

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 5<sup>th</sup> August 2019**

**Additional Representations**



**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](http://www.westoxon.gov.uk/meetings)

<b>Item</b>	<b>Application Number</b>	<b>Address</b>
	18/03673/FUL	<a href="#">Olivers Garage 80 - 82 Main Road Long Hanborough</a>
	19/01305/FUL	<a href="#">The Heyes Churchill Road Kingham</a>
	19/01077/FUL	<a href="#">39 Witney Road Long Hanborough</a>

Application Number	18/03673/FUL
Site Address	Olivers Garage 80 - 82 Main Road Long Hanborough
Date	2 <sup>nd</sup> August 2019
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Hanborough
Committee Date	5 <sup>th</sup> August 2019

**Application Details:**

Demolition of all existing buildings, formation of a new access from Main Road and erection of 25 new houses and apartments with ancillary car parking and garaging

**Applicant Details:**

Rectory Homes

**1 Report update**

Since the committee report was finalised the applicant has agreed to the provision of four units of on-site affordable housing and officers have accepted this offer.

The inspector for the previous appeal said that the site could bear between 0 and 28% on site affordable housing provision.

4 units represents an on-site provision of 16%. The four units are the one bed apartments which are much needed in terms of the waiting list where smaller units are in demand. Furthermore, it is a considerable uplift from the original offer on this scheme of £60,015 contribution towards off site affordable housing.

On these grounds the application is recommended for approval subject to a S106 to secure the following contributions and the conditions below.

WODC	Public Art	£5,250
WODC	Play	£20,450
WODC	Sport	£28,900
OCC	Early Years	£16,943
OCC	Primary Education	£164,588
OCC	Public Transport	£25,000
OCC	Public Transport Infrastructure	£2,180

**2 Proposed Conditions**

- 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.

- That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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 maintain acceptable residential amenity.
- 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.
- The external walls shall be constructed of either artificial stone or natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.  
REASON: To safeguard the character and appearance of the area.
- Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.  
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway on Main Road including position, layout, and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.  
REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.
- Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, car parking and turning areas to serve the dwellings, which shall include construction, layout, surfacing, lighting and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any dwelling, the access, car parking and turning

areas for that dwelling shall be constructed in accordance with the approved details. All car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority.

REASON: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- No dwelling shall be occupied until cycle parking space(s) to serve that dwelling have been provided according to details that have been previously submitted to and agreed in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.  
REASON: to ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.
- Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.  
REASON: To encourage residents to use sustainable modes of transport as much as possible in line with the NPPF.
- Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.  
REASON: In the interests of highway safety and the residential amenities of neighbouring occupiers.
- A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
- Development shall not commence until a foul water drainage scheme, including details of the phasing of works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: To ensure adequate means of disposing of foul water and to avoid pollution.
- No development shall take place until a Badger Mitigation Strategy (in line with the recommendations in the Extended Phase I Habitat Survey report March 2019 by

Lockhart Garratt) has been submitted to and approved in writing by the Local Planning Authority. The approved Strategy shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the LPA.

REASON: To ensure that badgers are protected in accordance with the Protection of Badgers Act 1992, Circular 06/2005, the National Planning Policy Framework (in particular section 11), Local Plan Policy EH3 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- The development shall be completed in accordance with the recommendations in Section 6 (apart from 6.3) of the Extended Phase 1 Habitat Survey report dated March 2019 and the Bat Survey Report dated May 2017 (Version 2, ref. 17-0064) both prepared by Lockhart Garratt. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently maintained.  
REASON: To ensure that amphibians, reptiles, badgers, bats, nesting birds and hedgehogs are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), Local Plan Policy EH3 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) with a biodiversity Chapter has been submitted to and approved in writing by the local planning authority. The CEMP Biodiversity Chapter shall include, but not necessarily be limited to, the following:
  - i. Risk assessment of potentially damaging construction activities;
  - ii Identification of 'biodiversity protection zones';
  - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), particularly for bats (including removal of roof tiles and felt by hand before demolition),
  - iv. nesting birds, badgers, reptiles, great crested newts and hedgehogs;
  - v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
  - vi. The times during construction when specialist ecologists need to be present on site to oversee works;
  - vii. Responsible persons and lines of communication;
  - viii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
  - ix. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
  - iix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works. The approved CEMP Biodiversity Chapter shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To ensure that amphibians, reptiles, badgers, nesting birds and hedgehogs and hedgerows are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the Local Plan 2031 and in

order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- A report prepared by a professional ecologist or similarly competent person certifying that the required mitigation and/or compensation measures identified in the CEMP Biodiversity Chapter have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.  
REASON: To ensure that amphibians, reptiles, badgers, nesting birds and hedgehogs and hedgerows are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- Prior to occupation, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details 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 and other nocturnal wildlife. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.  
REASON: To protect foraging/commuting bats, badgers and other nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), Local Plan Policy EH3 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include boundary treatments, a full specification of habitats to be created, including hedgerow and tree planting using locally native species of local provenance and locally characteristic species, recognised wildlife friendly ornamental/non-native species planting and gaps underneath fences or holes through walls to allow the passage of hedgehogs; and shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.  
REASON: To safeguard the character and landscape of the area and to provide biodiversity enhancement in accordance Local Plan Policy EH3, paragraphs 170-175 of the NPPF and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
  - i. Description and evaluation of features to be managed; including locations shown on a site map;
  - ii. Appropriate management options for achieving aims and objectives;
  - iii. Prescriptions for management actions;
  - iv. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
  - v. Details of the body or organisation responsible for implementation of the plan;
  - vi. Ongoing monitoring and remedial measures; and
  - vii. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development. The LEMP shall be implemented in full in accordance with the approved details.

