

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 4th January 2023

REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



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.

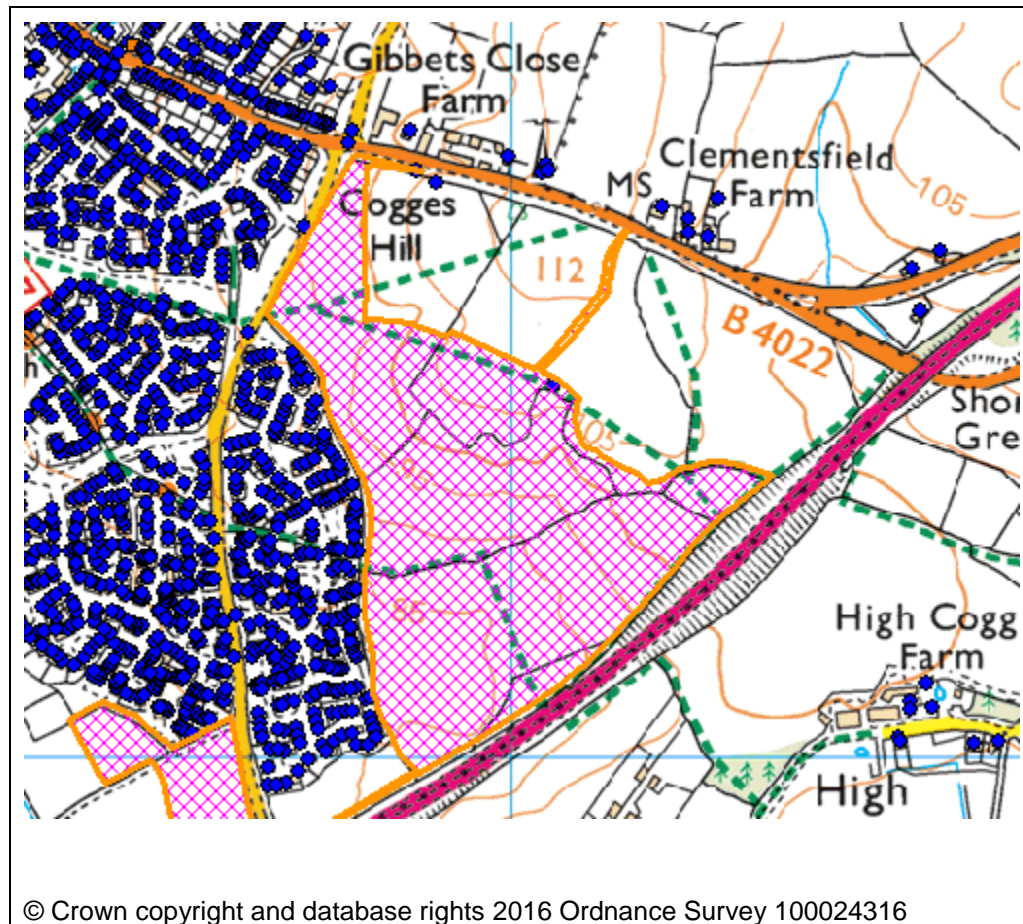
Please note that:

1. 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

Page No.	Application Number	Address	Officer
15 - 59	20/02654/OUT	Land South East Of Oxford Hill	Joan Desmond
60 - 70	22/02137/HHD	The Granary Jericho Farm	Darcey Whitlock

Application Number	20/02654/OUT
Site Address	Land South East Of Oxford Hill Witney Oxfordshire
Date	20th December 2022
Officer	Joan Desmond
Officer Recommendations	Refuse
Parish	Witney Parish Council
Grid Reference	437058 E 209494 N
Committee Date	4th January 2023

Location Map



Application Details:

Outline planning application (with all matters reserved except access) for the erection of up to 450 dwellings together with associated open space and green infrastructure (Amended).

Applicant Details:

The Mawle Trustees and Trustees Of Northfield Life Interest
C/o Agent

I CONSULTATIONS

Parish Council

Witney Town Council is broadly supportive of this application and welcomes dialogue with the developer on several matters. Firstly, the Town Council would like to ask if the application could be amended to include an entrance road and access to Windrush Cemetery to the south of the site. As the owner of this facility, the Town Council would also welcome further connectivity to the site by way of a footpath/cycleway at the Southern boundary and further ones to the north and west, allowing journeys to and from it to be safer and more attractive for active travel.

In terms of the access, the delivery of a two-way road off the community hub spur road into the Cemetery, with associated parking for 10-12 spaces inside would be the Council's preferred option through this application. The Council is disappointed that this request was not previously discussed following a previous District Council consultation on the site but believes there is still time for this inclusion if the developer is favourable.

The Town Council welcomes the idea of a community hub that incorporates a shop and a community space. The centre needs to be a versatile space that can be used for dance classes, the scouting movement, birthday parties etc. It could also include a quiet reflection place/chapel for the cemetery and a café/bar facility. The Town Council would have an interest in taking this hub on and facilitating local ownership of it.

However, the Town Council questions the location of the community building because of accessibility because people would have to drive round the residential area to reach it, increasing the danger to pedestrians and residents from traffic that would not otherwise be on the estate. If it was to be sited on lower ground, then the Council would welcome a play area or village green on the higher ground.

Witney Town Council welcomes the Stagecoach comments and agrees with all the points made about cycle lanes and how well appointed the bus stops need to be as this residential area is quite far away from these important bus stops. The Town Council envisages that the Community bus may wish to take in this new development so would ask that adequate provision for turning and stopping is considered at this stage.

The Town Council welcomes the thought that has gone into the continuation of the green corridor up Oxlease and the continuation of paths from other areas of town that will connect onto this estate. The Town Council would like to see, where space allows, cycle lanes moved away from the roads. In order to allow access to secondary schools and primary schools in the town centre it's important that the Farm Mill Lane path is connected from the new development and that a crossing is put in place on Witan Way, a dangerously busy road. It is

also important for access to the Town's supermarkets and The Leys via Church Green. The Town Council suggests that no houses are occupied until both these items are complete. A footpath connecting to South Leigh would also be welcomed and will be supportive as possible for paths on land in its ownership.

The Town Council would also like to see appropriate lighting for the area - low level solar lighting would be preferred.

The Town Council would like to see 3 phase electricity in homes to support fast electric car charging in every house with further charging points available at the community space.

The Town Council regards the phasing of infrastructure as crucial and therefore the new Shores Green junction should be ready to take the construction traffic before the start of the development in order to avoid further air pollution in Bridge Street - this also applies to the residents of the new development. If this is not possible then Shores Green should be constructed in phase I of the development. The air quality management scenarios assume that the West End Link road will be in place from 2024 which is not realistic.

The Town Council is pleased to note that Thames Water recognises that there is a problem with its capacity in relation to further residential developments and would like to hear how what future steps will be taken to address this.

The Town Council would also like to see the development following the Milton Keynes model of giving one of the units over to community development via the CVA- one of the early units is utilised by the CVA to build a feeling of community in the area. They then move into the community centre when this is ready. The unit is then sold, and the money is spent on community projects. The Council would be happy to have a community connector role.

Section 106 Requests

In addition to the cemetery access above (or associated funding) the Town Council would like to request the following to support the infrastructure in and immediately adjacent to the development.

Sport & Recreation

Witney Town Council recognises the inclusion of a proposed play area/LEAP but would request an off-site contribution of £20,000 to upgrade the nearest play park facility in Eton Close to serve the anticipated increase in children from the development.

The Town Council also welcomes the inclusion of village green areas and would ask if one of these could be used as a wheeled sports track, with £15,000 allocated to the Town Council to facilitate this project.

The Town Council is committed to encouraging grassroots sports and considers that a development of this size will increase the number of people wanting to use sports facilities. The Council does however recognise that due to the topography of the site, the inclusion of a sports pitch would be difficult (unless the developer feels that land in their ownership south of the cemetery is suitable, or another piece of land outside of this site). Therefore, it would request a contribution

of £50,000 towards upgrading other sports pitches and changing rooms across the town to absorb the anticipated usage.

Infrastructure & Street Scene

The Town Council would like to request that the developers install at least two grit bins on the estate due to its sloping topography along with benches in the village green areas, Sheffield cycle racks near the bus stops, community hub and recreation areas (village greens), bus shelters and bins. The Council would like to see the majority of these installed before all dwellings are occupied.

Lake & Country Park

The Town Council would like to request £10,000 towards the inclusion of an educational space at Witney Lake & Country Park as part of its long-term plan to manage this area. The site sits south west of the development and is connected via the paths mentioned above.

Major Planning Applications Team

OCC Transport - Recommendation:

Objection for the following reasons: - Further information is still required to ascertain the credibility of the proposed access strategy - Development is dependent upon provision of strategic transport infrastructure which the application has not committed to its delivery contrary to WITI Policy. - The TA has not addressed the potential traffic impact of the non-residential aspects of the development. If despite OCC's objection permission is proposed to be granted, then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions as detailed in this report.

LLFA - Recommendation:

Objection

Key issues:

- Principles in the FRA are OK but concerns with adequate land being safeguarded through to Reserved Matters
- Areas of site A and B, have medium - high risk of surface water flooding
- Attenuation Basin for Site B, Cogges South is adjacent to Flood Zone 2 and disconnected from development.
- Detailed outline surface water management strategy plan required

Education - Recommendation:

No objection subject to S106 Contributions.

Property - Recommendation:

No objection subject to S106 Contributions.

Specialist Housing - No objection

Archaeology - Objection for the following reason/s:

The results of an archaeological field evaluation will need to be submitted with this application prior to its determination in accordance with paragraph 189 of the NPPF.

Minerals & Waste - No objection

Lower Windrush Valley Project - The Local Plan recognises the Lower Windrush Valley Project for its important contribution to achieving a wide range of environmental and social benefits through protecting and enhancing the Green Infrastructure network, close to where people live and to areas of great potential change. Specifically, the Lower Windrush Valley Project is identified as a delivery mechanism for Sustainable Tourism in Policy E4 and Landscape Character in Policy EH2. The latter stating that 'Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project'. Further to that, Section 9.2.81 - Witney sub-area, states 'Where applicable, development will be expected to have regard to the aims and objectives of the Windrush in Witney Project and Lower Windrush Valley Project and where appropriate, make a positive contribution either directly as part of the development or through an appropriate financial contribution'.

Climate Change & Energy - No objection

Landscape/Green Infrastructure/Open Space - General Observations

It is important that issues of phasing, infrastructure provision (including green infrastructure / open space) and long-term management (including funding) are agreed and secured at this stage of the process as this is the only time when the development will be considered in its entirety.

Landscape and Visual Impact

We note that the LVIA concludes that the proposed development can be successfully integrated into this context, without significant, long term, adverse effect, provided that the detailed mitigation measures outlined is implemented and managed as envisaged.

When reaching these conclusions, the assessment relies on the retention of existing trees and hedgerows and the provision of tree and hedge planting within the scheme and along the boundaries to help assimilate the development into the surrounding landscape context. Limited level of detail is provided at this stage and care will have to be taken at reserved matters stage that the landscape proposals are as substantial and effective as envisaged to mitigate adverse effects.

Green Infrastructure (GI)

The Illustrative Masterplan includes some GI links for the Cogges Triangle site, which are welcomed, however, the links appear to be limited to retaining existing hedgerows within the development area. Whilst the retention of existing green links is important and

welcomed, we recommend that further thought be given to whether there are other opportunities the two sites present with regard to enhancing GI within and beyond their boundaries, e.g. with regard to habitats and access links to the adjacent countryside including the Lower Windrush Valley on the South side of the A40. The Building with Nature benchmark developed by the Gloucestershire Wildlife Trust can help with developing a comprehensive GI approach.

Open space

The Illustrative Masterplan and Landscape Parameter Plan suggest that much of the green space provision comprises green infrastructure links, movement corridors and boundary planting, which are important in GI, landscape, visual and biodiversity terms, but which offer limited recreational functions. It is important that sufficient alternative open space for dog walking, children's play, outdoor sport is also provided in line with the Council's open space requirements. The landscape areas will need to address a range of competing needs (e.g. green movement corridors, landscape/visual mitigation, protection/enhancement of habitats for biodiversity, formal / informal open space), which will require appropriate zoning and management to ensure that access to the most ecologically sensitive areas is restricted in order to protect them from negative recreational impacts.

The plans currently don't appear to differentiate between different requirements, and we recommend that more details are requested to ensure that open space and biodiversity requirements can be successfully accommodated alongside each other in the proposed layout.

It is also important that a realistic assessment is made with regard to the accessibility, usability and quality of green space available for public use to ensure what sufficient usable open space is provided. A proportion of the landscape and open space provision is along the edges where the quality of these areas will be compromised by the adjacent uses (e.g. roads), changes in level, or the use of the space for Sustainable Urban Drainage (SUDS). We recommend that clarification on open space provision with regard to quantity and quality is sought prior to a decision to ensure that sufficient open space is provided as part of the development.

