

Friday, 2 December 2022

Tel: 01993 861522

e-mail - democratic.services@westoxon.gov.uk

UPLANDS AREA PLANNING SUB-COMMITTEE

You are summoned to a meeting of the Uplands Area Planning Sub-Committee which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Monday, 12 December 2022 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Uplands Area Planning Sub-Committee

Councillors: Councillor Elizabeth Poskitt (Chair), Councillor Rizvana Poole (Vice-Chair), Councillor Alaa Al-Yousuf, Councillor Lidia Arciszewska, Councillor Hugo Ashton, Councillor Andrew Beaney, Councillor Mike Cahill, Councillor Jeff Haine, Councillor David Jackson, Councillor Geoff Saul, Councillor Dean Temple and Councillor Alex Wilson

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

AGENDA

4. Applications for Development (Pages 3 - 10)

Purpose:

To consider applications for development, details of which are set out in the attached schedule.

Recommendation:

That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.

Page no.	Application no.	Address	Planning Officer
11-58	21/00189/FUL	Land East Of Hill Rise, Woodstock	Joan Desmond
59-117	21/00217/OUT	Land North Of Banbury Road, Woodstock	Joan Desmond
118-129	22/02045/FUL	Bluewood Park Churchill Heath, Kingham, Chipping Norton.	Stephanie Eldridge

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 12th December 2022

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Agenda Index

21/00189/FUL	Land East Of Hill Rise, Woodstock
21/00217/OUT	Land North Of Banbury Road, Woodstock

Report of Additional Representations

Application Number	21/00189/FUL
Site Address	Land East Of Hill Rise Woodstock Oxfordshire
Date	9 th December 2022
Officer	Joan Desmond
Officer Recommendations	Refuse
Parish	Woodstock Parish Council
Grid Reference	444247 E 217696 N
Committee Date	12 th December 2022

Application Details:

Hybrid planning application consisting of full planning permission for 48 dwellings, 57 sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; outline planning permission for up to 132 dwellings, up to 57 sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works (amended).

Additional Representations:

Landscape Officer: -

1. Please refer to previous comments regarding this application.
2. The view cone retaining a view to the church when walking south along the footpath towards the site would be very narrow and would be closely framed by a new housing estate. This would not be particularly appealing. It would also only be appreciable for a relatively short length of footpath, when heading south. The latest Landscape & Open Space Parameter drawing (HIL-PTE-ZZ-XX-DR-A-10021 C) shows quite a gap in the tree planting belt at the location along the view cone – far wider than would be required to obtain a view. I suggest the belt should either be continuous or at least, the gap considerably narrowed at this point. This could enable the fleeting view to be retained whilst maintaining the integrity of the tree planting belt.
3. It would be preferable to have a continuous belt of tree planting along the northern boundary of the site, as this would provide a more effective screen/buffer in views from the north and provide better ecological connections with existing and new woodlands to the west and east.
4. The gap in the belt of trees also coincides with the location of the highest buildings, the two storey apartment buildings with a maximum height to ridge of 11m, which are also at the highest part of the site. This is at odds with Policy EW4, particularly point c).
5. It would be more effective if the ‘tree planting’ belt along the northern boundary could be bolstered in width to create a ‘woodland’ belt along its entire length to properly link woodlands at both ends. This is particularly important if the overall size of the site is to

be enlarged beyond that allocated in the Local Plan to accommodate significantly more housing and the required screening.

6. There is some uncertainty about the 'biodiversity enhancement area' to the north of the application site. It is not clear what the enhancements would be or what status the land would have on completion. Is it to be open, publicly accessible greenspace, is it retained as an agricultural landscape, who will be responsible for its management and would its provision and future management be secured by legal agreement? Consideration needs to be given as to whether it is desirable, in this location, to extend urban/semi-urban characteristics across a wider area or aim to retain the characteristics of the surrounding farmed landscape, thereby limiting the overall impact of the development in its wider context.
7. The scheme does not meet the requirements of Policy EW4(e) – footpath and cycle connections. The route from the SE corner of the site to Green Lane is welcomed but this has been noted as a pedestrian route only. I recommend that this should be upgraded to include provision for cyclists. This could provide a much safer route between the site and adjoining areas and other key destinations, as required in the policy. Apart from the main access road from the A44, no other cycle links are proposed. However, there are several locations where cycling connectivity could be greatly improved. It would be helpful to have information regarding the feasibility and practicalities of these routes, particularly relating to the route to Green Lane, including clarifying future maintenance arrangements.
8. I have been unable to find information relating to the future maintenance arrangements for the biodiversity enhancement areas and public open space as required in EW4i). Conservation and Design Officer - In our previous comments we identified various issues with the detailed part of this scheme, in particular:
 1. The banal and monotonous positioning of the houses along the north boundary.
 2. The somewhat urban feel of the predominantly terraced approach – where further subdivision or stepping could be usefully employed.
 3. The prominence of the parking courts to the main north-south spine.
 4. The parking barns – can they really be justified here? If so, how can the form be reconciled with the context?

