

Report of Additional Representations

Application Number	21/00801/FUL
Site Address	Land North West Of 66 Over Norton Road Chipping Norton Oxfordshire
Date	23 rd April 2021
Officer	Kim Smith
Officer Recommendations	Refuse
Parish	Over Norton
Grid Reference	431430E 227999N
Committee Date	26 th April 2021

Application Details:

Change of use of land to use as a residential caravan site for four gypsy/travellers families, including the laying of hard standing, construction of access driveway and associated earthworks (part retrospective)

Applicant Details:

Mr Tyson Shepherd

Additional Representations:

I Consultations

Biodiversity officer

Thank you for consulting me on the above planning application (application no. 21/00801/FUL). I have the following comments where additional information is required before a positive determination of the application.

Habitats and landscaping

Through reviewing the photographs of the site, it seems as though the works have already removed vegetation to create the access road and have also impacted upon the grassland and part of the north-western boundary. Sufficient compensation and enhancement would therefore need to be provided.

The site layout plan shows tree planting and hedge planting along the southern-eastern boundary of the site. However, it is unclear whether the proposed planting will be alongside the existing ornamental hedge and woodland or if the new planting will replace these existing boundary features. This would need to be clarified.

It is also unclear whether the scheme includes the removal of most vegetation along the north-western boundary. Through reviewing the site layout plan, vegetation is only proposed to be retained along the northern extent of this boundary. If this is the case then I recommend that any further removal of the trees is avoided and that additional boundary vegetation (such as tree planting or a species-rich native hedgerow) is planted/created to enhance connectivity along this boundary.

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I also recommend that further enhancements are provided on site, such as the creation of a native hedgerow alongside the south-eastern boundary to protect the existing woodland. The hedgerow could be planted with fast growing species such as hawthorn, blackthorn and hazel. A shade-tolerant wildflower seed mix could then be sown along the new hedgerow as a further enhancement. Further native shrub planting (such as hazel coppices) could also be carried out along the access road. The applicant should therefore further explore options for biodiversity enhancements on site and the measures should be shown on an amended site plan.

It is important that the woodland along the south-eastern boundary of the site is protected and I will therefore recommend for a condition relating to a Woodland Protection Plan within my final comments, to be submitted as a condition of planning consent.

Protected species

Great crested newts

It is possible for great crested newts (GCN) to be present on site during the works (e.g. commuting through) as the site is located between two red zones, as per district licence impact risk mapping for great crested newts (GCN). This means that it falls within a landscape recognised as being suitable habitat to support GCN, and that GCN are likely to be present. The site is connected to the red zones and surrounding water bodies via the woodland corridor so GCN could be commuting past the site and be found during the works. The ecology report notes that there is a flooded area in the neighbouring property to the east but considered this to be unsuitable for GCN due to the flow of water from the small brook. However, I still consider this to be a suitable dispersal corridor for GCN. I would therefore recommend that the applicant either:

- Provides a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licenced Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist.

Or

- The applicant applies to join the District Licence scheme (administered by the NatureSpace Partnership). Under West Oxfordshire District Council's district licence, development works that may cause impacts upon GCN can be authorised as part of the planning process. No seasonally restricted newt surveys would be needed and if newts were found during development, they could be safely moved out of harm's way. The scheme requires the applicant or their agent to make contact with NatureSpace (i.e. submit an enquiry form) to check their eligibility to enter and get a quote. Upon receipt of the correct payment, NatureSpace will issue a certificate that needs to be submitted with the application. The council can then issue the planning consent and authorise the applicant to work under their licence at the same time. An enquiry can be made to NatureSpace via the following link:
<https://naturespaceuk.com/enquiry-form/>

Birds

It is unclear whether the site offers potential for ground nesting birds. This will need to be clarified.

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Precautionary working measures for species such as hedgehogs and reptiles have not yet been recommended within the ecology report. I therefore advise that the report is amended to include Precautionary Working Method Statements for badgers, hedgehogs, reptiles and potentially amphibians (to be confirmed by the applicant, as referred to above). The method statements will need to include measures such as the storage of materials, the clearance of vegetation and the stopping works if a protected species is found. This information should be provided before a positive determination of the application.

