

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

**Date: 15th March 2021**

**REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT**



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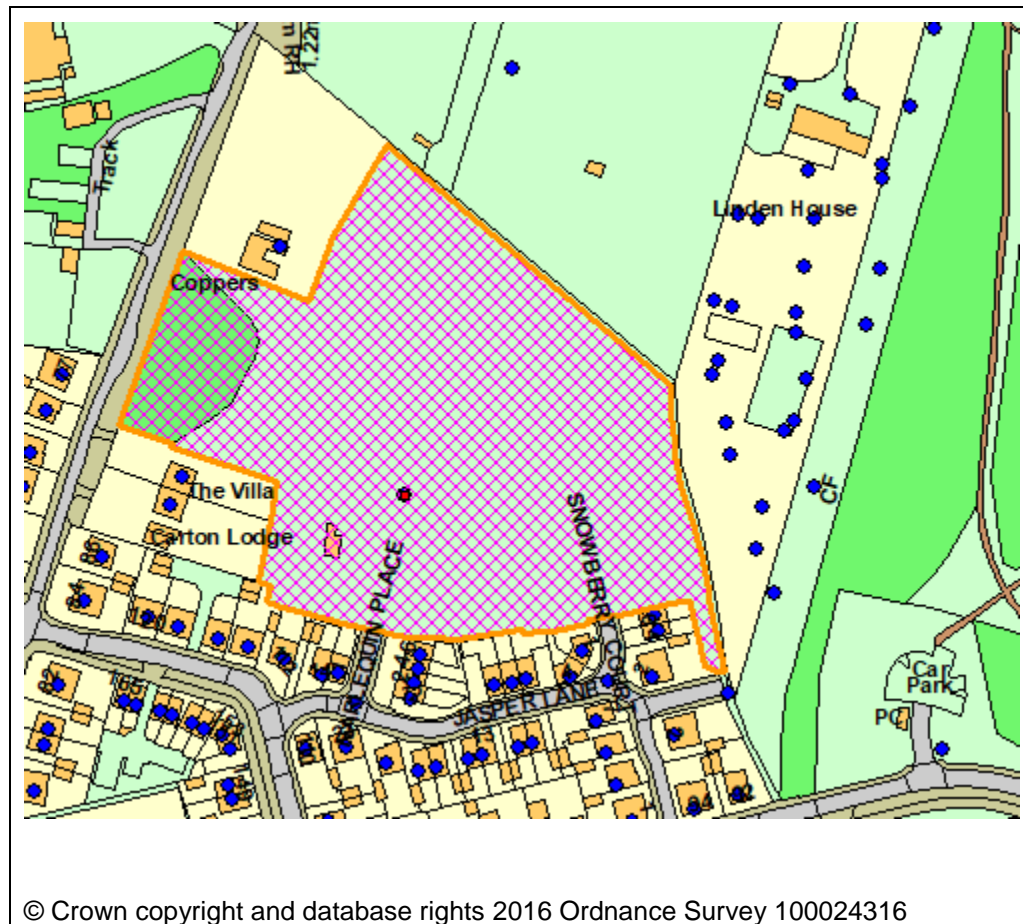
WEST OXFORDSHIRE  
DISTRICT COUNCIL

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**Report of Additional Representations**

|                         |                                                            |
|-------------------------|------------------------------------------------------------|
| Application Number      | 20/02422/FUL                                               |
| Site Address            | Land East Of<br>Swinbrook Road<br>Carterton<br>Oxfordshire |
| Date                    | 3rd March 2021                                             |
| Officer                 | Abby Fettes                                                |
| Officer Recommendations | Approve                                                    |
| Parish                  | Carterton Parish Council                                   |
| Grid Reference          | 427821 E 208512 N                                          |
| Committee Date          | 15th March 2021                                            |

### Location Map



### Application Details:

Erection of 72 dwellings together with associated access and landscaping works (amended plans and description).