With respect to 1) we note that this is improved to a degree, with some of the regularity broken. Still very formal though, and providing a somewhat harsh border to the scheme overall. I suspect that clusters would be preferable, with sizable new vegetation and mature trees coming south between the clusters.

With respect to 2) we note that the predominantly terraced forms remain – and we note that the individual terraced blocks still don't particularly relate to each other – with it all seeming somewhat arbitrary, and with ill-defined spaces between. As before, it would help if there was increased stepping on elevation, and perhaps on plan, and they could also use the blocks to more effectively define spaces, turning corners, etc.

With respect to 3) we note that the parking courts remain along the main north-south route, which includes the PROW, and we note that that they will continue to dominate the experience here, in spite of planting, which won't conceal the views through the entrances, or the coming and going of vehicles. And in combination with the houses in close proximity, there are fears that the feeling will be decidedly urban.

With respect to 4) I remain sceptical that the parking barns won't be filled with householder's clutter. But the revised design, with separate elements of more domestic scale, is an improvement, that should sit more easily amongst the overall development.

And a further point – the belt of landscaping between the existing Hill Rise houses and the proposed houses has a sense of fun and a looseness that is arguably lacking elsewhere, and it looks as though it would create considerable interest. But it may well have been better located to the east in some form, allowing the new buildings to nestle beside the existing houses, reducing the built form gravitating to the east – and also allowing the north-south route and the PROW to breathe more easily.

Climate Change Manager – Planning conditions recommended to achieve 'net zero' carbon development.

Biodiversity Officer – The BNG calculations submitted are considered to be acceptable.
Agent – The agent has recommended changes to various pre-commencement condition suggested should planning permission be granted.

Campaign to Protect Old Woodstock (CPOW) - We agree with and endorse the following views expressed in the report. The Policy references in brackets following each numbered statement refer to the WODC planning policies with which the Application conflicts as a result of that statement.

1. The number of homes exceeds by 50% the number in the WODC Local Plan 2031 (Policy EW4)
2. There is no strategy or plan showing how the Site will connect with the town, key destinations and the wider countryside. Safe and convenient pedestrian and cycle routes from the Site to adjoining areas, the schools and the town have not been provided (Policies T3NEW, EW4d and e, OS2NEW)
3. The 11m high apartment buildings are out of keeping with the local context (Policy EW4c)
4. The built development is too close to the northern and eastern boundaries (Policy EW4c)
5. Densities of buildings are not in line with the Local Plan (Policies EW4c and EH2)
6. The attractive open character of the PROW would be lost and views of the tower of St Mary Magdalene's Church along the PROW would be largely obscured by buildings (Policies EW4c and d, and EH2)
7. The new green route proposed by the Applicant would make parts of the proposed development more visually prominent from the north and would only give a tunnel view of the tower of St. Mary Magdalene church. It therefore fails to make up for the loss of the open vista provided by the existing PROW (Policy EW4c)
8. The parking barns and parking courtyards are unattractive and both would be a magnet for crime according to Thames Valley Police. The parking courtyards are in an inappropriate position and would dominate the street scene (Policies EW4c and OS4)
9. The detailed scheme is poorly designed (Policy OS4NEW)
10. Thames Water has identified that the water ingress infrastructure and the foul water egress infrastructure are inadequate (Policy OS5NEW)
11. The Applicant has not entered into any legal agreement for making financial provision in relation to the proposed development (various policies).

We also wish to make the following observations:

The inadequacy of health services infrastructure in Woodstock is not just a matter of funding. The existing surgery cannot be extended and we understand that no suitable alternative location for a surgery has been identified.

It has recently been announced that Wootton Primary School is closing in September 2023. Any calculation by the official consultee that assumed the school could absorb children from the proposed development would need to be revisited.

According to CBA, insufficient evidence has been provided by the Applicant to enable a proper assessment to be made of the effect of the proposed development on the setting of the Blenheim Palace WHS.

Application Number	21/00217/OUT
Site Address	Land North Of Banbury Road Woodstock Oxfordshire
Date	30th November 2022
Officer	Joan Desmond
Officer Recommendations	Provisional Approval
Parish	Woodstock Parish Council
Grid Reference	445262 E 217250 N
Committee Date	12th December 2022

Application Details:

Outline planning application with all matters reserved except for means of access for up to 235 dwellings with community space and car barns together with associated works (Amended).

Additional Representations:

Conservation and Design Officer - I would agree with the view that the impact on the various historic assets is now tending towards the acceptable. However, contrary to the view expressed in their D&A, I don't agree that the land to the east end of the site is 'less sensitive' – whilst it may be well away from the important view cones, it is extremely prominent to the main eastern approach to the settlement. And at present the approach is somewhat rural in nature, with fairly sparse development to one side of the road only – and that mostly set back behind mature vegetation. The approach is gentle, with building gradually becoming denser as one nears the core of the settlement.