We also recommend that due consideration is given to the long-term management of GI and open spaces from the outset.

NPCU (Formerly GOSE)

No Comment Received.

WODC - Arts

A contribution of £77,480 based on £210 per unit of market housing (excluding social housing) for the engagement of a part-time Community Connector over 2 years to develop and lead creative activities in this space and in the local community with a community grant budget.

The developer to incorporate a dedicated creative space into the design of the community hub for residents to come together for creative and well-being activities

WODC - Sports

Should this proposal be granted planning permission then the Council would require a contribution towards sport, recreation and play facilities supporting Witney Town Councils contributions requirements to mitigate against the impact of the development.

WODC Housing Enabler

The site falls within the medium value affordable housing zone as defined in the Local Plan 2031 adopted in September 2018 and triggers a requirement under Policy H3 - Affordable Housing, to provide for 40% of the completed dwellings as affordable. The Planning Statement (para 6.7) confirms that the development will provide 40% affordable housing, subject to viability. The Council's preferred tenure split reflects the overarching need for affordable rented homes and is therefore sought as a ratio of 2:1 in favour of affordable rented homes (66% affordable rent to 33% shared ownership). Of these the Council will seek in broad terms a scheme mix of 65% smaller homes (1 and 2-bed) for singles, couples, small families, elderly. The residual 35% will be for family sized homes (2, 3 and 4-bed) of principally 4 persons and above.

Conservation And Design Officer

Considering Site A, I noted that whilst the land is a hillside, it appears that the area proposed for development doesn't rise high enough for the proposed buildings to feature in any significant views from, or towards the Conservation Area - noting that the area immediately to the west of the site is already fairly densely developed, and that it doesn't lie a great deal lower than the proposed area for development. Having said that, I suggest that two or possibly two-and-a-half stories should be the maximum height here, as the development will be effectively adding to a broad swathe of existing development, and we would surely not want the cumulative effect to be too urban. I also considered the potential impact on the setting of Cogges Farm - which is a splendid group of Grade II* and Grade II listed buildings, and an SAM. Sadly, I note that the setting to the east is already extremely compromised by the existing housing development and school, and that the former agricultural context is largely eroded. I don't think that any of the proposed development would be visible from the farm or its environs - but even if there were distant glimpses, they would be unlikely to make any significant difference.

Considering Site B, I noted that this is currently another inoffensive undeveloped field, although the tranquility is somewhat compromised by the roar of traffic on the A40, adjoining the south boundary. It seems to me that the rural edges are already well defined, and that any development here would feel like an encroachment. I also noted

that the field lies squarely in a fine view of St Mary's spire, from the road to Standlake Road as it crosses the A40 - see attached photo. This is a rare distant view of Witney in which C20 development does not feature strongly - and it hints at how the settlement once was. If we could, we should resist development on Site B - but as our position is already compromised, we need to tightly restrict the development to the north corner.

WODC Landscape And
Forestry Officer

No Comment Received.

WODC Planning Policy
Manager

Proposed masterplan

There have been lengthy pre-application discussions regarding the proposed masterplan with officers raising various concerns regarding some of the fundamentals contained within this. The advice previously provided was relatively high level without considering detailed elements of the layout such as the precise location of individual plots or the exact alignment of the proposed roads. We advised the applicant that concerns in respect to the internal layout may be raised at the application stage and whilst this is an outline application only, it is important that any issues are ironed out at this stage to help inform the conditions and legal agreement.

I note that the masterplan submitted as part of this application is almost identical to earlier versions submitted as part of the pre-application process with changes amounting to tweaks in the overall scheme rather than anything of substance. Therefore, the concerns raised regarding the broader concepts of the masterplan remain and these are set out below.

Active travel routes

As discussed during the pre-application negotiations, there are many important aspects to consider in successfully planning for this strategic development area (SDA) but opportunities for walking and cycling are considered to be a fundamental element where an aspirational approach must be adopted in recognition of its location and potential for excellent connectivity (in accordance with part d) of Policy WIT 1 of the Local Plan 2031). The potential accessibility of the site by non-car modes of travel was a fundamental reason the site was allocated in the first instance. The Local Plan Inspector commented within his report that 'the sites forming the SDA are relatively close to Witney town centre and there are attractive footpaths by which the town centre could be easily accessed by pedestrians'.

Given that the aspiration for exceptional active travel routes should be a key priority and should form the USP of the site, this should be reflected much more strongly in the proposed vision and followed through into the illustrative masterplan and supporting parameter plans. As has been made clear to the applicant, this site is uniquely situated to encourage high levels of walking and cycling within an attractive environment due to its relationship with Cogges and the

Windrush Valley, plus its proximity to the town centre.

West Oxfordshire is placing increasing emphasis on healthy place shaping principles and an important part of this is providing opportunities to encourage people to walk and cycle. Priority needs to be given to planning around an effective and permeable active travel network rather than corridors for private vehicles. These routes must be fully and comprehensively explored to promote active travel and encourage a modal shift away from the car which will also help to reduce air pollution through the centre of Witney. This is particularly important in light of the Government's emerging 2050 Climate commitments, the Environment Bill and not least Covid-19 which reinforces the importance of leading healthy lifestyles through exercise. Therefore, the provision of safe and effective cycling and walking connections is an essential element to support the delivery of the allocated housing sites in East Witney as identified in the West Oxfordshire Local Plan.

The County Council have produced a report entitled 'Identification of Selected Cycling Infrastructure Enhancements in East Witney June 2020'. This is an important document which identifies selected active travel improvements in East Witney. The measures identified in this report reflect field work, analysis and liaison between Oxfordshire County Council and West Oxfordshire District Council. The report recognises that the provision of safe and effective cycling and walking connections is an essential element to support the delivery of East Witney. The report has been shared with the applicant and it is disappointing that they have not included many of these enhancements. The County Council will set out their expectations and response to the application separately.

We continue to support the provision of two pedestrian/cycle links across the Windrush Valley in principle to link the site to the town centre, however as stated above, it is important that these connections are comprehensive and enable users to safely access their destination. If this is not achieved, there is a real risk that the junction upgrades proposed at Shores Green could attract a higher proportion of short distance car journeys creating unnecessary congestion and pollution. Therefore we need to consider how these routes will connect to the existing network of public rights of way and what upgrades will be necessary to achieve this. We also need to ensure that the surfacing and lighting is sensitively handled and it may be necessary for the southern link to remain unlit or for alternative low level lighting options to be investigated.

It remains the case that as currently depicted within the illustrative masterplan/ framework plan, the proposed link to the south will be unresolved as it is not connected to an endpoint and it is vital that this is a complete route. Our advice is for this southern link to sweep further north, similar to the indicative route shown within the Local Plan allocation to provide a more direct route to the town centre and to link this to the existing right of way. The current route to the far south will be convoluted, noisy and generally unattractive and

therefore we cannot support this. We offered to assist the applicant by liaising with the County Council and Witney Town Council to explore ways in which the southern link can best connect to the existing rights of way/ town centre but the applicant has chosen not to engage with us on this aspect of the scheme.

Considering the provision of bus stops/ routes, I note that Nick Small from Stagecoach has raised some important points and further consideration is clearly required on this. We previously expressed some reservations regarding the location of the bus stops along Oxford Hill towards the A40 as these are remote from development and due to concerns regarding the ability to safely access these, particularly outside daylight hours. In addition, we have reservations regarding the attractiveness and safety of the proposed pedestrian route which does not appear to have been given much consideration in terms of its alignment. It will run across an otherwise open field with a steep gradient and with no surveillance. Nor will it link directly to the bus stops along Oxford Hill. Notwithstanding these concerns, the applicant's commitment to providing this is uncertain given that it's described as a 'potential' access.

We previously suggested that bus stops could instead be positioned closer to the Cemetery site on either side of the road and these could be supported by a new footpath from the Oxford Hill traffic lights to the entrance of the Cemetery. Other upgrades were discussed including a cycle path on the west side of Cogges Hill Road to link with the cycle path terminating at Jubilee Way junction, a possible cycle connection between the site and Cogges Hill Road via Eton Close and the potential for vehicular access into the Cemetery from within the SDA. In addition, we note that the single track road to Stanton Harcourt is currently in very poor condition and its future status/ upgrades should be considered as part of the East Witney SDA.

In terms of connections within the SDA itself, these should obviously link seamlessly with wider connections and should link to key facilities/open space. As proposed, opportunities are currently lacking and the internal layout needs revisiting to strengthen these considerably.

Windrush Valley

Policies WIT1 (East Witney SDA) and WIT6 (Witney sub-area strategy) of the Local Plan emphasise the importance of the Windrush in Witney Policy Area and the need for development to protect and enhance the intrinsic landscape, character, ecology and cultural value of the valley, as well as improve pedestrian and cycle connectivity. The provision of pedestrian/cycle links across the valley is welcome but these should link to their destination otherwise the benefits of these links will be extremely limited. Whilst the land is not all in the control of the applicant, no attempt has been made to initiate discussions with the landowner (Witney Town Council) to secure these connections so they link comprehensively to the town centre. There are a number of other opportunities in this area, including upgrading existing paths as detailed within the East Witney Cycling

Enhancements Paper which should be pursued. Given the proximity of the site to the town centre, improved access is perceived to be a key benefit which the East Witney development could deliver and this needs to be properly reflected in the masterplan.

As previously advised, there are some really positive opportunities in this area to enhance the Windrush Valley through ambitious ecological and landscape enhancements which do not appear to have been meaningfully incorporated into the proposal. All the open fields within the valley should be retained as open grassland with enhancements to improve biodiversity and to reinforce its historic landscape character. In addition, it is vitally important that the proposed arrangements for the management of these areas are understood at an early stage, together with a long-term funding mechanism. The information contained within the application is currently vague and lacks information concerning the type of enhancements or restoration measures that will be carried out as part of the scheme contrary to part g) of Policy WIT 1.

Cogges Triangle (Site A)

A key concern raised by officers throughout the pre-application process is the extent of the developed area shown in the masterplan, a key issue which was raised at the Local Plan Examination. Whilst the developable area identified in the local plan is 'indicative', it has always been made clear to the applicant that any significant incursion above the 95m contour will require robust justification and detailed consideration through appropriate evidence.

The 95m contour line was defined through landscape evidence to avoid an unacceptable degree of impact in landscape terms. The landscape characteristics of this site were defined in the Council's Landscape and Visual Appraisal January 2013 and the key characteristics were described to be the open ridgeline and its intervisibility with the wider area. Development which extends further than what is perceived to be the lower slopes and onto the open ridgeline should be resisted. This Appraisal recognises that a sensitive layout of the built form and associated green infrastructure would help to ensure that the landscape characteristics are retained.

Considering the sensitivity of the built form, the impacts of the development on the landscape will be exacerbated further by the proposed heights of the buildings which are up to three storey over the majority of the site. I would strongly suggest that the 'Building Heights' plan requires substantial review to reduce landscape impact and to reflect the character and scale of housing in the areas it abuts. Considering the developable area to the south, we recommend that this is set further back from the A40 in parts. Robust information will be needed to demonstrate that those properties (and private outdoor spaces) will not suffer from undue noise (or pollution) due to their proximity to the A40.

Footpath/ cycle links within this site should encourage high levels of active travel across the SDA and beyond. Currently, proposals for pedestrian and cycle access appear to be very limited by utilising existing rights of way only whereas our aspiration is for active travel

to be a core theme of this development. Such routes should be safe, well lit, overlooked, welcoming, durable and clearly signposted. Active travel, including walking and cycling, should be prioritised over other modes of transport but within the current masterplan they are designed as a secondary element. Key destinations such as the farm shop/ butchers, church building/ community hall should all be within walking distance and connected by an integrated network of walking and cycling routes. As proposed, the southern green corridor running through the Cogges Triangle site has been severed in two places by a road which fails to prioritise active travel. This was raised at the pre-application stage but no attempt has been made to improve this. In addition, the northern green corridor remains weak and unresolved. As previously suggested, a landmark building could be incorporated at the end of the key primary access where this meets the main green corridor to the south. Other opportunities for feature buildings at key locations/points of connection have not been explored.

