already benefits from this side on relationship with the neighbouring properties located in West Street and Vernon Court. The proposed dwelling will feature a number of openings at ground and first floor level. Officers are of the opinion that whilst there may be an increased perception of overlooking given that there will be a new dwelling - the level of overlooking would not be unacceptable. The site area already benefits from this type of neighbour relationship on the site and given we are in the built up limits of the Town where this type of relationship is common, officers are of the opinion that this development would not have an unacceptable impact on neighbouring amenity. In addition the applicant has tried to minimise this issue by including obscure glazing to a number of the first floor windows.
- 5.19 The proposed dwelling will be located directly opposite no. 2 Bell Yard. With regard to loss of privacy and overlooking 3 of the 4 first floor windows facing on to the street and no. 2 Bell Yard will be obscurely glazed. Officers are of the opinion that given that properties don't benefit from the same level of privacy to the front as they do the rear, the proposed level of obscure glazing to the front would protect the privacy of no.2 Bell Yard. With regard to overshadowing and loss of light there will be some impact to no. 2 but given that the properties will be separated by a Lane, the relationship is not considered unacceptable in a Town Centre location.

Highways

- 5.20 Oxfordshire County Highways have been consulted on the application and raise no objection. They also see the allocation of a space to no. 60 as a benefit to the scheme. Highways are therefore of the opinion that:
- 5.21 "The risk resulting from additional movements at the adjacent junction is outweighed by the benefit associated with the removal of the need for servicing along the frontage to 60 West St".
- 5.22 The applicant has confirmed that the garage will be used as a parking space for no.60 with a flying freehold.

Conclusion

- 5.23 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits, would preserve this area of the Conservation Area as well as Cotswold AONB and would not have an adverse impact on neighbouring amenity and therefore are recommending that the application is approved.