By contrast, there would be development right up to Banbury Road as it rounds the bend at a fairly nodal point, and it is notable that this would be houses up to two storey or 9.75m, with apartment blocks up to 11.0m just behind. The proposal is only outline, but there are strong concerns that the development will transform this important approach, making it far more urban and hard edged. In my view, it would be preferable for the numbers to be reduced (more like the allocation), and for it all to be set further to the west – and tucked behind the existing development along Banbury Road. Nonetheless, if we are minded to approve this, there may be some hope in the 'up to' aspect – where we could perhaps argue for heights that are actually lower than the worst case. And looking at the indicative layout, it does appear that the spacing at the east end might allow some shuffling along to the west.

OCC Education - No objection subject to S106 Contributions as summarised below:

Primary and nursery education - £1,607,340 327

Secondary education - £1,481,544 327

Special education - £125,637 327

Sufficient primary school capacity can be ensured for the proposed development through a combination of mechanisms:

- The planned expansion of Woodstock CE Primary School to 2 forms of entry – this expansion has planning permission and the additional accommodation is expected to be operational from 2023.
- Some additional space is expected to be created as a result of recent falls in birth rates.
- Current and projected spare places at other nearby schools have been taken into account, where it is the case that some families will choose these schools.
- The combined impact of Woodstock’s housing development is expected to result in the displacement of future non-catchment applicants to other local schools, which are expected to have sufficient capacity.

Overall, there is expected to be sufficient primary school capacity to serve the proposed developments. However, given inevitable uncertainties over future birth rates and the timing of pupil generation from each development, there is a risk that in years of peak pupil generation, there may be a reduction in the degree of parental choice for school places for families living at the furthest points of Woodstock CE Primary School’s designated area, who may be unable to secure a place at Woodstock CE Primary School, and instead be allocated a place at an alternative school.

For nursery education, this proposed development would result in a shortage of provision in Woodstock. To mitigate this, an additional nursery class is proposed to be included as a later phase of the expansion of Woodstock CE Primary School, which would bring their nursery up to the capacity now specified in Oxfordshire as standard for primary schools of that size. The timing of this phase is not yet confirmed.

A s106 contribution would be required from this site towards the expansion of Woodstock CE Primary School. In order to comply with CIL Regulations, this should be the lower of a proportionate share of the expansion project cost based on pupil generation, or the shortfall in funding for the expansion taking into account already secured funding. Should both this site and Hill Rise be implemented, the cost would be shared proportionally between them. The mechanism for this will need to be agreed during the s106 negotiation.

Woodstock is served for secondary education by The Marlborough School. Demand for places at the school is forecast to rise as a result of population growth which has already increased numbers at local primary schools, and also due to the already permitted housing growth in the area. To meet the forecast future demand, the school would need to expand by 1 form of entry (30 places per year group), and the responsible academy trust is developing a scheme for additional accommodation to achieve this.

The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data.

Climate Change Manager – Planning conditions recommended as follows:

Prior to above ground works commencing, an Energy Report shall be submitted to and agreed in writing by the Local Planning Authority. The Report shall include:

- 1) Predicted energy modelling to demonstrate residential energy budgets (EUI target) of <35 kwh/m2.yr to achieve ultra-low energy demand through design.
- 2) Details of fossil fuel free heating systems.
 - i) Development to achieve a net-zero operational carbon balance and deliver 100% of energy using renewables. Total kwh/yr of energy consumption of the buildings,

- accounting for both regulated and unregulated energy, on the site, and total kwh/yr of energy generation by renewables shall show that zero-carbon operational balance is met.
5. Lifecycling modelling to be carried out to assess embodied carbon with details of the steps taken to minimise embodied carbon emissions.
 6. Thermal comfort and the risk of overheating to be assessed and demonstrate that passive design measures to mitigate for overheating risk have been prioritised over the use of more energy-intensive alternatives, in compliance with CIBSE TM52.

REASON: To achieve 'net zero' carbon development.

Evidence shall be submitted post-construction and annually to demonstrate that energy performance in the Energy Report is being achieved.

REASON: To achieve 'net zero' carbon development.

Biodiversity Officer – The BNG calculations submitted are considered to be acceptable.

Other Additional Representations:

Three letters of objection - The minor alterations to the scheme have not addressed the issues raised in previous objections.

Agent – The agent has recommended changes to various pre-commencement conditions suggested which are under discussion. Many refer to changes to refer to phases of the development but no phasing details have been provided. Changes to biodiversity condition 8 is also proposed to link the biodiversity net conditions to the submitted biodiversity net gain assessments, rather than the specific percentages. The Biodiversity Officer objects to the proposed changes and has commented as follows:

'The idea of BNG is to ensure a quantifiable/measurable BNG can be achieved, either on or off-site. In this instance, both on and off-site BNG will be secured as part of the application. Therefore, I believe habitat and hedgerow units should be kept within the recommended conditions and any reports submitted in order to discharge the conditions should relate directly to these values. In addition, mandatory net gain requires management for at least 30 years and as such, we have replicated this figure in the condition therefore, I believe the time period should remain at 30 years.'

Condition 4 is amended to replace 'land' with 'site'.