**Applicant Details:**

Burrington Estates (Midlands) Ltd  
C/o Agent

|                         |                                                            |
|-------------------------|------------------------------------------------------------|
| Application Number      | 20/02422/FUL                                               |
| Site Address            | Land East Of<br>Swinbrook Road<br>Carterton<br>Oxfordshire |
| Date                    | 12 <sup>th</sup> March 2021                                |
| Officer                 | Abby Fettes                                                |
| Officer Recommendations | Approve                                                    |
| Parish                  | Carterton                                                  |
| Grid Reference          | 427821E 208512N                                            |
| Committee Date          | 15 <sup>th</sup> March 2021                                |

**Application Details:**

Erection of 72 dwellings together with associated access and landscaping works (amended plans and description).

**Applicant Details:**

C/O Agent

**Additional Representations:**

Cllr McRae has made the following comments:

Before proceeding, I have to declare a proximity, non-pecuniary interest in the development under planning application, 20/02422/FUL for 72 properties between Swinbrook Road and Shilton Park, Carterton. My interest is simply as a Member for an adjoining Ward and as Cabinet Member for Environment, which includes parking and care of the Country Park and surrounding areas.

I would like to express my concern with aspects of this application, based on the experience of the Messrs Taggart Construction works at the site of the former Linden House. The works there have generated considerable complaints from residents with regard to possible breaches of planning consent; with considerable inconvenience to users of Kilkenny; making access to our car park to the Country Park nigh on impossible at time as contractors seem to be parking, despite an agreement being made for them to use the football club car park; inconsiderate parking on verges and on the roads. The verges surrounding the car park have been absolutely decimated simply as people elect to park there as the car park is full, alleged; by contractors vehicles.

It is my view, simply as a Councillor and not a Planning Officer, that perhaps the planning conditions for the Linden House site were not particularly tight and thus making 'protection' of the general public and those in neighbouring houses difficult to enforce. I therefore hope that due consideration is given to the proposed site at 20/02422/FUL ensures that the residents in surrounding streets are given full protection by any consent and are not inconvenienced by the works, or by contractors either directly or indirectly. If the regulations permit, I would like to see a condition of any consent to be that all contractors park on site and not on adjacent roads. I would further ask that careful consideration is given to permissions to how the heavy plant that will be associated with the works gain access to the site.

No further third party representations have been received.

## **Additional consultation responses**

### **Ecology**

Following on from my previous comments (dated 23rd November 2020) for the above planning application (application no. 20/02422/FUL), I have reviewed the response to my previous comments (dated January 2021) and the Construction Environmental Management Plan (CEMP). I have the following comments with recommendations for conditions and informatives.

#### Protected and priority species

##### Bats and birds

The ecology report notes that the trees and building within the site were considered to offer 'negligible' potential for roosting bats. Therefore, there is no need to consider the 3 derogation tests as the proposed works are unlikely to have a significant impact on bat species. The northern boundary offers a commuting corridor and this is to be retained. I recommend that the external lighting strategy is amended (shown in drawing no. 6251-MJA-SW-XX-DR-C-800) to ensure that the vegetation along the boundaries of the site is not illuminated by the external lighting. The amended details of the external lighting should be submitted to the LPA as a condition of planning consent.

The report states that the site supports a limited number of opportunities for nesting birds. The CEMP then identifies mitigation measures that include the clearance of vegetation outside of the nesting bird season and if this is not possible then a suitably qualified ecologist will undertake a check before the works commence. This is satisfactory.

I understand that the scheme will include biodiversity enhancements including bird and bat boxes. A site plan has been provided to detail the locations of these features. However, elevation plans and the specific design of the features will need to be provided. The additional details of the nesting and roosting features, including elevation plans, locations on site and the specific designs, should be submitted to the LPA as a condition of planning consent.

##### Reptiles and amphibians

The rough grassland on site was considered to offer suitable habitat for reptiles. However, reptiles were found to be absent during the surveys. Common toads and smooth newts were found on site during the survey. The CEMP report outlines precautionary measures which can apply to both amphibians and reptiles during the works. I also recommend that materials are stored above the ground, such as on pallets. I will specifically include this within the wording of the relevant condition.

##### Other protected and priority species

No evidence of badger were found on site during the survey. The habitats offer suitable opportunities for hedgehogs. I recommend that hedgehog gaps/holes are provided within any walls or fences to ensure that the species can continue to move through the site. The specific details of hedgehog gaps/holes, including locations on site and the specific design, should be submitted to the LPA as a condition of planning consent.