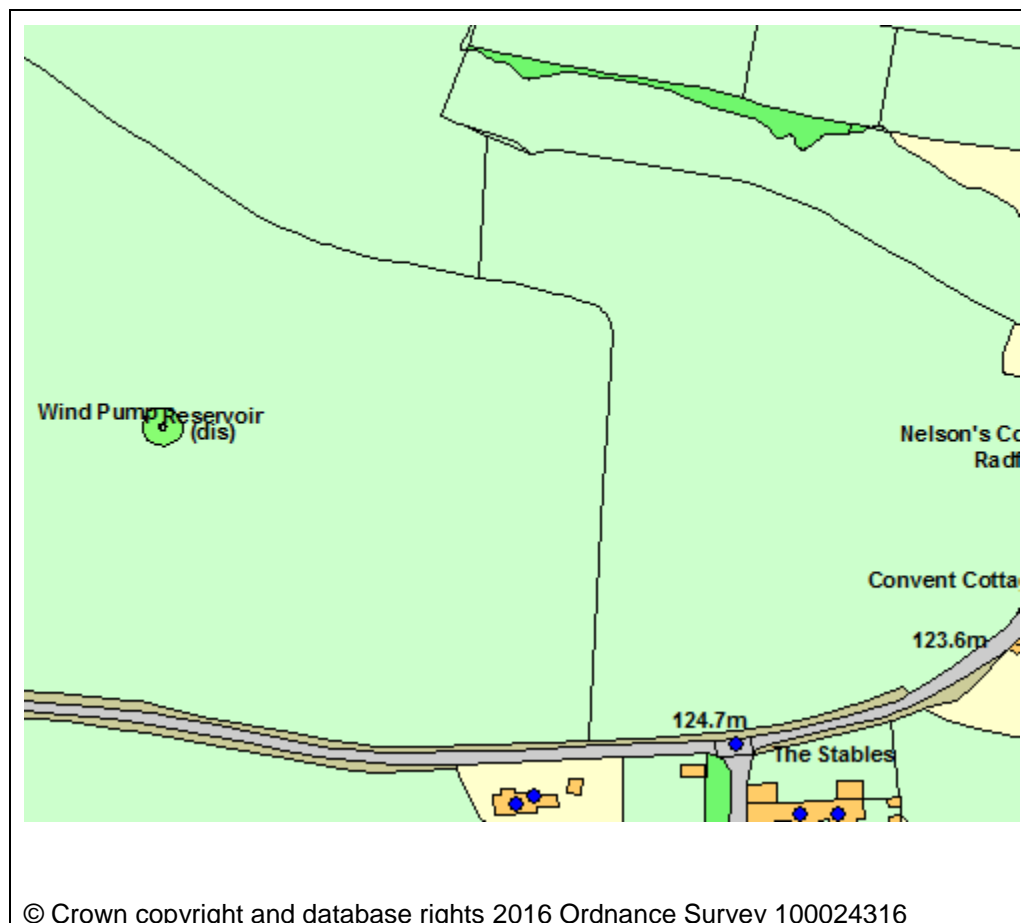
6 CONDITIONS

- 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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The 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 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.
- 6 The carport(s) shall not be altered or enclosed and shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.
REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.
- 7 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

- 8 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.
- 9 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area.
- 10 The boundary wall shown on the approved layout plan shall be retained thereafter as part of the scheme unless agreed in writing by the Local Planning Authority.
REASON: In the interests of the appearance of the development and to secure a reasonable standard of privacy for occupants of the plots concerned.
- 11 The windows to be obscurely glazed shown on the approved plan shall be installed prior to occupation and retained thereafter.
REASON: To protect the amenity of neighbouring properties.
- 12 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, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the amenity of neighbouring properties and the visual appearance of the Conservation Area.
- 13 Development shall not begin until a construction phase traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.
REASON: In the interests of Highway safety.

Application Number	I8/00632/S73
Site Address	Willowbrook Radford Chipping Norton Oxfordshire OX7 4EB
Date	22nd May 2018
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Enstone Parish Council
Grid Reference	440983 E 224123 N
Committee Date	4th June 2018

Location Map



Application Details:

Variation of condition 2 of Planning Permission I6/00342/RES to allow amendments to the approved plans.

Applicant Details:

Palladian Properties Ltd, C/O Agent.

I CONSULTATIONS

- 1.1 Parish Council Enstone Parish Council has always objected to this planning application.
- Enstone Parish Council requests that the Planning Officers undertake a site visit before making a decision on this current application.
- Enstone Parish Council objects to the way the plans have been submitted.
- 1.2 Conservation Officer The Conservation Architect has verbally advised that he has no objection to the amendments.
- 1.3 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
- No objection to amendment.

2 REPRESENTATIONS

- 2.1 At the time of writing three representations have been received which comment as follows:
- 1 Shouldn't this be a "retrospective" application as all "amendments" have already been done?
 - 2 Shouldn't there be another plan of the roof (cf plan in 2013 application) as this is materially different from the original application in that the NW/SE ridges are now joined together with a flat roof and large skylight? Not only must this increase the total internal floor area but also when dark neighbours and not even near neighbours will see a vertical shaft of light aiming for the stars.
 - 3 The "amended" bigger NW windows/French windows give an even LARGER outlook entirely on the neighbour's land (Radford House) and not on Willowbrook "Cottage" 's own near two acres.
 - 4 Why is there no amendment plan to the original cottage which is now being kept (as what?). It is also materially different as it now has a slate roof, the chimneys have all been removed, and the kitchen demolished. This is 10 feet away from a listed building (Radford House) with a wooden door opening directly to Radford House as this was once the grooms' quarters to Radford House.
Is this door remaining?
 - 5 I understand as a layman that a variation is required if changes are intended to be made to plans originally approved by councils, before they are actually built. Once the changes are built surely it becomes a "retrospective request"? Given that this is the case with the items in this application my comments have to be an objection in principle ?? My real concern is

the merging of eaves into a flat roof huge sky light to provide I presume additional rooms seems a retrospective application? In the light of the admission by WODC at the last PCC that there have been various breaches in planning legislation on this site considered "minor" I do wonder what will be considered worth taking action on. It does seem to make a mockery of the legislation and whilst in the present climate of housing shortage new building is to be encouraged this site is going to do nothing to help with the local affordable housing situation, just ruin a peaceful rural hamlet with centuries of history behind it.