We also have concerns about the proposed treatment of main hedgerow/field boundaries where these are shown to be retained. There should be a minimum 5 metre buffer either side of hedgerow where possible to ensure that the long term viability and appropriate management of the hedgerow can be secured. Areas of concern relate particularly to the relationship between the proposed and existing development area of Cogges where hedgerow is shown but the gap provided is not sufficient to allow for meaningful screening. It is also recommended that a gap is left between hedgerows and gardens to allow for hedgerow maintenance. Further work is required to ensure existing and veteran trees across the site can be sustained in the longer term and that more space is provided around them to take into account concerns about safety and the presence of clay soils. These important features need to be planned as part of an overall strategy for Green Infrastructure, including achieving a net biodiversity gain, both within the site and linking to the wider landscape. As a general observation, the indicative masterplan and application details appear to be weak on biodiversity enhancements including opportunities to enhance biodiversity through SUDs. Multifunctional open space should be created which is linked to this network of green routes to support recreation and play plus other landscape features including Sustainable Drainage Systems (SuDS), woodland, wildlife habitat and productive landscapes (such as allotments). The proposed use of the open space to the east of the site is not clear nor is the intended use of the village green area which should be clarified. We would support the creation of woodland to the east of the developable area which could help achieve a biodiversity net gain, provide a natural area for residents to enjoy and to bolster existing woodland along the ridge of higher ground for landscape mitigation purposes.

Community facilities

Whilst not required under Policy WITI, we support the concept of providing a community hub as part of the overall mix of development and this has received strong local support. Whilst this is the case, we

need to be satisfied that there is a demand for the facilities proposed, particularly the shop/ pub/ butchers and also that this will not have an unduly negative impact on the existing facilities at Cogges by diverting custom.

In terms of the proposed location, the facilities are proposed on land outside the indicative developable area of the Local Plan allocation on higher ground where this will be more challenging to access on foot due to the gradient of the land and will also have a more significant impact on the wider landscape. In addition, I note that the proposed route to access the facilities is convoluted, hindering its accessibility further.

Currently it is unclear and ambiguous as to whether the proposed community facilities are designed to primarily serve residents of the new development/ existing Cogges development or whether there is an aspiration for the facilities to attract custom from further afield. If the 'hub' is to form the 'heart' of the community, we continue to advise that this should be located within the 'central bowl' of the site with attractive and convenient pedestrian links across the development site and into Cogges so it's highly accessible on foot/ bicycle. This would improve integration with the development as a whole as well as reduce the likelihood of landscape and visual harm. Essentially, this location would help to create an 'integrated community that forms a positive addition to Witney' as required within the opening sentence of Policy WITI.

Alternatively, if the aim is for the facilities to appeal to the wider community and visitors to Witney, we previously advised that this could be located within the triangular section to the north of the site and adjacent to the cemetery. This is an awkward shape for housing development due to the need to consider the relationship of frontages and rear gardens but this could lend itself to an exceptionally designed community building with strong green credentials. This part of the site is easy to locate in terms of its proximity from Oxford Hill and a feature building could create an attractive entrance and a strong sense of place. As currently proposed, the location of the community facilities is not suitably positioned to serve the local community at Cogges/ the new development or customers from further afield.

We continue to strongly advocate the construction of one 'community hub' (rather than separate 'single use' buildings) which is designed to be flexible and adaptable. We consider that one building creating a 'hub' of interconnected rooms is likely to be far more resilient, avoiding empty units in the future. This building could provide a small 'farm' shop/convenience store, butchers, small cafe etc. as well as potential space for home working opportunities linked to the cafe. This approach would allow all the various uses to benefit each other and therefore the 'hub' would be much more viable and resilient to changing consumer habits and enable it to support more flexible working habits which is likely to be a permanent change as a result of the pandemic. The hub could also be closely linked to community spaces outside such as a play area, allotments, open space

etc. so it becomes part of a wider community area making this even more attractive for families as a destination and therefore more resilient. Dedicated creative space that also aims to bring the community together should be incorporated into the design of the community hub as advised by the Council's Arts Team.

Cogges South (Site B)

During our pre-application discussions, concerns were raised regarding the extent of development shown on this site which clearly goes beyond that which is envisaged in the Local Plan and incurs into the valley floor, affecting key views. In addition, the proposed 'turning-head' layout is considered to be unsympathetic, resulting in the need for heavy screening as shown in the illustrative masterplan.

The impact of development on this site in terms of eroding key views and urbanisation is further exacerbated by the proposed building density (43 dph) and heights which are shown to be three storeys. I strongly suggest that any buildings are low key in terms of density and should be kept low lying (2 storey maximum) on this site.

As such, the illustrative framework plan/ masterplan do not reflect earlier concerns discussed through the pre-application process with no reduction in the developable area from the latest pre-application iteration. As highlighted by the Council's Architect, this field lies squarely in a plain view of St Mary's spire which is a rare distant view of Witney in which C20 development does not feature strongly. As previously advised, the extent of development shown fails to respect the existing pattern of development and fails to form a logical complement or protect and enhance the local landscape, contrary to Policy OS2 (Locating development in the right places) of the Local Plan. Therefore, it is paramount that development is tightly restricted on this parcel of land and I strongly recommend that this is scaled back in line with the Local Plan allocation.

During pre-application meetings we previously discussed the possibility of an attractive low set crescent of housing facing the Windrush Valley with gardens contained within. This would have the benefit of screening the back of the housing, reducing noise into the private rear gardens from the A40 and also limiting the level of screening necessary to the south allowing important views across the valley to be retained. This may necessitate a further reduction in the number of houses on this site but given that the number of units proposed as a whole is in excess of the allocation by a considerable amount, there is room for flexibility on this parcel of land.

The illustrative masterplan indicates that a new play area is proposed on land beyond the indicative developable area shown in the Local Plan to the extreme south western corner of the site and therefore this will only be easily accessible for a very modest number of homes. This area should be retained for landscape mitigation and instead the existing play area on land owned by Witney Town Council to the south of Eton Close should be upgraded. This is far more accessible and will not create landscape harm. Witney Town Council is supportive of this approach and discussions with the Town Council

are being arranged by officers at WODC to assist in moving this concept forward. The accessibility of this would be further supported by a new pedestrian/ cycle link connecting this parcel of land to the Cogges South site and potentially beyond which is shown within the County Council's East Witney Cycling Enhancement Study (Figure 15 on page 17).

Allotments

During the pre-application process there have been on-going discussions regarding the suitability of allotments within the Windrush Valley. Whilst the position of the proposed allotments has been shifted, we advised that this broad area should be retained as grassland for landscape and ecological enhancement to limit the impacts on the Windrush Valley, in accordance with part g) of Policy WITI.

We continue to support the concept of future allotment space located in an accessible part of the Cogges Triangle site (Site A) where this can be easily reached on foot by green active travel connections, perhaps closely aligned with other open space/ water features and play areas as well as a 'community hub' to create an area where residents can socialise and enjoy activities.

Internal layout and detailed matters

As set out at the start of this consultation response, the internal layout was given little attention during the pre-application negotiations as we considered it important to agree the fundamental elements of the scheme first. However, we made it clear that concerns may be raised regarding the detailed elements of the scheme during the course of the planning application.

As a broad observation, I consider the internal layout to prioritise car users rather than pedestrians and cyclists which have been designed to 'fit-around' the main vehicular routes, contrary to part d) of Policy WIT I. Therefore, the internal layout needs to be given further thought. In addition, other aspects of the internal layout need to be revisited such as 'unresolved' areas in design terms and 'dead frontages' (as required by Policy OS4 - High quality design) but before these areas are considered in more detail, the whole layout should be re-designed to put active travel at the fore.

Other observations

- In response to the Ecological Crisis, the use of a building standard such as 'Building with Nature' is now being advocated by West Oxfordshire to ensure developments are built to a high standard to achieve net gain for nature and a high quality environment for residents (measures must be put in place to achieve at least 10% net biodiversity gain). This also provides a tool which highlights the importance of good quality green infrastructure and its interaction with biodiversity, health and water. More information can be accessed via the following link:
<https://www.buildingwithnature.org.uk>
- In response to the Climate Change Emergency, measures such as working towards zero carbon or net zero carbon

development should be incorporated into the development. A Sustainable Construction, Innovation and Renewable Technologies Assessment has been submitted and is would be useful to gain feedback from the Climate Change Manager regarding the recommendations.

- Measures should be put into place to provide homes which are flexible and adaptable in line with the emerging Future Homes Standard.
- As previously advised, there is a need to be cognisant of the issue of 'clayey' soil and potential subsidence issues (e.g. as has occurred at Madley Park).
- Given the sites proximity to Cogges Manor, there may be archaeological remains on site which should be investigated as per the advice of the County Council's Archaeologist in accordance with part k) of Policy WIT I.
- Although the application states that the mix of house types will be determined at the reserved matters stage, it would be useful to understand this at an earlier stage. Note the comments received from the Strategic Housing and Development Officer regarding the mix of affordable houses which are recommended on this site.
- Whilst Thames Water have advised that conditions should be attached to this consent in relation to foul water and the water network, we need to be mindful that there are strong local concerns regarding the capacity of the sewerage infrastructure to accommodate additional growth. Therefore the extent of any upgrades should be investigated at the earliest stage possible in accordance with part m) of Policy WIT I of the Local Plan 2031.

District Ecologist

Further information required for biodiversity net gain calculations

WODC Env Consultation Sites

Mr ERS Pollution Consultation Following conditions recommended:

- I. No development shall take place until a site investigation of the nature and extent of contamination, as identified in the Phase I Environmental Assessment, reference 26578-RP-IF-003, 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.

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

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

Reason: To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

ERS Air Quality

No Comment Received.

WODC Env Health - Lowlands

Mr ERS Pollution Consultation No Objection in principle, subject to criteria conditions and embedded mitigation requirements to manage for noise from road traffic, for this large residential application fronting the A40.

Natural England

No Objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on protected landscapes or designated sites and has no objection.

Oxford Clinical Commissioning Group NHS

NHS Oxfordshire Clinical Commissioning Group objects to this proposal unless there is additional investment through developer contributions in expanding local primary medical care capacity. Primary care is at capacity in Witney and requires additional infrastructure to provide capacity for population growth. OCCG's published formula for developer contributions to health infrastructure is dwellings x average occupancy (2.4people per dwelling) x £360. This is set out in OCCG's agreed policy. OCCG would therefore seek a £427,680 contribution from this development. OCCG would allocate resources to increase capacity of existing health facilities in partnership with Witney & Eynsham Primary Care Network and its members, rather than create new standalone provision. This is appropriate to the scale of the development and sustainable future healthcare.

TV Police-Crime Prevention Design Advisor	No Comment Received.
WODC Env Services - Waste Officer	No Comment Received.
Thames Water	<p>Waste Comments</p> <p>Following initial investigations, Thames Water has identified an inability of the existing FOUL WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water recommend that a condition be added to any planning permission.</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.</p> <p>Water Comments</p> <p>Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal, as such a condition is recommended.</p>
Environment Agency	We have no objection to the application.
Wychwood Project	No Comment Received.
Newt Officer	No Comment Received.
British Gas Transco	No Comment Received.
Adjacent Parish Council	No Comment Received.
Climate	No Comment Received.
Major Planning Applications Team	No Comment Received.
Major Planning Applications Team	<p>LLFA - Objection - The appendix information which is mentioned in the FRA (dated August 2021) is missing.</p> <p>Furthermore, the FRA should meet our guidelines. Furthermore, a</p>

detailed surface water management strategy must be submitted in accordance with the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire

Archaeology - The submitted amendments do not alter our original comments

In line with this guidance, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site as much as possible.

Parish Council

Witney Town Council has reviewed the revised plans for this strategic development area and recognises the amendments from the original submission. Further to our original response comments of 17th December 2020, we would like to make the following additional observations:

Firstly, should approval be given, Members request that a 'prior to commencement' condition be applied that stipulates no works are started until the Shores Green slip roads are completed. This much needed infrastructure should be in place ahead of the heavy plant and construction traffic needing access to the development.

The current sewer network and Witney sewage pumping station are unable to cope with existing demand and Witney continues to see untreated sewage pumped into the River Windrush and Witney's watercourses. Additional demand on the network without any infrastructure upgrade will exacerbate this problem and we will see more frequent instances of permitted sewage release into our river network. Witney Town Council would like to see Thames Water carry out sewage upgrades ahead of any development or occupation of this proposed site.

Item 12 on the Illustrative Masterplan in Appendix G shows a 'Potential link through to Windrush Cemetery'. Witney Town Council welcome this and would like to see a commitment by condition that ensures this much needed vehicular and pedestrian access is included within the development and that the developer provides for utility connections (water and power) under the road, that can be carried forward by the Town Council into the land within Council ownership.

Members ask that all possible locations for the Community Hub are explored. Members note the comments from Stagecoach with regard to the hub being on the periphery of the new dwellings and not in the most logical place to serve existing residents of the Cogges estate or residents of this proposed development and that more could be done to site the hub where it is easily accessed by cycling and walking. The community centre could be located near the West entrance of the development whereby it would have potential to have close links with the cemetery, and this location would have less impact on the landscape.