The CEMP also outlines precautionary working for the above species. I will condition for measures to be implemented and also for a report to be prepared and submitted to certify that the required mitigation and/or compensation measures have been completed to the satisfaction of a suitably qualified ecologist.

## Habitats and landscaping

The site comprises species poor grassland with a smaller area of species-rich grassland within the western section, containing pyramidal orchids. I initially requested that the species-rich grassland was translocated, however, I understand that this is thought to be disproportionate due to the small size/extent of grassland and the issues that could arise. I now consider the reasoning sufficient. However, I would still recommend that part of the species-rich grassland (or individual orchid plants) are transferred to the northern boundary if possible.

I understand that biodiversity enhancements have been explored on site, in response to my previous comments. Hedgerow creation is proposed within the site such as along the eastern boundary and the ditches (along the northern and eastern hedgerow) will be protected and enhanced where a wildflower meadow grassland is proposed alongside to provide a buffer.

A comprehensive landscaping scheme should be prepared to detail the habitat features that are to be created and enhanced on site, along with a 5-year maintenance plan. The landscaping scheme will need to be submitted to the LPA as a condition of planning consent.

## Biodiversity Net Gain (BNG)

A specific Biodiversity Net Gain Strategy has not been included within the Ecological Assessment, however the BNG calculations are referred to alongside the submitted biodiversity metric. The ecologist has also outlined how the biodiversity principles were considered in Table 1 of the 'Response to Consultation Response' document (dated January 2021), and states that on-site options for biodiversity enhancements are limited and that off-site contributions may provide more benefits for biodiversity.

The calculations show the net percentage changes to be -66.52% which equates to a net loss of 8.05 habitat units. Due to the limited opportunity for habitat creation and enhancement on site and the fact that this is an allocated site, it has been agreed that the additional biodiversity units (required to deliver 10% over the existing baseline value) can be achieved through an off-site financial contribution.

I understand that the LPA had initially requested for a contribution of £15,000 per habitat unit but having discussed this further with my colleague and having considered the comments from Ecology Solutions, we will accept a cost of £12,000 per habitat unit. To ensure that a 10% net gain is achieved, 9.26 habitat units will need to be provided and this will require a financial contribution of £111,120 (based on £12,000 per unit). This can be achieved as a condition of planning consent. This condition requires the payment of the required off-site financial contribution to an offsetting delivery provider and the submission of a certificate to the council to confirm this in order to discharge the condition. This is a pre-commencement condition that will need to be agreed with the applicant.

A Biodiversity Management and Monitoring Plan (BMMP) will need to be prepared to secure the long term management of habitats included within the biodiversity net gain calculations for the required period of 30 years (as stipulated in the Defra proposals for biodiversity net gain). This plan should identify the aims and objectives of management and provide details of the ongoing management of habitats at the site. The report will need to be submitted to the LPA for approval as a pre-commencement.

## Other comments

Policy CA3 of the Local Plan 2031 states that contributions should be made towards Kilkenny Country Park - towards “essential supporting infrastructure including extension/enhancement” of the park and/or “provision or improvement of other sports/recreation facilities”. Therefore, further contributions are required, in line with policy. The contributions do not need to relate specifically to biodiversity but I suggest that Rachel Biles (Leisure Team, WODC) is contacted so that contributions towards Kilkenny Country Park can be agreed and relate to leisure or similar (e.g. sporting/play equipment).

I therefore recommend the following conditions and informatives.

a) No development shall commence unless and until a certificate confirming the agreement of an Offsetting Provider to deliver a Biodiversity Offsetting Scheme totalling a minimum of 9.26 biodiversity units has been submitted to and agreed in writing by the Local Planning Authority.

The written approval of the Council shall not be issued before the certificate has been issued by the Offset Provider. The details of biodiversity enhancements shall be documented by the Offset Provider and issued to the Council for their records.