REASON: To maintain and enhance biodiversity in accordance with the NPPF (in particular section 11), Local Plan Policy EH3 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- Before the erection of any external walls, details of the provision of at least 10 no. integrated (i.e. built-in) bat boxes/bricks/tubes and at least 10 no. integrated bird boxes (e.g. house sparrow terrace, swift bricks) shall be submitted to the local planning authority for approval. The details shall include a drawing showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraphs 170 - 175 of the NPPF, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

- No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

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

- No development, apart from demolition works, shall take place until a site investigation has been undertaken and the findings have been made available to the local planning authority. If any significant contamination is found during the site investigation, a Remediation Scheme 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.

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.

- Prior to above ground works commencing, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures shall be identified for any dwelling affected by noise from the A4095 such that it would not conform with the desirable daytime and night time levels set out in BS8233/2014 of internal noise levels in living rooms of 35dB LAeq 16- hour (0700 to 2300hrs) and in bedrooms of 30 dB LAeq 8-hour (2300 - 0700hrs). No dwelling shall be occupied until any measures relevant to it have been carried out as approved.

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

Application Number	<a href="#">19/01305/FUL</a>
Site Address	The Heyes Churchill Road Kingham Chipping Norton Oxfordshire OX7 6TA
Date	24th July 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Kingham Parish Council
Grid Reference	426636 E 224351 N
Committee Date	5th August 2019

### Application Details:

Stables (incl tack room & open store area) for domestic use

### Applicant Details:

Mr L Foster  
The Heyes  
Churchill Road  
Kingham  
Chipping Norton  
Oxfordshire  
OX7 6TA

### Consultation response from WODC Drainage:

We highly recommend that infiltration tests are undertaken at the earliest opportunity in order to determine the most appropriate surface water drainage system. However, in this instance, we are happy for this information to be conditioned.

Please notify the applicant to request that a pre-commencement condition be attached, if no further information is submitted.

### CONDITION TO BE ATTACHED:

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. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework, The West Oxfordshire Strategic Flood Risk Assessment and Planning Practice Guidance). If the surface water design is not agreed before works commence it could result in abortive works being carried out on site or additional works being required to ensure flooding does not result, which may result in changes to the approved site layout being required.

In these cases the following notes should also be added to the decision notice:

**NOTE TO APPLICANT:**

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

- Flood and Water Management Act 2010 (Part 1 – Clause 27 (1))
- Code for sustainable homes – A step-change in sustainable home building practice
- The local flood risk management strategy published by Oxfordshire County Council, as per the Flood and Water Management Act 2010 (Part 1 – Clause 9 (1))
- Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
- CIRIA C753 SuDS Manual 2015

The applicant has been notified about the above pre-commencement condition and has agreed to it.

Application Number	19/01077/FUL
Site Address	39 Witney Road Long Hanborough Witney Oxfordshire OX29 8BH
Date	24th July 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441297 E 214139 N
Committee Date	5th August 2019

### Application Details:

Convert existing dwelling into three one bed flats, erection of four one bed flats, re-sited access, associated car parking and bio-diversity enhancement scheme.

### Applicant Details:

Mr Luke Carter  
South Lodge  
Barnard Gate  
Eynsham  
OX29 6XD

### Representations

One additional letter of support has been submitted stating:

Many of whom either have houses, which were likely purchased when the average cost of a house was significantly less vs average income. I cite wikipedia when I state that 'The gap between average income and average house prices has changed between 1985 and 2015 from twice an average salary to up to six times average income.' - (no more recent data easily attainable) Granted not all the opposing parties to the properties fit in the above pigeon hole, but it would be interesting to hear from the exact people these properties are intended for.

Also interesting to see that the sizes of the properties are being used against their proposal. I'd like to clarify that as a 31 year old female, I would love to be able to afford a multi bedroom house or flat with spacious living areas, but if all that I can afford is a BED SIT, then a bed sit I will be living in.

The exact definition of a bed sit being 'a one-roomed unit of accommodation typically consisting of combined bedroom and sitting room with cooking facilities'. Apologies if

I am being obtuse but is the above description also not one of a 'studio apartment'? If I look to many other individuals of a similar age who are either single or on a, let's say, CHALLENGING wage, they are likely to be living in a similar housing scenario.

I was born in the village, I would like to live in the village, however it appears the village doesn't cater to me. The village would cater to me however if I had a partner or children. But I suppose being a 31 year old living in her 70 year old mothers house unable to get on

the property ladder is small fry compared to having a bunch of short tenancy bedsits on your doorstep. The horror. Unsure why short tenancies would be so terrifying though, would this not imply that the tenants/ occupants had either managed to progress up the property ladder, or been granted enough actual freedom by living alone that they had managed to perhaps meet a partner if they so wish, and relocate.

Don't mean to come across as facetious (definitely do) but can we all stop harping on about the community and start considering the large portion of the community who this could benefit socially, economically and psychologically. Maybe I'll regret saying this when the traffic is bad or I can't see a doctor due to high demand, although I'm not sure the waiting list can actually get any longer to be honest!