In terms of connectivity, the current plans only appear to show one pedestrian and cycling route across to Farm Mill Lane, which is a shared 3m pathway. This is a key corridor into Witney Town Centre and there is space for a segregated footpath and cycleway, cyclists and pedestrians should be separated on what will be a much used and busy route. Further, in earlier discussions with Witney Town Council, a footbridge was discussed to provide for walking and cycling access from the South of the site, heading West toward Sainsburys. The current plans do not show how this can be achieved and members feel strongly that this is an important feature that must not be forgotten.

It is crucial to link the development with existing facilities the current plan shows a 'potential' pedestrian and cycle link to Eton Close. Members would like a commitment that this link is properly facilitated and contributions towards the installation of a pathway in the open space.

Witney Town Council would still welcome a shared pedestrian/cycle path further south than indicated on the proposed plans, encompassing the former Witney Railway bridge towards the South Witney Industrial and commercial areas.

The submitted documents mention cycle lanes and parallel crossings, but there is no mention of priority for cyclists and pedestrians at the road junctions. Oxfordshire County Council guidelines say that vulnerable users should have priority over vehicular traffic - this is an opportunity to modernise these junctions and priority be given to cycle and foot traffic at all side junctions.

In a previous response Witney Town Council had asked about one housing unit being for a community development project and then handed over to the community. It would serve as a hub before the community hub is built and then later gets sold as a house to be lived in, but profits go to community projects. Has any more thought or research gone into this? Witney Town Council are keen to explore this with the developers.

Witney Town Council support the Oxfordshire County Council document of 27th April 2021 outlining developer Section 106 contribution. This list includes many of our original requests. Our members have discussed the previously submitted response and the requests therein and members agree that these funding needs remain valid.

For reference, our previously submitted Section 106 list is repeated below:

In addition to the cemetery access (or associated funding) the Town Council would like to request the following to support the infrastructure in and immediately adjacent to the development.

Sport & Recreation

Witney Town Council recognises the inclusion of a proposed play area/LEAP but would request an off-site contribution of £20,000 to upgrade the nearest play park facility in Eton Close to serve the anticipated increase in children from the development.

The Town Council also welcomes the inclusion of village green areas

and would ask if one of these could be used as a wheeled sports track, with £15,000 allocated to the Town Council to facilitate this project.

The Town Council is committed to encouraging grassroots sports and considers that a development of this size will increase the number of people wanting to use sports facilities. The Council does however recognise that due to the topography of the site, the inclusion of a sports pitch would be difficult (unless the developer feels that land in their ownership south of the cemetery is suitable, or another piece of land outside of this site).

Therefore, it would request a contribution of £50,000 towards upgrading other sports pitches and changing rooms across the town to absorb the anticipated usage.

Infrastructure & Street Scene

The Town Council would like to request that the developers install at least two grit bins on the estate due to its sloping topography along with benches in the village green areas, Sheffield cycle racks near the bus stops, community hub and recreation areas (village greens), bus shelters and bins. The Council would like to see the majority of these installed before all dwellings are occupied.

Lake & Country Park

The Town Council would like to request £10,000 towards the inclusion of an educational space at Witney Lake & Country Park as part of its long-term plan to manage this area. The site sits South West of the development and is connected via the paths mentioned above.

ERS Air Quality

Technical Observations - Sensitivity analysis

The assessment includes a sensitivity analysis where Defra background concentrations and emission factors for the current baseline of the proposed development as at 2018 have been used. These concentrations are assumed to be higher than those predicted for later years, such as 2024 and 2031.

The report Section 7.6.3.1 states, in relation to the sensitivity analysis: "For NO₂, in 2031 (full build out year - 495 units), 1 existing receptors exceed the annual mean NO₂ AQS objective. According to the EPUK/IAQM guidance, the impact on annual mean NO₂ concentrations for all existing receptors range from major adverse to negligible. Under this case, mitigation should therefore be considered for those receptors where an impact above negligible is predicted.

All proposed receptors are compliant with the annual mean AQS objective for NO₂, therefore no mitigation is required".

Although I accept that this is assuming no improvement in vehicle emissions between 2018 and 2031, I don't understand reason for the conclusion here. The sensitivity assessment has indicated a potential major adverse effect on air quality at one point within the AQMA by 2031. At this point the modelling has determined that the Air Quality Objective will be exceeded in the vicinity of Bridge Street, Witney. It

is not explained why this would not require mitigation.

Other Observations - The operational phase assumptions
In each of the five modelled scenarios (2018 baseline to 2031 opening year) various assumptions have been made as to completed infrastructure and other development schemes. By the time of the completed development it is assumed that key highways mitigation will be in place, including the Shore Green Slip Roads, West End Link Road, Bridge St Amendments and the Northern Distributor Road.

However, it is far from clear how these will be provided, how the various schemes that make up the Witney SDAs will be brought together. What appears not to be available presently is a masterplan for the SDAs and in particular timelines for constructing the various mitigation schemes such as the West End Link Road and the Northern Distributor Road that are an essential part of this. The SDAs require a means by which these schemes will be delivered in a coordinated and timely fashion. Without these it seems to me to be unfeasible that the Planning Officers would allow any one scheme to proceed in isolation and in advance of other proposed schemes, some already formalised, and ahead of a means by which collectively the mitigation schemes can be delivered. As far as I'm aware there is no masterplan and means by which any mitigations obligations set into S106 agreements can realistically be brought forward.

So whilst these highway schemes, if brought forward, would be beneficial in reducing air quality concerns in relation to this development, there appears to be no guarantee that they would be completed in time for 2031, as is relied upon by this assessment. Without any commitment to the schemes and timetable to bring them forward a revised assessment of air quality would presumably produce a worst outcome for the AQMA.

The Council has a statutory duty to improve air quality especially in those areas where it exceeds the national quality objective. An AQMA is the embodiment of the type of area that LAs are duty-bound to address. It would not be appropriate for a local authority to ignore potential worsening of air quality within an AQMA. I cannot lift my objection to the scheme until I have assurance that there is a mechanism for providing the mitigation relied upon by the consultant's assessment.

WODC Planning Policy
Manager

The amendments made to the scheme and submitted in September are considered to be extremely modest in nature, amounting to minor tweaks to the overall scheme at best.

As a result, these fail to address any of the key, 'in principle' concerns raised in our previous policy response and also most of the more minor issues raised.

Active Travel Routes

Local Plan Policy WITI criterion d) stipulates that development of the East Witney SDA should be supported by a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving the linkages across the Windrush Valley into the town centre.

In his report into the Local Plan, the Inspector concluded at paragraph 138 that the requirement for improved pedestrian/cycle connectivity across the River Windrush is reasonable as this would provide direct access from the western site to the supermarket and employment areas which lie to the south of the town centre.

As such, it is particularly disappointing that the applicant remains unwilling to commit to providing comprehensive active travel routes through the Windrush Valley to link to the Town Centre and surrounding environs, despite a willing landowner (Witney Town Council) who is supportive of the necessary works.

The applicant is fully aware that this site is uniquely situated to encourage high levels of walking and cycling within an attractive environment due to its relationship with Cogges, the Windrush Valley and its proximity to the town centre. Yet, the applicant is unwilling to embrace this to the detriment of future residents of the site including their health and wellbeing.

We note the proposed inclusion of an additional pedestrian/ cycle link from the main Cogges Triangle site to the area of open space located to the south of Eton Close. This is welcome and supported although on the whole, pedestrian and cycle connections across Site A still remain weak and unresolved in places with priority given to car users.

Landscape impact relating to quantum of development and extent of developable area

Another key concern is the extent of development on both of the SDA sites outside of the indicative developable areas shown in Local Plan Figure 9.2c. This was raised as a key concern in our original response in December 2020 and I welcome the fact that specialist landscape advice has been sought.

I note the overall conclusion that the proposal represents a site wide change of landscape character that would cause landscape and visual implications beyond the boundaries and that the development would encroach unacceptably onto the sensitive elevated landform to the detriment of the surrounding rural landscape and the setting of Witney.

Community Hub

As set out in our original response, the decision to include a local centre as part of this development is welcome. It is not a requirement of the Local Plan Policy WITI but would clearly provide a valuable resource for new and existing residents.

However, I note that the location of the community hub has not been altered and that it remains on the more elevated parts of the site adjacent to the cemetery.

I note that the recent further landscape advice which has been received concludes that the community hub is a prominent feature due to its positioning on higher ground and its impact is inappropriate on the landscape. I note that the Town Council have also raised concerns regarding the location of this hub.

Play Space Provision

Of the previous concerns we raised, the only one which has been satisfied is the relocation of the play area to the main Cogges Triangle site (Site A) where it will be more accessible and we welcome this alteration. I haven't however assessed the specific location of this play area on the site but it should be easily accessible across the site and close to other facilities such as the community hub. We did suggest that the existing play area on land owned by Witney Town Council to the south of Eton Close should be upgraded and Witney Town Council is supportive of this approach.

Other Issues previously raised

No amendment has been made to the location of the bus stops despite previous concerns raised by ourselves and Stagecoach.

In terms of the biodiversity enhancements proposed, including those in the Windrush Valley, I understand that specialist feedback is being prepared by the Council's biodiversity officer.

Considering drainage and archaeology, these are matters for Oxfordshire County Council to consider and I understand that feedback is being provided.

Conclusion

In conclusion, the key concerns raised in our previous comments of December 2020 have not been reflected in the amended plans, the alterations to which are extremely modest. We therefore continue to consider the proposals to be contrary to Local Plan Policy WITI.

It is particularly disappointing that there is no clear commitment to wider connections into the town despite a willing landowner who is supportive of the necessary interventions. This raises a direct conflict with criterion d) of Policy WITI which emphasises the importance of improving links into the town centre across the Windrush Valley.

Furthermore, the quantum of development remains unaltered along with the extent of proposed built development. Since our original comments were made, specialist landscape advice has been sought and this supports our earlier suggestion that the extent of development as proposed would have a harmful impact.

WODC Landscape And
Forestry Officer

Summary - The proposal represents a site wide change of landscape character that would cause landscape and visual implications beyond the boundaries. The development would encroach unacceptably onto sensitive elevated landform. This would be to the detriment of the surrounding rural landscape and the setting of Witney.

District Ecologist

No Comment Received.

Climate

No Comment Received.

Sustainability Checklist Officer

Sustainability Checklist provided.

Conservation And Design
Officer

No Comment Received.

WODC - Sports

No Comment Received.

NPCU (Formerly GOSE)

No Comment Received.

OCC Lead Local Flood
Authority

No Comment Received.

Parish Council

Mrs. S Groth, Witney Town Council, has no overall objection regarding this application but has the following observations and comments on the revised plans.

Members welcome the inclusion of better access to Windrush Cemetery, as shown on the indicative drawings but are disappointed to see the formerly proposed community centre has been removed from the latest set of plans. During the original public consultation,

the hall was thought hugely beneficial as it would provide a valuable community asset for East Witney, serving both residents and those attending funerals at the Cemetery, with associated parking and infrastructure. The removal of this proposed community benefit would be a substantial loss to the scheme.

The Town Council still has little confidence in the capacity provided by the local water and sewerage company, and would like reassurances that drainage and sewerage infrastructure for Witney as a whole will be able to absorb the increased capacity required from this proposed major development.

Witney Town Council has concerns over the height of the proposed buildings, and echoes those concerns made in the accompanying documents, with regard to the contours of the land.

Members support concerns from the District Council regarding the comprehensiveness of the pedestrian and cycle path plans, that connections should be in line with the required needs and ongoing proposals. The Town Council still envisages better connections for cycling and walking into the town centre, especially more directly across the river Windrush to Farm Mill Lane, which need to be delivered at an early stage of the development, rather than on its completion.

Witney Town Council also supports the District Council view that the proposed provision of play areas on the site is improved.

In terms of environmental and energy sustainability needs, the Council would like to see ambitious proposals from the developer, which go beyond current planning and building regulations. It supports the comments by the District Council on biodiversity at the site and beyond into the Windrush Valley. It is not currently clear to Witney Town Council what Biodiversity Net Gain the developer is prepared to agree to, 10% does not appear to be sufficient, and it therefore agrees with the District Council, that this should be agreed before any approval.

Major Planning Applications
Team

Recommendation: Objection for the following reasons:

- Poor connectivity - The amendments to the proposed application fail to deliver on the essential connections identified in the document, 'Identification of Selected Cycling Infrastructure Enhancements in East Witney' dated May 2020 and also fails to make good connectivity for pedestrians and cyclists to the Windrush Valley and Hanborough Station as required by Policy WITI.
- Proposals inconsistent with provisions of Policy WITI (d) in the following ways - not yet agreed to making appropriate financial contributions towards LTP4 schemes.