REASON: To compensate and mitigate for the net loss of biodiversity resulting from the development by providing biodiversity enhancements off site in accordance with EH3 of the West Oxfordshire Local Plan 2011-2031 and paragraphs 170 and 175 of the National Planning Policy Framework.

b) The development shall be completed in accordance with the recommendations in Section 5 of the Ecological Assessment, dated September 2020 and prepared by Ecology Solutions, the measures outlined within the “Response to Consultation Response Received from the West Oxfordshire District Council Biodiversity Team”, dated January 2021 and prepared by Ecology Solutions, as well as the “Construction Environmental Management Plan”, dated December 2020 and prepared by Ecology Solutions, as submitted with the planning application. This includes any building materials such as bricks, stone etc. to be stored on pallets rather than in piles on ground. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

c) Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, as well as bee bricks and holes/gaps within all fences/walls for hedgehogs, shall be submitted to the local planning authority for approval. The details shall include a drawing/s 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 dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds and to ensure continued permeability for hedgehogs as a biodiversity enhancement in accordance with paragraphs 170, 174 and

175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

d) Before the erection of any external walls, 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 light spillage into wildlife corridors (including the site boundaries) will be minimised as much as possible.

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 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

e) Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, including biodiversity enhancements and a 5-year maintenance plan. The scheme shall be designed in accordance with the biodiversity net gain details outlined within Section 5 of the Ecological Assessment (dated September 2020, prepared by Ecology Solutions), the additional measures outlined within "Response to Consultation Response Received from the West Oxfordshire District Council Biodiversity Team", dated January 2021 and prepared by Ecology Solutions, as well as the "Biodiversity Metric Proposed Habitat Measurements Plan" (Plan ECO6, Rev A). The scheme shall therefore include, but not necessarily be limited to, the following biodiversity enhancements:

- The creation of wildflower margins along the northern and eastern boundaries;
- Hedgerow creation using native, characteristic species;
- The creation of a bund along the boundaries and any associated planting.
- A 5-year after-care period maintenance plan.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

REASON: To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

f) 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 effective delivery of approved landscaping and to secure enhancements for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

g) A report prepared by a professional ecologist / the Ecological Clerk of Works or similarly competent person certifying that the required mitigation and/or compensation measures identified in the CEMP-B 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 protected and priority species (amphibians, reptiles, badgers and hedgehogs) and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), 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 West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

h) A 30-year Biodiversity Management and Monitoring Plan (BMMP) shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of the development hereby approved. The Plan 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. Landscape and ecological trends and constraints on site that might influence management;
- iii. Aims and objectives of management, including ensuring the delivery of the 4.05 habitat units on site;
- iv. Appropriate management options for achieving the aims and objectives;
- v. Prescriptions for all management actions;
- vi. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place;
- ix. Timeframe for reviewing the plan;
- x. Details of how the aims and objectives of the BMMP will be communicated to the occupiers of the development; and
- xi. The submission of a monitoring report to the local planning authority at regular intervals, e.g. every 5 years.

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



**REASON:** To secure the delivery of the biodiversity net gain outcome for the required 30 year period and appropriate management of all habitats in accordance with the NPPF (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

#### Informatives

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

Several Biodiversity Offsetting providers can deliver offsetting agreements in Oxfordshire, including the Trust for Oxfordshire's Environment (TOE) - <https://www.trustforoxfordshire.org.uk/biodiversity-offsetting> . The number of Biodiversity Units required to offset this permission are 9.26, which equates to a total value of £111,120.00.

#### **OCC**

Archaeology have informally confirmed that their concerns have been addressed and they have no objection.

Further comments from Highways and Drainage had not been received at the time of writing this report and a verbal update will be given at committee.

#### **Environmental Health**

The information provided addresses my previous comments. Please consider adding the following condition to any grant of permission.

- I. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

REASON: To prevent pollution of the environment in the interests of the amenity.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