- 6 I object to the addition of large skylights
- 7 Some changes are minor and inconsequential (unless you are an immediate neighbour), but the reality is that yet again the envelope of what the developer has been allowed to do has been expanded on an incremental basis - a possible third floor, a stone that is out of keeping with the hamlet, keeping the cottage, drainage/flooding worries etc. But more importantly the legitimisation of the whole project despite massive (in the context of the hamlet) and continued objection.
- 8 I have no doubt that this planning permission will be awarded - partially based on a reported lack of number of objections. What the Council needs to recognise is that the lack of numerous objections is a result of the apparent complete ineffectiveness of the planning process in the eyes of the immediate neighbours/hamlet, and hence the lack of neighbours having any faith their comments make any difference.
- 9 The planning notice states words to the effect of it being posted because it might effect "the character and appearance of the area" in relation to its neighbouring listed buildings. Well, it has obviously already done that, and unless it is demolished or re-faced that won't be avoided. So the position of a window or two is hardly going to make the difference.
- 10 More important is the principle of making retrospective applications in the pretty sure knowledge that WODC will automatically allow such 'minor incremental changes'. Please, WODC, take note. This permission is for relatively minor changes/alterations - but passing planning permission for these minor items effectively scrubs from the records all the previous arguments for why it is incongruous and detrimental to the character and appearance of the area.
- 11 Sadly I doubt these comments will get any airing at all, and I have no expectation, sadly, that the award of planning permission will be challenged.

3 PLANNING POLICIES

BE2 General Development Standards

BE8 Development affecting the Setting of a Listed Building

EH7NEW Historic Environment

OS2NEW Locating development in the right places

OS4NEW High quality design

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

4 PLANNING ASSESSMENT

Background Information

4.1 Planning application I6/00432/RES was submitted and approved following the grant of outline planning permission for a replacement dwelling and double garage under ref I3/0321/P/OP.

4.2 This latest application is seeking to regularise a number of changes to the fenestration details approved under I6/00342/RES. The consideration of this application is limited to the planning merits in respect of the following:

North - West Elevation -Rear wing with a lower eaves level than approved, two ground floor windows replaced with french doors;

North- East Elevation - Ground floor door and window replaced with a single window;

South Western Elevation- Two ground floor windows repositioned within the elevation.

4.3 In light of the above the key considerations in respect of this application are as follows:

Impact on Design

4.4 The proposed fenestration amendments have been discussed with the Council's architect who is satisfied that the amended details are acceptable in terms of their design and proportions and as such do not detract from the overall appearance of the new dwelling and do not adversely affect the setting of the nearby listed dwellings which abut the site.

Impact on Residential Amenity

4.5 The changes to the positioning and design of the amended openings and the reduction in eaves height of the rear wing does not result in unacceptable levels of overlooking or overbearing of the adjoining occupiers.

Conclusion

4.6 In light of the above assessment the application is considered compliant with policies BE2 and BE8 of the Adopted Local Plan EH7, OS2 and OS4 of the Emerging Local Plan 2031 and relevant paragraphs of the NPPF.

5 CONDITIONS

1 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.

2 The means of access between the land and the highway as shown in the blue line area shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwelling hereby approved.
REASON: To ensure a safe and adequate access.

- 3 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015, (or any other order revoking or re-enacting that Order with or without modification) no development permitted under Class A to E of Part 1, Schedule 2 shall take place.
REASON: To preserve the character and appearance of the area.