Conservation And Design Officer	No Comment Received.
WODC - Sports	No Comment Received.
NPCU (Formerly GOSE)	No Comment Received.
WODC Housing Enabler	No Comment Received.
WODC Planning Policy Manager	No Comment Received.
WODC - Arts	No Comment Received.
ERS Air Quality	No Comment Received.
WODC Env Health - Lowlands	No Comment Received.
WODC Landscape And Forestry Officer	No Comment Received.
District Ecologist	No Comment Received.
Climate	No Comment Received.
Natural England	No Comment Received.
Environment Agency	No objection.
Oxford Clinical Commissioning Group NHS	No Comment Received.
OCC Lead Local Flood Authority	No Comment Received.
OCC Archaeological Services	No Comment Received.

CONSULTATIONS

Please see appendix I at the end of this report.

5 Letters of objection:

- This development will add considerably to Witney's traffic congestion. I believe that it would be prudent to preserve an undeveloped corridor through the area under outline consideration for the possible future construction of a relief road bridging the river, linking the increasingly busy Station Lane area to east Witney.
- It is very important that land is retained as grass land for recreational use.
- The A40 wouldn't cope with 495 households commuting.
- The proposed housing development would increase the danger of flooding
- The fields thrive with wild flowers and animals and the proposed housing development would demolish this ecology

3 letters have been received with the following comments:

- This application includes the right of way on the most Northern Eastern corner on the way from Witney to South Leigh. This right of way is the most convenient and safest way for pedestrians to walk from Cogges and Witney to and from South Leigh. Need to ensure that the existing, neglected right of way be refurbished and the link(s) with the Cogges and Witney estates using existing rights of way be preserved within any development. Playgrounds for children are very essential in any new development.
- I would like to understand what consideration has been undertaken to ensure that the risk of flooding through water run-off has been reduced with this planning application. At present the site is a green field, which when saturated has the propensity for water run off towards Blakes Avenue. I would support this application if the risk has been reduced.
- At present there are several footpaths across site A, I would like to ensure that these are kept as "Green" as possible to ensure the feeling of walking in the countryside is protected as opposed to walking through an housing estate.
- The North Witney Action Group (NWAG) reiterate that a comprehensive four way interchange at Shore's Green is completed before any further action is taken on any other development in the Local Plan for Witney SDA's.

Stagecoach - In principle supports the broad shape of the proposals, however concerned it does not go far enough to identify and take up opportunities to maximise use of public transport. Therefore cannot fully support it at this time. Whilst the bus service on Oxford Hill is exceptional, the provision of bus stops is very weak. The applicant proposes three new stops on Oxford Hill. We agree with this level of provision, however a number of detailed points are raised about the design of the stops at Jubilee Way/Cogges Hill, Oxford Hill existing westbound bus stop and new stops at Clementsfield Farm area. On urban design and structure, the proposals are structured around car circulation, to which walking and cycling infrastructure seems to have been added as an afterthought. We find location for community hub very strange, being sited at the most peripheral and distant part of the development. The optimum location would appear to be in the proposed 'village green' at the main entrance.

County Cllr Enright - The development will require important infrastructure to support it, including but not limited to:

- Funding towards new slip roads on the A40 at Shores Green (Access to Witney)
- Access off the new development into the Windrush Cemetery
- Community hall - multipurpose and at the heart of Cogges
- School places and GP surgery capacity

- Shared footpaths/cycle paths across the meadow to the town centre
- Amenity land for informal play

Witney Town Council have made extremely pertinent comments.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

H5NEW Custom and self-build housing

E5NEW Local services and community facilities

E6NEW Town centres

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH5 Sport, recreation and children's play

EH8 Environmental protection

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH16 Non designated heritage assets

WIT1NE East Witney Strategic Development Area (SDA)

NPPF 2021

DESGUI West Oxfordshire Design Guide

NATDES National Design Guide

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

5 Planning Assessment

The application

5.1 The proposal is an outline planning application (with all matters reserved except access) for the erection of up to 450 dwellings with associated open space and green infrastructure.

5.2 The application has been amended to reduce the number of dwellings from up to 495 down to up to 450 and the provision of a new community hub has been omitted from the application. Whilst the provision of a community hub was not required under Policy WIT1, its omission is unfortunate and would have been a benefit to both existing and new residents. The principle of the provision of the

hub has always been supported but the location was in dispute, given its remote and sensitive location on higher ground.

5.3 The proposal represents development requiring an Environmental Statement (ES) and this has been provided, with a large volume of supporting information and documentation. Further information and revised parameter plans and a revised illustrative masterplan have been submitted in respect of the amendments detailed above.

5.4 An extension of time has been agreed after receipt of amended plans and documentation, submitted in August 2022. Further discussions were held with the applicant in September 2022, in an attempt to resolve outstanding issues, but no further information or revisions has been submitted. The agent has commented that a formal and comprehensive response to the comments received in connection with the revised proposals is being prepared but given the length of time that has now passed and the continuing failure to address the conflicts with Policy WIT1, detailed below, the application is being reported to Committee in order to meet the now agreed extension of time for determination in January 2023. Should further information be submitted, Members will have the option of deferring consideration of the application to allow full consideration of this information and to enable any required re-consultations to take place.

Site description.

5.5 The application site measures approximately 23.1 ha and is located on the eastern edge of the town of Witney. The site comprises two parcels of land. The land on Cogges Triangle (Site A) is the larger of the two areas and is currently in agricultural use as arable farmland. Cogges Triangle is comprised of large fields separated by natural boundaries. The land rises gradually to the north from the A40 and Cogges from an elevation of c.87m AOD in the south to around c.113m AOD along the northern boundary at Oxford Hill, with a south-west facing aspect.

5.6 The western boundary of Cogges Triangle adjoins existing housing and is bounded to the southeast by the A40. The northern boundary of Cogges Triangle is largely formed by Oxford Hill (B4022) and skirts around the boundary of the Windrush cemetery which is accessed from Oxford Hill. There are six Public Rights of Way (PRoW) that intersect the larger Site area (410 41/20, 410 41/40, 410 8/10, 410 42/10, 410 7/30 and 410 8/20).

5.7 The smaller site area (Site B) known as Cogges South comprises an area of relatively flat land in agricultural (arable) use and is located between an area of existing housing in Manor Road to the north and to the south by the A40. The eastern boundary of the site is formed by the Stanton Harcourt Road whilst the western boundary adjoins open fields (part of the Windrush Valley).

Planning History

5.8 A screening opinion was issued in August 2019 and a scoping Opinion was issued in February 2020.

5.9 This allocated Local Plan site has been subject of extensive pre-application discussions in an attempt to agree a masterplan.

5.10 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Principle
- Layout and scale
- Impact on Landscape
- Impact on Heritage Assets
- Highway Issues/Connections
- Flood Risk/Drainage
- Residential amenity /Noise/Air Quality
- Biodiversity
- Affordable Housing
- Sustainability
- SI06 Contributions

The principle of the development

The Development Plan

5.11 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the Local Plan 2031 adopted in September 2018.

5.12 This site is allocated for housing development in the adopted West Oxfordshire Local Plan 2031. Policy WITI relates specifically to this site and allocates the site for around 450 dwellings to accommodate a sustainable, integrated community that forms a positive addition to Witney.

5.13 The Policy states that development should include:

- a) about 450 homes with a balanced and appropriate mix of residential accommodation to meet identified needs, including affordable housing. This will include c.30 homes on land adjacent to Stanton Harcourt Road (subject to landscape impact and flood risk) and c. 420 homes on land at Cogges Triangle (subject to landscape impact and surface water run-off).
- b) comprehensive development to be led by an agreed masterplan.
- c) development to be phased in accordance with the timing of provision of supporting infrastructure and facilities including the essential improvements to the Shore's Green junction onto the A40 and related highway measures.
- d) the provision of other supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving the linkages across the Windrush Valley into the town centre consistent with the aims and objectives of the Windrush in Witney Project and to Hanborough Station.
- e) the provision of appropriate landscaping measures to mitigate the potential impact of development and associated infrastructure.
- f) the provision of appropriate financial contributions towards primary and secondary education capacity enhancements.
- g) biodiversity, landscape and public access enhancements within the Lower Windrush Valley including arrangements for future maintenance.
- h) provision of appropriate green infrastructure including allotments.

- i) appropriate measures to mitigate traffic noise.
- j) the conservation, and enhancement where possible, of the setting of the Cogges Scheduled Monument and the Witney and Cogges Conservation Area.
- k) the investigation, recording and safeguarding of the known and potential archaeological significance of the Area prior to any development taking place. The results of the investigation and recording should inform the final layout of the development and be deposited in a public archive.
- l) appropriate measures to mitigate flood risk including the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.
- m) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.
- n) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.
- o) the developer will be required to set aside 5% of the developable plots for those wishing to undertake custom/self-build.

The proposed allocation is shown in Appendix 2.

National Policy/Guidance

5.14 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

5.15 At the heart of the NPPF is a presumption in favour of sustainable development and paragraph 11 advises that for decision-making this means approving development proposals that accord with an up-to-date development plan without delay, or where policies that are most important for determining the application are out-of-date, permission should be granted unless:

- I. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Council's housing land supply position and the implications of the NPPF

5.16 The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five year supply of deliverable housing sites, paragraph 11 of the NPPF, as set out above, is engaged (Identified in footnote 8).

5.17 The Council's latest Housing Land Supply Position Statement (2022-2027) concludes that the Council is currently only able to demonstrate a 4.1 year supply. As such, the provisions of paragraph 11d) of the NPPF is engaged.

5.18 In respect of bullet point i), detailed above, these policies include those seeking to protect heritage assets which is addressed in detail later in the report.

Conclusions on the principle of residential development

5.19 In view of the above it is clear that the decision-making process for the determination of this application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits or whether there are specific policies in the framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposed.

Layout/Scale

5.20 Paragraph 130 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history including the surrounding built environment and landscape setting and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2, OS4 and EH2 each require the character of the area to be respected and enhanced. The importance of achieving high quality design is reinforced in the National Design Guide.

5.21 The application is in outline with all matters reserved apart from access. A revised illustrative masterplan and parameter plans have been submitted. The revised Land Use parameter plan indicates the residential areas on Sites A and B and Green Infrastructure including open space and allotment area (0.69ha) on Site B. In terms of the proposed residential development areas on both Sites A and B these will extend beyond the identified housing development areas on the allocation plan (see appendix 1). Whilst it is accepted that these areas are shown as 'indicative only', the extended areas will have impacts on both landscape and heritage assets. In respect of Site A, the housing will extend onto higher land to the north east (up to 102m), which is above the 95m contour line which was defined through landscape evidence at the Local Plan examination as being the level which would avoid an unacceptable degree of impact in landscape terms. This issue is considered in more detail below.

5.22 Officers have also raised concerns relating to the location of the allotments in the Windrush Valley on Site B and consider that they would be better located on Site A where the allotments can be easily reached on foot by green active travel connection, perhaps closely aligned with other open space/ water features and play areas. The Council's Leisure Facilities Team has commented that the development would require the provision of a Neighbourhood Equipped Area of Play (NEAP) to include a flood lit Multi Use Games Area (MUGA) and wheeled sports track/skate park. The amended Plan shows an indicative location for equipped children's play within the centre of the Cogges Triangle site. The agent has advised that the scheme includes a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP) and that a NEAP/Multi Use Games Area is not required and would be space hungry and could not be accommodated on the site. In terms of Site B, the residential development area incurs into the valley floor, affecting key views. The impact of development on this site in terms of eroding key views and urbanisation is further exacerbated by the proposed building density (43 dph) and heights which are shown to be up to three storeys.