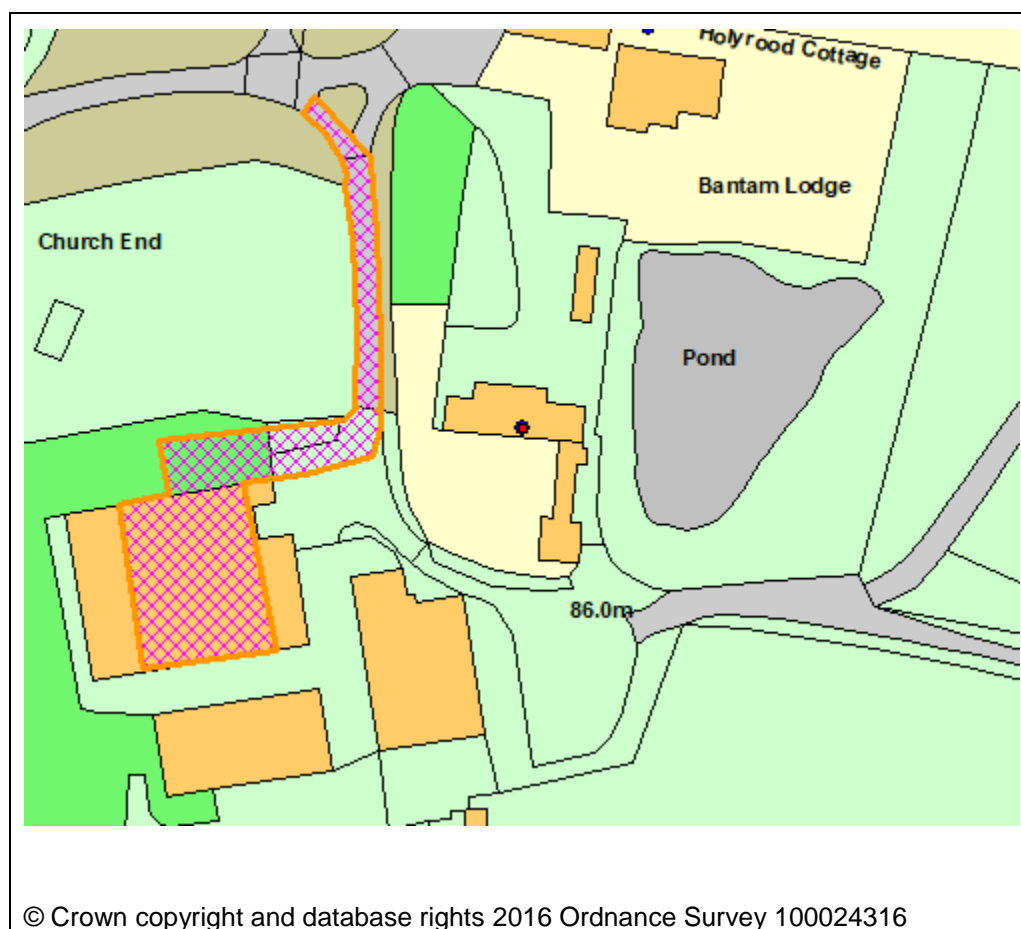
**Contact Officer:** Abby Fettes

**Telephone Number:** 01993 861684

**Date:** 3rd March 2021

|                         |                                                                               |
|-------------------------|-------------------------------------------------------------------------------|
| Application Number      | 20/03306/FUL                                                                  |
| Site Address            | Church Farm<br>Church End<br>South Leigh<br>Witney<br>Oxfordshire<br>OX29 6UR |
| Date                    | 3rd March 2021                                                                |
| Officer                 | Chloe Jacobs                                                                  |
| Officer Recommendations | Approve                                                                       |
| Parish                  | South Leigh Parish Council                                                    |
| Grid Reference          | 439385 E 208884 N                                                             |
| Committee Date          | 15th March 2021                                                               |

### Location Map



### Application Details:

Change of use of an agricultural building to B8 storage and construction of associated hardstanding

**Applicant Details:**

Church Farm Partnership  
Church Farm  
Church End  
South Leigh  
Witney  
Oxfordshire  
OX29 6UR

**Additional consultation responses**

South Leigh Parish Council has responded to the additional information provided by the agent with the following comments:

We note that the applicant has submitted a further set of documents with regard to this application.

We are grateful for the shortening of the opening hours and the detail of the outside lighting arrangements and in theory are in favour of this application but we do feel it's imperative that conditions are applied.

It is unfortunate that not only is this site in the centre of the historic core of the village but that the proposed entrance to the building faces directly onto the houses on Church Green. Having studied the plan the light pollution from this development is still of concern and could be ameliorated by the entrance being moved from its current site to the side facing the farmhouse. This lighting would then merge in with that of the farm house and grounds, would be facing away from any other housing and instead of making a newly polluted area would simply add to that already there.