Other comments**Lighting**

It is important to ensure that there is an appropriate sensitive lighting scheme on site so that any external lighting does not illuminate the surrounding vegetation features. These details can be submitted to the LPA upfront or alternatively, the details can be submitted as a condition of planning consent.

Flooding issues

I understand that the area experiences frequent water flooding events and that the site is also located on a steep slope. I recommend that the Environment Agency are consulted to provide further comments relating to potential flooding issues.

Chipping Norton Town Council

The Town Council object to this application on the grounds of heritage, landscape, ecology and highways. The application is considered to be contrary to policy H7 of the adopted West Oxfordshire Local Plan. The council recognise that the harm associated with the development needs to be balanced against the needs of the gypsy and traveller community, and West Oxfordshire District Council are best placed to make the decision.

OCC Footpath Officer

No objection subject to conditions

Additional Reps

A further objection has been received as follows:

- I feel concerned that cars exiting the site and joining the road just where traffic is speeding into the 'hidden dip' would constitute a hazard.
- The speed limit on this stretch of road is 40mph.

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A further support letter has been received as follows:

- As a local resident I would like to make some points in support of this application and with reference to some of the objections raised.
- I notice some objections to the planning application are based on issues of potential hazards of vehicular access along the Over Norton Rd and of the site being located within an AONB.
- I regularly drive and walk along the section of the Over Norton Road where the development is sited. It is not a very busy road and I would not consider that visibility is poor enough to constitute a risk of accident from vehicles entering or exiting the site. Some objections have mentioned that the sharing of a public right of way with vehicular access to the site would be a hazard to walkers.
- While I would agree that this should be considered, I do not agree that the number of vehicles likely to be using the site would cause a danger to walkers and provide a reason for rejecting the application.
- I notice that one objection to the planning application suggests that there is not a need for this site as provision should be made, as stated in WODC's Local Plan, at sites identified at Freeland or Witney. This would clearly involve the forced relocation of a family local to Chipping Norton to a different area of West Oxfordshire and the resultant disruption for the family and particularly for the education and wellbeing of children in the family. Taking into consideration the poor educational outcomes for children in Gypsy and Traveller communities, I agree with the planning application.

Amended recommendation

For clarity, the officer recommendation has been set out again including the policy H7 in each reason for refusal.

1. The siting of the four caravans together with the engineering operations and construction of an access track and hardstanding on a highly visible, elevated and sensitive rural site located between the town of Chipping Norton and the village of Over Norton results in a harmful visual coalescence between the two settlements which appears extremely unsympathetic and incongruous within the rural landscape, contrary to policies OS2 and H7 of the WOLP 2031;
2. The site is located in the Cotswolds AONB which has the highest status of protection in relation to landscape and scenic beauty and the NPPF states that great weight must be afforded to achieving its conservation and enhancement. In this context both the change of use and the associated operational development are considered to cause landscape and visual harm contrary to policies EH1 and H7 of the WOLP 2031, The West Oxfordshire Landscape Assessment and paragraphs 170 and 172 of the NPPF. The benefits of the proposals are not, when having ascribed the correct weighting to them, considered to outweigh these harms; and
3. By reason of the elevated siting of the caravans on the land and the visual impact of the caravans, associated engineering and enabling works from adjoining and other public vantage points, the change of use and associated operational development are considered to adversely urbanise the rural character and appearance of an important open space between Chipping Norton and Over Norton that in its undeveloped

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state contributed positively to the setting of the Over Norton Conservation area and in its developed state harms that setting. There are not considered to be sufficient public or other benefits which outweigh these harms and as such both the siting of the caravans and the associated engineering works/operational development are considered contrary to policies EH9, EH10 and H7 of the adopted WOLP 2031 and paragraphs 193, 194 and 196 of the NPPF.