- 5.23 The revised Landscape Parameter Plan indicates 9.53ha of open space including retained hedgerows/tree planting, new woodland, modified grassland and scrub planting. Additional surface water attenuation measures are included along a green corridor running west to east. A linear east-west green space is proposed at the main entrance to the site. This green corridor/ parkland would link with the existing green recreation space across Cogges Hill Road, Oxlease Park & Garden.
- 5.24 The Access and Movement Parameter Plan shows the primary access off Cogges Hill Road for Site A and off Stanton Harcourt Road for Site B. A pedestrian, cyclist and emergency access is also shown from Cogges Hill Road. A new pedestrian and cycle access route is shown to Oxford Hill with a new crossing at Oxford Hill to be provided. A proposed pedestrian and cycle access point is shown from Site A connecting to adjoining housing via Blakes Avenue and a new connection from Site B into open land (Windrush Valley) to the west. Walking and cycling infrastructure improvements are also indicated. The new pedestrian and cycle access to Oxford Hill crosses steeper open land and will lead to proposed new bus stops on Oxford Hill. The applicant has submitted further information arguing that the route is to facilitate the best performing routes from the site to Witney and East Witney to Eynsham/Oxford. Officers have consistently held the view that the bus stops should be repositioned closer to the Jubilee Way/Cogges Hill Road junction where they would better serve both existing and new residents. This view is also shared by Stagecoach whose advice has focussed on providing much improved stops at the existing Cogges Hill Road/Jubilee Way Crossroads. The new route would also be visually intrusive crossing higher open land and fails to make use of existing rights of way that pass across the site to Oxford Hill. It is also considered that the provision of such a route would increase pressure to develop land adjoining the northern part of the site, particularly as the applicant has stated his intention to provide an additional emergency access off Oxford Hill. Further detailed comments on access and movement is set out in the connections /highway issues section below.
- 5.25 The revised Density Parameter Plan indicates densities ranging from 35dph to 43dph. The highest density (43 dph) are indicated on the northern, central and south western part of Site A and on Site B. A lower density of 35dph is indicated in the central and southern part of Site A. The Building Heights Parameter Plan indicates development ranging from up to two storey development to up to 3 storey development. The up to 3 storey development is the dominant height across the site on both Sites A and B. Up to 2.5 storey development is indicated on the western edges of Site A adjoining existing housing and on the northern edge of Site B. The lowest density (up to 2 storey) is shown on the eastern edges of Site A. These densities and heights would have significant landscape impacts. It should also be noted that in terms of the existing context of the site, the surrounding development, which is set at a lower level, does not exceed two storey in height.
- 5.26 The revised illustrative masterplan shows a potential link through to the Windrush cemetery and the potential pedestrian and cycle link to open space at Eton Close. Whilst this plan is submitted for illustrative purposes only, and detailed layout matters would be addressed through reserved matters applications, there is a concern that the internal layout submitted prioritises car users rather than pedestrians and cyclists which have been designed to 'fit-around' the main vehicular routes, contrary to part d) of Policy WIT 1.
- 5.27 In summary, the submitted parameter plans fail to demonstrate that this development can be satisfactorily accommodated on the site. Policies OS2 and OS4 seek a high quality of design. Policy OS2 clearly advises that new development should be proportionate and appropriate in scale to its context and should form a logical complement to the existing scale and pattern of development and

should relate well to the character of the area. Similarly Policy OS4 seeks a high quality of design that respects, inter alia, the historic and architectural character of the locality, contributes to local distinctiveness and, where possible, enhances the character and quality of the surrounding. The NPPF also makes it clear that creating high quality buildings and places is fundamental to what the planning and development process can achieve and the recently published National Design Guide provides advice on the components of good design which includes the context for buildings (form and scale); Identity (well-designed, high quality and attractive places) movement (connected network of routes and active travel) and built form. The development proposed is considered to be of poor design quality and would fail to deliver a sustainable, integrated community that would form a positive addition to Witney. Further impacts are discussed in detail below.

Impact on Landscape

- 5.28 Policy EH2 of the Local Plan seeks to conserve and enhance the quality, character and distinctiveness of West Oxfordshire's natural landscape and gives special attention and protection to the landscape and biodiversity of the Wychwood Project Area.
- 5.29 The West Oxfordshire Landscape Assessment identifies that the main Site area (Site A) is located within the Eynsham Vale Landscape character Area and Site B is identified as being located within the Lower Windrush Valley Character Area. The Eynsham Vale is described as "a low-lying area characterised by large-scale subtly rolling farmland, with a strong landscape structure. However, it is particularly distinguished by extensive areas of woodland and a well-treed character dominated by the formal parkland and well managed farmland of Eynsham Park and other large estates." The assessment goes on to note that: "Overall, the Eynsham Vale has an attractive and largely unspoilt, rural character but with some localised variations in quality and condition which demand different strategies for management and enhancement".
- 5.30 The Lower Windrush Valley is described as: "an area of distinctively flat, low-lying landscape which occupies the 'floodplain' of the River Windrush and the margins of the River Thames to the east of west of their confluence. The area overlies extensive river gravel deposits and its character has been heavily modified by mineral extraction. Large areas of the floodplain are now occupied by gravel pits in various stages of active quarrying, restoration or re-colonisation and extensive areas of open water are a distinguishing feature of this area. Where these have recolonised, and in the extensive areas of pasture to the east, the landscape has a pastoral, tranquil and remote character". The assessment goes on to note "Overall, the Lower Windrush Valley and Eastern Thames Fringes has an attractive and largely unspoilt, rural character but with some localised variation in quality and condition which require different strategies for management and enhancement."
- 5.31 An amended Landscape and Visual Impact Assessment (LVIA) chapter to the Environmental Statement has been submitted along with a technical note relating to the proposed changes. The LVIA reports the outcome of the assessment of likely significant effects arising from the Proposed Development in Landscape and Visual Terms. In particular, it considers the potential effects of the construction and operational phases of the Proposed Development on landscape and visual receptors within the immediate and wider landscape context. The LVIA concludes that the Site is of Medium landscape value overall but when considering the value of the wider landscape setting that is a relatively intact landscape in good condition overall, it is considered that the wider landscape setting is of High landscape value overall.
- 5.32 The previous ES LVIA assessment identified that the proposed development would give rise to a number of potential significant adverse effects during the construction process and early completion

phases (Completion Year 1). These effects, if left unmitigated would constitute a demonstrable adverse impact in landscape and visual terms. These effects would however be limited to the immediate locality of the Site itself, with the wider urban area, established vegetation cover, topography and existing treescape combining to afford a good degree of physical and visual containment to the site. Through mitigation and compensation measures, it is considered that the development can be completed in a manner which significantly reduces these adverse landscape and visual effects. To the extent that the proposed development could be successfully integrated into the receiving landscape. The proposed development, while a marked change to the open pastoral/agricultural landscape which exists at present, is deemed appropriate when considered in relation to the planned expansion of Witney and the requirements of the West Oxfordshire Local Plan 2031, representing a change which is in keeping with the wider aspirations of both the County and Local Planning Authorities. While the reduced development layout will offer some clear benefits in terms of the impact of development upon the site itself and its immediate setting, this will not fundamentally alter the overall impact of the development in landscape and visual terms. It is the case, however, that the removal of the community facilities will be of greater significance removing a potentially prominent element from the scheme. It is therefore considered that the revised development layout makes a positive contribution in terms of the appearance of the development within the landscape but one that does not fundamentally alter the overall development effect identified within the previous assessment. However, and as previously demonstrated it remains the case that development can be successfully integrated into this context, without significant, long term, adverse effect, provided that the detailed mitigation measures and Green Infrastructure strategy is implemented and managed as envisaged.

5.33 The Landscape parameter plan provides for over 9ha of green space comprising new woodland planting, retained hedgerow/tree planting, modified grassland and scrub planting. The open spaces around the north, central and eastern areas of the site will provide a combination of amenity and natural green space. The plan also indicates proposed SuDS areas in the central part of the site and a proposed allotment area close to Site B off Stanton Harcourt Road.

5.34 The Council's Landscape Consultant has commented as follows:

'Overall, it is considered that the development omissions on the high ground are positive in landscape terms when considered against the previous design iteration. With the removal of these built features, there is an opportunity for far greater planting along the ridgeline. This would create a more treed skyline that supplements the existing hedgerow and trees. This increased vegetative provision would also provide a softer backdrop to the development, reinforce a Green Infrastructure corridor and increase biodiversity.

5.35 The proposed development is beyond the 95m contour highlighted within the 'Landscape and Visual Review of Submissions for Carterton and Witney Strategic Development Options' (October 2012). If building beyond the 95m contour is deemed to be appropriate in this instance the development edge would need to be appropriately considered. This may be achieved through lower density development on the edge alongside a less formal and linear building pattern. The roofscape on the edge could also be broken up with additional tree planting to soften the transition between the development edge and the more rural undeveloped ridge.

5.36 The effect of positioning development beyond the 95m contour would likely be exacerbated by the maximum storey heights proposed on the 'Parameter Plan Building Heights'. Given the elevated slope the proposed development is positioned on this should be revisited and maximum storey heights restricted to 'up to 2 storey' as the block of development near the centre of the site already

is. The height of the proposed development is particularly pertinent given the neighbouring settlement edge is generally two storeys in elevation and occupies lower ground.'

5.37 In summary the Landscape Consultant considers that further revisions are still required to address potential harmful landscape impacts, given the proposed framework plan and parameters for the development.

Impact on heritage assets

5.38 Section 16 of the NPPF sets out guidance on conserving and enhancing the historic environment. Paragraph 199 of the NPPF provides when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.39 This application is accompanied by a detailed Heritage Statement (HS) which provides an assessment of the potential impacts of the development proposals upon above and below ground heritage assets. In addition, the supporting ES contains a chapter which examines the potential heritage impacts of the development proposals supported by an Addendum which considers the proposed amendments to the application.

5.40 The Site does not contain any built heritage assets or permanent structures, and whilst not in a conservation area, the Site lies in proximity to the Witney-Cogges Conservation Area and contains wide-ranging views in which the Grade I Listed Church of St Mary the Virgin is partially visible.

5.41 The HS concludes that the Site has not been identified as making any contribution to the significance of the Grade I Listed Church of St Mary. The Site forms no part of how the high architectural and historic interest of the Church is experienced when in proximity to it. The Site has been identified as a minor and unappreciable element of the Church's extended setting. The views possible of the Church from within the Site, in which it is appreciable as a local landmark, will be retained within the proposed development. The development proposals are therefore considered to represent a neutral alteration of the extended setting of this built heritage asset with no effects arising to its significance. Furthermore, the HS considered that the proposed development represents the alteration of a minor and unappreciable element in the extended setting of this part of the conservation area that will not alter the experience of its character or appearance. No potential impacts to the significance of the Newlands character area are identified as arising from the proposed development. The submitted Addendum advises that these conclusions remain valid.

5.42 The Councils Design and Conservation Architect (DCA) has commented that in respect of site A the area proposed development is unlikely to feature in any significant views from, or towards the conservation Area but suggests that two or possibly two-and-a-half stories should be the maximum height for buildings, as the development will be effectively adding to a broad swathe of existing

Development and the cumulative effect should not be too urban. The potential impact on the setting of Cogges Farm (a group of Grade II* and Grade II listed buildings and an Scheduled Ancient Monument) has also been considered but given existing development, it is not considered that any of the proposed development would be visible from the farm or its environs and even if there were distant glimpses, they would be unlikely to make any significant difference.

- 5.43 Considering Site B, the DCA notes that this is currently another inoffensive undeveloped field, although the tranquillity is somewhat compromised by traffic noise on the A40, adjoining the south boundary. The rural edges are already well defined, and that any development here would feel like an encroachment. The field lies squarely in a fine view of St Mary's spire, from the road to Standlake Road as it crosses the A40. This is a rare distant view of Witney in which C20 development does not feature strongly and it hints at how the settlement once was. The preference would be to resist development on Site B, but as some development is indicated in the Local Plan, any development should be limited to the north corner (as indicated in Figure 9.2 accompanying Policy WIT1). The parameter plan remains unaltered in this respect.
- 5.44 The revised Landscape Parameter Plan indicates a 'Protected view towards St Mary's Church from the A40 bridge along Stanton Harcourt Road looking north west'. This protected view gives the impression that none of the proposed development on Site B would be viewed when looking towards the Church but this is not the case. Development on Site B would be clearly seen in views of the Church encroaching into this open landscape context.
- 5.45 In conclusion, there is considered to be no adverse impacts on the significance of the Conservation Area. Nevertheless, views of St Mary's Church would be negatively impacted upon by the development proposed on Site B given its incursion further westwards.
- 5.46 In summary, there will be harm to the heritage assets and it is necessary for the harm identified above to be weighed against public benefits of the proposal. In this respect it is considered that the economic and social benefits arising from the scheme which will deliver market and affordable housing units with associated benefits would outweigh the less than substantial harm arising in this case.
- 5.47 In terms of archaeological impact, the archaeological evaluation requested has now been undertaken and a report of the results has been submitted with this application. The evaluation has recorded a number of archaeological deposits across the site dating from the later prehistoric through to the medieval period. A small amount of Roman pottery was recovered along with evidence of early medieval use of the site. The evaluation however found no archaeological deposits of such significance as to present a constraint to any development. A further programme of archaeological investigation will need to be undertaken on parts of the site to better understand and record these features, but this can be secured through an appropriately worded condition.
- 5.48 The County Archaeological Officer has recommended that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be undertaken ahead of the period of construction. This can be ensured through the attachment of a suitable negative condition.