Although the details of the external lighting seem reasonable - the internal lighting will still spill out when the doors are open. Its difficult to think that everyone visiting the site will stop to open the doors, drive through and then close the doors behind them only to repeat the process when they come to leave.

A photo of this suggested entrance and site plan are attached.

The level of traffic that this site is likely to produce is of considerable concern to residents.

OCC Highways state that under normal circumstances they would have objected but that the site falls under the diversification policies of the local plan and the NPPF. We understand this but feel some limitations ought to be applied because of the unsuitability of the roads and the site.

The applicant already has permission under permitted development rights to convert 5 other units to storage with their own additional traffic movements.

The applicant makes some assumptions about occupancy/number of trips per occupant - these however are not founded on any factual grounds but rather a number that they feel is likely. We disagree and feel there is a high probability of a much larger traffic flow. Unfortunately there is no way to prove this one way or another - hence again why we are asking for conditions.

The applicant quotes number of movements not number of trips - trips include a journey there and back and therefore runs at double the number they are quoting.

I would like to reiterate that the site already has plans for 5 storage units under permitted development rights (not mentioned in this application) they will have their own traffic load when and associated noise, light pollution.

The road as stated is single track with some passing places but was built to serve the farm and some 17 houses and the church. There is no footpath. Its not suitable for any significant increase in traffic

The entrance to the whole site is shared by a footpath/bridleway access which is very well used.

If this planning application were to be granted we would ask that the following be applied.

Planning permission is granted for 4 years from the grant of the permission allowing a trial period to assess the impact of this development. section 72 of the Town and Country Planning Act 1990

- 1) The entrance to the storage barns shall be from the east side of the barn (ie facing the farmhouse)
- 2) A double hedge is planted as screening and the current hedge conserved
- 3) Any lighting will be as approved by wdc and will not create a new light pollution spot
- 4) The opening hours of the storage facility and all other businesses operating from Church Farm shall be
  - (1) Monday to Friday 8-18.00
  - (2) Saturday 10.00-16.00
  - (3) Sunday and Bank holidays save Christmas Day, Boxing Day, Easter Friday and Easter Sunday - 12.00-16,00
  - (4) Christmas Day, Boxing Day, Easter Friday and Easter Sunday closed
- (5) applicants will run this business and all other businesses operating from their land in accordance with the neighbourhood plan policies so that the cumulative effect of those businesses will not individually or collectively significantly adversely affect the amenities of the community in the area and not significantly increase traffic on the rural roads in the Parish as laid out in SLD6 of the neighbourhood plan
- (6) No vehicles larger than a Luton van type will be permitted access to the facility

### **Officer's response**

Officers have taken legal advice on the matter of temporary consent raised by the parish council.

The recommendation was made on the grounds that your officers consider the change of use from agricultural building to storage to be acceptable on its merits. A temporary consent condition has not been attached to the recommendation as it was considered unreasonable to restrict this change of use which complies with planning policy, and it is not expected that the planning circumstances will change within the next 4 years such that a temporary consent would be of benefit.

If the use is changed without the benefit of planning permission then the council would be in a position to take enforcement action if required, but it would be unreasonable to fetter the proposal to a temporary consent on the grounds of possible future changes.

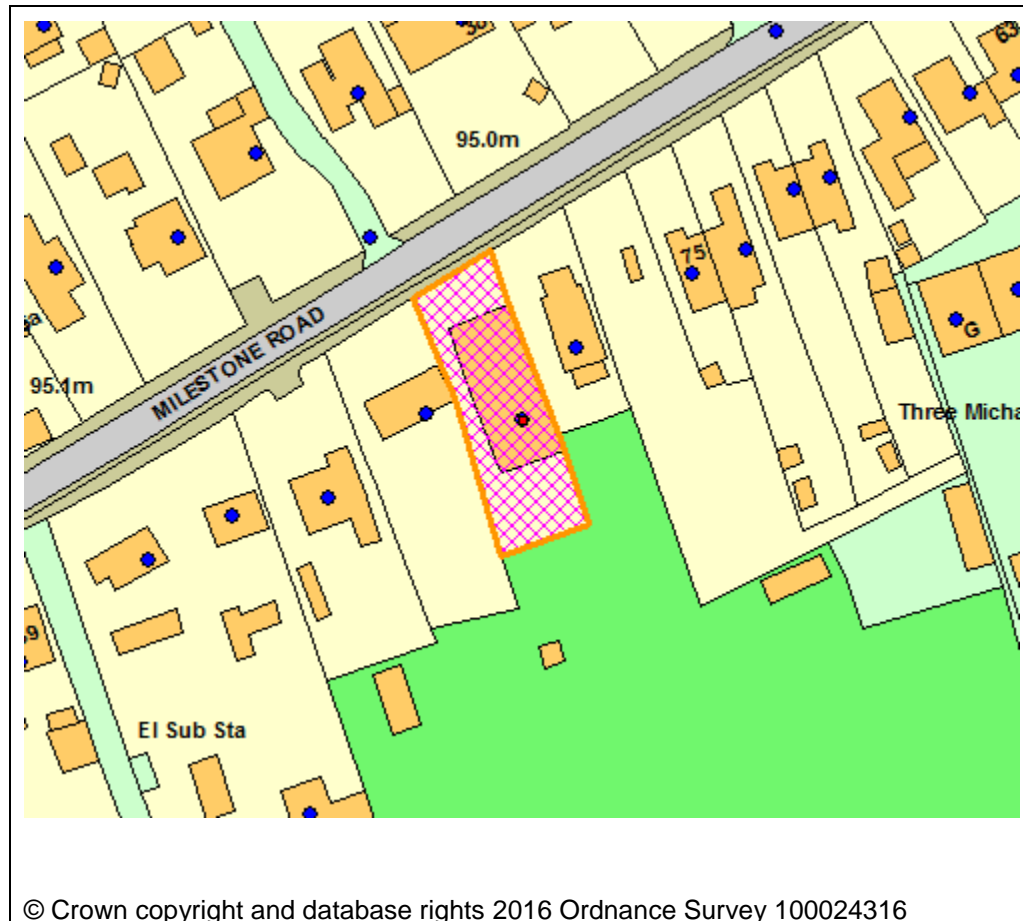
**Contact Officer:** Chloe Jacobs

**Telephone Number:** 01993 861697

**Date:** 3rd March 2021

|                         |                                                           |
|-------------------------|-----------------------------------------------------------|
| Application Number      | 21/00185/FUL                                              |
| Site Address            | 79 Milestone Road<br>Carterton<br>Oxfordshire<br>OX18 3RL |
| Date                    | 3rd March 2021                                            |
| Officer                 | Miranda Clark                                             |
| Officer Recommendations | Approve                                                   |
| Parish                  | Carterton Parish Council                                  |
| Grid Reference          | 427815 E 206111 N                                         |
| Committee Date          | 15th March 2021                                           |

### Location Map



### Application Details:

Construction of 6 no. one bed flats together with associated works and formation of new vehicular access.

### Applicant Details:

Balliol Homes Limited  
College Mead  
Little Blenheim  
Yarnton  
Oxfordshire  
OX5 1LX

A revised plan has now been submitted of which your officers consider on balance, acceptable.

List of suggested 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 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.

5 The means of access between the land and the highway 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 dwellings hereby approved.

REASON: To ensure a safe and adequate access.

6 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

7 As soon as the development is commenced the existing access shall not be used and shall be closed by reinstating the highway kerblin and footway.



REASON: To ensure a safe and adequate access.

8 Prior to the first trench being dug, 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.

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

9 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.

10 That, prior to the first trench being dug, 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, finished floor levels 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.

11 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s 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 dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

12 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 include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.

13 Prior to any development above slab level, a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and hedge enhancements, shall be submitted to and approved in writing by the Local Planning Authority. The scheme 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 ensure the safeguarding of the character and landscape of the area during and post development.

14 Before the development hereby authorised is brought into use, Rapid Electric Vehicle charging points shall be installed in at least 50% of the parking spaces in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The charging points shall be retained as such thereafter.

REASON: In the interests of air quality and to reduce greenhouse gases; and to minimise use of non-renewable resources and maximise opportunities for travel by sustainable means in accordance with Policy OS3 of the West Oxfordshire Local Plan 2031.

#### INFORMATIVES :-

1. Please note works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

2. 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.

**Contact Officer:** Miranda Clark  
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**Date:** 3rd March 2021