Highway Issues/Connections

- 5.49 The outline application includes primary access arrangements for both Sites A and B. Both will be accessed from new 'T' junctions and the access to Site A is designed around the principle of a

looping primary street with frontage access. Site A (Cogges Triangle) will have a series of secondary roads which take access from the primary street, which will again form loops with frontage access throughout and provide access to the 'Community Hub'. Access arrangement to Site B have been revised to include a 3m footway/cycleway through the site to Stanton Harcourt Road. An emergency access is also proposed off Cogges Hill Road. The application also advises that the Applicant has agreed to 'safeguard' the land required to deliver the eastbound off-slip and associated junction with Oxford Hill.

- 5.50 The submitted Transport Statement concludes that the development's transport impacts cannot be regarded as either giving rise to an unacceptable impact on highway safety or a severe impact on the road network.
- 5.51 Part c) of Policy WIT1 requires development to be phased in accordance with the timing of provision of supporting infrastructure and facilities including the essential improvements to the Shore's Green junction onto the A40 and related highway measures. OCC Highways has requested, that if permission is granted, a proportional contribution towards the A40 Shore's Green West Facing Slips and a Grampian condition to limit the amount of development prior to the opening of the Shores Green improvement scheme. The trigger for the permitted amount of development would be agreed with OCC Highways following modelling assessments.
- 5.52 The NPPF acknowledges that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as extensions to existing towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). In this respect Site B was included in the allocation to help facilitate the provision of links to the Town Centre across the Windrush Valley thereby increasing the integration of the overall development with the existing built area. Part d) of Policy WIT1 refers to the need to provide for a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving the linkages across the Windrush Valley into the town centre consistent with the aims and objectives of the Windrush in Witney Project and to Hanborough Station. The application indicates the provision of a 5.5m footway/cycleway running north through the Windrush Valley which would also provide access to the allotments. This route would link to a 3m footway/cycleway but would rely on the provision of a river crossing to connect to the town centre and continuation of the route over Town Council owned land to connect to Cogges, which the applicant is unwilling to deliver.
- 5.53 A specific piece of work on priority interventions for cycling and walking required by the development has been carried out by OCC in collaboration with WODC. This piece of work was undertaken in 2020 with a report dated June 2020. The report documents a range of improvements to walking and cycling links in Witney East. The improvements are split into:
- a) Those considered essential for the East Witney SDA i.e are direct mitigation for the site, are related in scale to the development and are expected to be brought forward by the East Witney developer.
 - b) Enhancements considered to form part of a broader town-wide strategy for active travel infrastructure improvement to which the East Witney development could be expected to contribute towards alongside other local developments. A plan detailing the 'essential' connections is attached at Appendix 3.

The application fails to deliver the essential connections identified above.

- 5.54 One of the 2 key connections (5, 4, 9, 10 & 11 - known as Route A) includes land outside the applicant's control. Intervention 5 is an existing off-road footpath east of Blakes Avenue which is owned by Cottesway Housing but the applicant has indicated their willingness to contribute towards the cost of the measures, subject to viability, for implementation by the Council. Improvements to route 4 including the provision of a controlled 'parallel' crossing is agreed as is the provision of route 9 towards the river Windrush apart from a link section over Town Council owned land. At point 10 a new river crossing is required in order to link into the town centre. The applicant has advised that the proposed pedestrian and cycle bridge is not required to make the development acceptable in planning terms but has agreed to contribute towards the cost of a river crossing, subject to viability. Without the delivery of such a link this essential connection cannot be secured. The applicant has also not agreed to provide a direct link from the river crossing to the south side of Sainsbury roundabout (Witan Way) as it is argued this is not essential and is land not under their control (OCC owned).
- 5.55 The second essential connection known as Route B (interventions 14, 7, 6 & 8) would again provide a link to the town centre via the required new river crossing. This route would include intervention 14 a new connection following sections of an existing PRoW along the southern edge of the SDA, linking to B4022 and A40 shared use path. The applicant is unwilling to extend this route and is arguing that instead pedestrians and cyclists would utilise the proposed internal road network. OCC Highways strongly objects to this view as not all of the length of this route lies within the developable area. OCC Highways are of the view that intervention 14 will need to be upgraded to a 3m wide year round usable facility for both pedestrians and cyclists. In terms of the provision of the whole of Route B, the applicant is arguing that this second route is not essential and only Route A is required. Route A is supported by the applicant as it is considered to be more convenient, safe and comfortable. The applicant has however, now agreed to provide a link to intervention 7 but has advised that the Council would be responsible for its delivery whilst the applicant agrees to contribute towards the cost of installation, subject to viability. OCC Highways are still of the view that this route would provide strategic connectivity providing a direct link for residents of new development to join the A40 cycle path towards Eynsham and Oxford. By running along southern side of the site this route avoids steep gradient of land to the north east of the SDA.
- 5.56 It is interesting to note that the revised Access and Movement Parameter Plan indicates a route from Site B running alongside the A40 linking to a redundant river crossing. OCC Transport had previously commented that this route was not safe and was unnecessary. Following this advice this route had been omitted and it is unclear why it is once again indicated on the plan, particularly as this route is still unsafe and leads into an industrial estate.
- 5.57 OCC Highways object to the application on the following grounds:
- Poor connectivity - The amendments to the proposed application fail to deliver on the essential connections identified in the document, 'Identification of Selected Cycling Infrastructure Enhancements in East Witney' dated May 2020 and also fails to make good connectivity for pedestrians and cyclists to the Windrush Valley and Hanborough Station as required by Policy WIT1.
 - Proposals inconsistent with provisions of Policy WIT1 (d) in the following ways - not yet agreed to making appropriate financial contributions towards LTP4 schemes.
- 5.58 OCC also note that the removal of the community hub shall likely increase the need to make outside journeys into town enhancing the need for active travel connections between the site and the town centre. OCC are of the view that the amended application's access strategy seems to

focus on the very local connectivity but fails to recognise the need for the strategic/ wider active travel connectivity onto the network.

5.59 In conclusion, none of the essential connections/improvements identified will be delivered through this development. Whilst some parts of the connections include land in other ownership (Town Council), the Town Council is willing for those connections to be provided and as such the delivery of these connections could be secured through a S106 agreement.

Flood Risk/ Drainage

5.60 The vast majority of the site lies in Flood Zone 1 (lowest risk of flooding), with only a small section of land lying in Flood Zone 2. This area of land is proposed for use as community allotments, an acceptable land use in Flood Zone 2. The submitted Flood Risk Assessment concludes that the proposed development can be achieved without increasing flood risk elsewhere and will in all likelihood allow for betterment of some of the nearby flooding issues in the Cogges Estate. The Environment Agency raise no objection to the application.

5.61 Following drainage concerns raised by the Local Lead Flood Authority (LLFA), further drainage information has been submitted and responses submitted on the issues raised. The LLFA now raise no objection to the application subject to appropriate drainage conditions being attached to any permission granted.

5.62 In terms of foul drainage numerous foul sewer connections have been identified for the site with gravity drainage possible. Discussions are ongoing with Thames Water to confirm whether sufficient capacity is available to accommodate the proposed development as it stands. Thames Water has requested a condition to ensure that adequate foul drainage measure are provided.

Residential Amenity/Noise/Air Quality

5.63 As this is an outline application, the size, position, orientation of dwellings are not being assessed. However, noise and disturbance can be considered. A technical noise report is submitted as part of the outline planning application. A variety of mitigation measures will be utilised to control noise on the development site including double glazing (with suitable trickle ventilation), appropriate facade construction, stand-off distances and/or provision of acoustic screening. The Environmental Health Officer (EHO) has no objection in principle to the development, subject to criteria conditions and embedded mitigation requirements to manage for noise from road traffic, for this large residential application fronting the A40.

5.64 An air quality assessment (AQA) has been completed based on the national Planning Practice Guidance for air quality. As identified in the accompanying Air Quality Assessment as part of the ES, where necessary, measures to eliminate, reduce or mitigate the effects are proposed. The EHO has raised a number of issues which still require attention relating to the data used in the revised AQA and lack of mitigation measures. Discussions are on-going related to further information/modelling work and Members will be updated at Committee.

Biodiversity

5.65 The Council's Biodiversity Officer had originally commented that there was a lack of information on a variety of issues relating to biodiversity and landscape in the planning application, including protected species survey and mitigation, habitat enhancements and creation, biodiversity net gain

and landscape improvements in the Windrush in Witney and Lower Windrush Valley areas, which are relevant to Local Plan policies. In this respect the application site excludes land within the allocated site (WIT1) which is identified for environmental enhancements including landscape mitigation. This includes land to the north adjoining Oxford Hill which is shown to be retained as agricultural land and land to the west, adjoining Site B, which is partly undesignated and thus unchanged and part shown as scrub and wildflower grassland.

- 5.66 Following these concerns further information has been submitted with further revisions to the application. The supporting letter advises that the areas proposed for biodiversity enhancement in the Windrush Valley have been reorganised as well as providing significant new areas of biodiversity enhancement in the wider area. This includes the provision of additional 'Modified Grassland' and an extensive additional area of '50% scrub and 50% wildflower grassland'. The types of environments proposed for enhancement have changed to ensure greater biodiversity net gain. 10% of the areas previously proposed for woodland planting will be replaced with scrub planting to ensure a higher BNG score. The proposed BNG will be 12.87%.
- 5.67 The Biodiversity Officer has commented that the proposed amendments have not adequately addressed objections previously raised. In respect of Protected Habitat and Species' Surveys, the submitted EIA Holding Statement states protected habitat and species' surveys were undertaken in 2019 and concludes 'impacts from the previous application on protected species were to be avoided through appropriate mitigation outlined in the 2020 Ecological baseline report. Given the minor adjustments, assuming the update surveys do not find any significant changes in baseline conditions, the revised proposals are unlikely to affect this conclusion. Mitigation measures outlined in the 2020 report are likely to remain appropriate to cover the likely impacts from the new cemetery access.' This is not an acceptable approach, the 2019 surveys are considered out-dated and as a result, the proposed site should be re-surveyed to confirm the validity of the existing surveys and update where necessary to ensure proposed mitigation and compensation proposals are sufficient. This information should be submitted with the planning application to ensure all material considerations are taken into account. In terms of Biodiversity Net Gain (BNG), the information submitted is insufficient to demonstrate the proposed development complies with policy EH3 of the Local Plan. Further, baseline and proposed hedgerow units should be included within the re-calculated metric to ensure any proposed hedgerow loss is adequately compensated (a 10% in linear habitats is required). The Biodiversity Officer has also commented that strategic contributions as outlined in Local Plan policies WIT1 and WIT6 should be considered separate to BNG requirements. This is not to say that enhancements off site in the Windrush in Witney project areas cannot contribute to BNG but the developer must first demonstrate that the mitigation hierarchy has been applied on site to first secure no net loss in biodiversity. In some circumstances this is not achievable due to site constraints however, this must be explored. The most recent masterplan has incorporated few biodiversity enhancements on site, further biodiversity enhancements on-site should be explored to achieve a no net loss. Once this has been demonstrated, off-site contributions can be considered however, strategic contributions should be considered first, demonstrating landscape targets can be met then the metric should be applied.
- 5.68 In addition, the revised application still provides few details regarding biodiversity enhancements or restoration measures within the Windrush in Witney project area. Further, the proposed enhancement parcels are limited in connectivity, this area is a conservation target area, identified for its potential to deliver large habitat areas and/or networks of wildlife habitat. The Biodiversity Officer recommends that the parcel to the south, as shown on the masterplan to be retained in agricultural use, is instead appropriately managed in line with the outlined conservation targets for the Windrush in Witney project and Conservation Target Area.

5.69 In conclusion, the Biodiversity Officer is recommending refusal on the application on the grounds that insufficient information has been submitted to demonstrate the proposal will not result in significant biodiversity harm as insufficient survey, mitigation and compensation details have been submitted to ensure that impacts on protected/priority species and priority habitats are minimised or adequately compensated. Further, insufficient information has been submitted with regards to demonstrating a measurable biodiversity net gain and the proposed contribution towards the local landscape projects is inadequate. Therefore, the proposal does not comply with the requirements of the Local Plan Policies EH3, WIT1 and WIT6 and relevant paragraphs of the NPPF.

Affordable housing.

5.70 Policy H3 identifies Witney as a medium value location and the requirement is 40% affordable housing. The Planning Statement confirms that the development will provide 40% affordable housing, subject to viability.

Sustainability

5.71 A sustainability assessment has been provided to the applicant; however, no response has been received and the proposed scheme has not been revised as a result. The application is for outline consent; however, further commitments are sought from the applicant to consider and achieve higher sustainability standards at the detailed design stage, than are currently being proposed.

Summary of S106 contributions

5.72 Policy OS5 of the Local Plan seeks to ensure that new development delivers or contributes towards the provision of essential supporting infrastructure and Policy WIT1 sets out the required new and improved infrastructure that this development will be expected to contribute towards. A detailed list of the required contributions/infrastructure provision is set out in Appendix 4, attached to this report.

5.73 Discussions are on-going with OCC in respect of the requested contributions.

Conclusion and Planning Balance

5.74 In this case, there are material considerations which indicate that the application should be decided otherwise in respect of the development plan. As we cannot demonstrate evidence of a five year supply of deliverable housing sites the relevant development plan policies for the supply of housing are out-of-date and that is a material consideration that can justify a departure from the plan and the grant of planning permission.

5.75 Where policies for the supply of housing are out of date, para.11 of the NPPF requires a presumption in favour of sustainable development and that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In order to judge whether a development is sustainable it must be assessed against the three dimensions of sustainable development set out in the NPPF: the economic, social and environmental planning roles.

5.76 With regards to the economic dimension of sustainability, the Government has made clear its views that house building plays an important role in promoting economic growth. In economic terms, the

proposal would provide construction jobs and local investment during construction, as well as longer term expenditure in the local economy. I consider that moderate weight should be afforded to these benefits.

- 5.77 The proposal would positively support the delivery of housing, including affordable housing. There is a need for market and affordable homes within our district and the proposal would contribute towards this at a time of housing need. I attach significant weight to this social benefit.
- 5.78 In terms of the environmental dimension, whilst the site is allocated for housing development in the Local Plan, the parameter plans fail to demonstrate that the proposed development could be satisfactorily accommodated on the site without having a potential significant harmful landscape impact, particularly given the proposed building heights of upto 3 storey across the bulk of the site, where land levels increase in height to the east and north. This would be to the detriment of the surrounding rural landscape and the setting of Witney. The proposal also fails to demonstrate a high quality design and development that would be sustainable and that would provide an integrated community that would form a positive addition to Witney. In addition, the development would fail to provide adequate recreational facilities on the site.
- 5.79 There would be no adverse impacts on the significance of the Conservation Area but there would be less than substantial harm to the significance of the Grade I listed St Mary's Church. Nevertheless, it is considered that the economic and social benefits arising from the scheme which will deliver market and affordable housing units with associated benefits would outweigh the less than substantial harm arising in this case.
- 5.80 The proposal now provides adequate drainage details to demonstrate adequate water management
- 5.81 The proposed development fails to provide a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including improved linkages across the Windrush Valley into the town centre and to the B4022 and A40 shared use path.
- 5.82 The development would result in significant biodiversity harm as insufficient survey, mitigation and compensation details have been submitted to ensure that impacts on protected/priority species and priority habitats are minimised or adequately compensated. Further, insufficient information has been submitted with regards to demonstrating a measurable biodiversity net gain and the proposed contribution towards the local landscape projects is inadequate.
- 5.83 In addition, the applicant has not entered into a legal agreement or agreements to secure the provision of affordable housing; or contributions to sport and leisure; public transport; highways improvement schemes/connection; education; waste; biodiversity net gain; or the Lower Windrush Valley Project.
- 5.84 In conclusion, it is Officer opinion that the adverse impacts arising from this development are of sufficient weight to indicate that the development should be restricted. Placing all of the relevant material considerations in the balance, I consider that the adverse impacts would significantly and demonstrably outweigh the benefits which would result from the provision of new housing and affordable housing to boost supply as required by the NPPF. When considered against the development plan as a whole, the proposal would not represent a sustainable form of development.

The application is therefore recommended for refusal.

6 REASONS FOR REFUSAL

1. The application conflicts with Policy WIT1 (part b) in that it does not propose a comprehensive development which is led by an agreed masterplan.
2. The proposed development fails to demonstrate that the proposed quantum of development can be satisfactorily accommodated on the site and fails to demonstrate a high quality design and development that would be sustainable and that would provide an integrated community that would form a positive addition to Witney in conflict with Policies OS2, OS4 and WIT1 of the West Oxfordshire Local Plan to 2031, the West Oxfordshire Design Guide, relevant paragraphs of the NPPF and the National Design Guide.
3. The proposed development fails to provide a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including improved linkages across the Windrush Valley into the town centre and to the B4022 and A40 shared use path in conflict with Policies T1, T3, EH4 and WIT1 of the West Oxfordshire Local Plan to 2031, the West Oxfordshire Design Guide, relevant paragraphs of the NPPF and the National Design Guide.
4. The proposed development would result in significant biodiversity harm as insufficient survey, mitigation and compensation details have been submitted to ensure that impacts on protected/priority species and priority habitats are minimised or adequately compensated, and the proposed contribution towards the local landscape projects is inadequate. The development proposals therefore do not comply with the requirements of Local Plan Policies, EH2, EH3, EH4, WIT1 and WIT6, and relevant paragraphs of the NPPF.
5. The applicant has not entered into a legal agreement or agreements to secure the provision of affordable housing; or contributions to sport and leisure; public transport; highways improvement schemes/connection; education; waste; biodiversity net gain; or the Lower Windrush Valley Project. The proposal conflicts with West Oxfordshire Local Plan 2031 Policies H3, EH3, EH4, EH5, T1, T2, T3 and OS5.

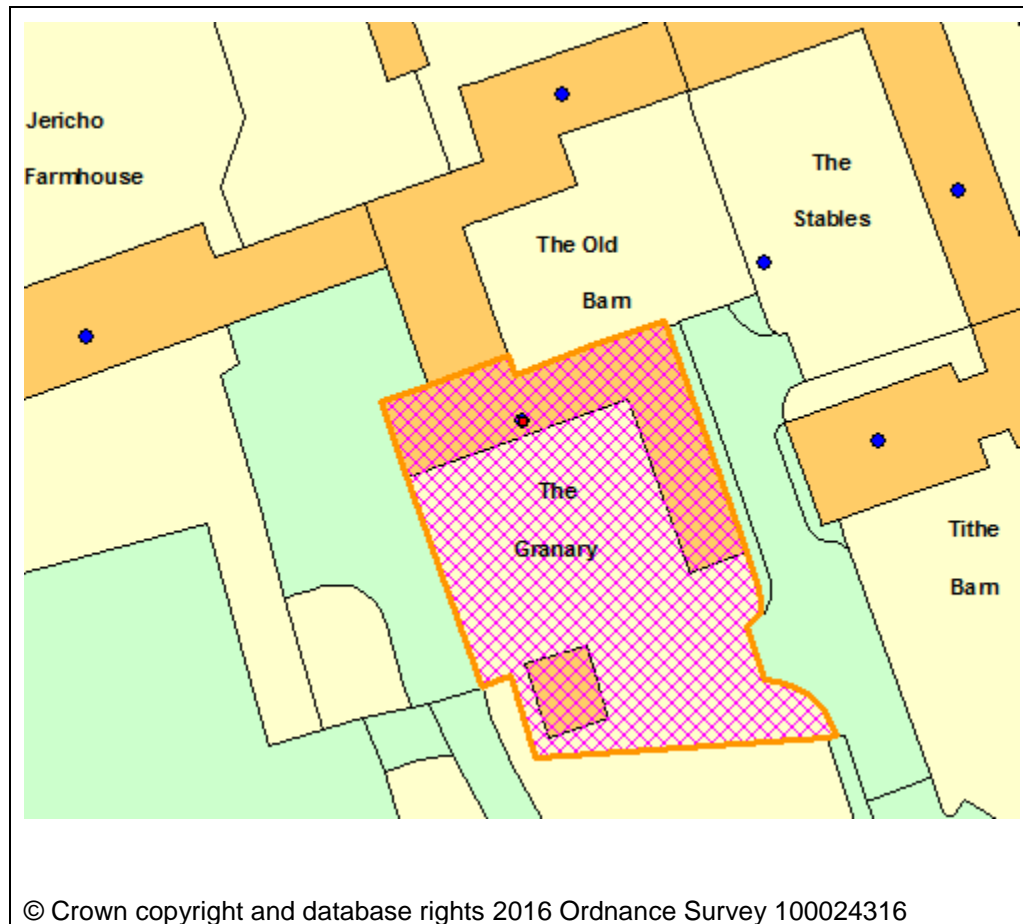
Contact Officer: Joan Desmond

Telephone Number: 01993 861655

Date: 20th December 2022

Application Number	22/02137/HHD
Site Address	The Granary Jericho Farm Worton Witney Oxfordshire OX29 4SZ
Date	20th December 2022
Officer	Darcey Whitlock
Officer Recommendations	Approve
Parish	Cassington Parish Council
Grid Reference	445883 E 211579 N
Committee Date	4th January 2023

Location Map



Application Details:

Proposed basement extension, replace existing timber framed windows and doors with new double glazed metal framed windows and doors, change one of the south facing ground floor windows to a door set and raise adjoining windows. The west facing old dairy wing elevation, to have timber cladding

finish in-between French doors replaced with a natural Cotswold stone finish (previously approved 21/03845/HHD)

Applicant Details:

Mr And Mrs Ivanovic
The Granary
Jericho Farm
Worton
Witney
Oxfordshire
OX29 4SZ

I CONSULTATIONS

District Ecologist

Biodiversity Officer
Acceptable subject to informatives.

WODC Drainage Engineers

No Objection, subject to a surface water drainage pre-commencement condition.

Parish Council

Cassington Parish Council Objected on the below grounds:

1. Flooding risk;
2. Water dispersal;
3. Highways and access;
4. Impact on ecology;
5. Light pollution;
6. CO2 emissions.

2 REPRESENTATIONS

10 letters of objection have been received from 4 different addresses. They cover the following matters:

- Noise and disruption during construction;
- Affect local ecology;
- Risk of damage to existing buildings;
- Increase in danger of flooding and drainage;
- Surface water flood risk;
- Groundwater Exposure;
- Traffic concerns;
- Light Pollution;
- Impact on right of access.

3 APPLICANT'S CASE

3.1 A design and access statement and planning statement has been submitted as part of this application and can viewed in full on our website. The statement has been summarised below:

3.2 This application is a re-submission of the Planning approval ref 21/03845/HHD approved on 27th January 2022, with condition 4 (full surface water drainage plan) subsequently approved on 10th October 2022 under application reference 22/01921/CND.

3.3 A full background can be obtained from these previous applications' held on WODC's files.

3.4 The submitted documents contains alterations from those approved under 21/03845/HHD, summarised below:

- Taking on board comments from the neighbours during the previous application process for application 21/03845/HHD, the proposals are to move the proposed basement further away from the adjoining properties (Old Barn and Tithe Barn) to sit within the footprint of our client's garden. This has the added benefit of simplifying the basement construction and therefore reducing the likely construction time. The proposed extension has been carefully considered so as not to impact the openness of the area or surrounding properties.
- To introduce daylight to the basement development it is proposed to have structural glass walk-on rooflights within the garden, and an open lightwell with glass balustrade at the southern gable end of the Dairy. The basement will be accessed from The Entrance Hallway of the Dairy Wing, and this will require some refurbishment once the basement is formed. The new basement is to accommodate a Utility Room, Music Room / Sitting Area, and a new Bedroom Suite.
- As previously consented, it is proposed to replace the existing timber framed casement windows and doors with new metal framed casement windows and doors. It is proposed to replace one of the windows on the south elevation to a pair of doors to improve connectivity between the kitchen and the garden. It is also now proposed to raise the window head heights either side of this door to match.
- The final change is the West facing elevation of the Dairy Wing which currently has painted timber cladding to the exterior face, we would like to replace this is a Natural Cotswold stone finish to match the adjoining structures.

3.5 The proposals have been developed in response to inadequate size of the existing small car park area to accommodate the number of vehicles attending the site during peak periods.

3.6 We are not aware of any National or Local changes to Planning policy since the original Planning approval, nor change in site specific considerations, and can see no reason why this application should not be supported by officers and approved (subject to any conditions that may be deemed necessary taking into consideration previous conditions and additional details cleared under 22/01921/CND and included with this application).

4 PLANNING POLICIES

EH7 Flood risk

EH8 Environmental protection

EH2 Landscape character
EH3 Biodiversity and Geodiversity
T2NEW Highway improvement schemes
T4NEW Parking provision
OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
NPPF 2021
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information and Proposed Development

- 5.1 The application seeks planning permission for the proposed basement extension, replace existing timber framed windows and doors with new double glazed metal framed windows and doors, change one of the south facing ground floor windows to a door set and raise adjoining windows. The west facing old dairy wing elevation, to have timber cladding finish in-between French doors replaced with a natural Cotswold stone finish (previously approved 21/03845/HHD) at The Granary, Jericho Farm, Worton.
- 5.2 The application site relates The Granary, a period barn converted to a dwelling, located within the Oxford Green Belt and within flood zone 1.
- 5.3 The application has been brought before Members of the Lowlands Sub Planning Committee as Councillor Andy Goodwin has referred the application to the Committee on the grounds of flood risk.

Relevant Planning History

- 21/03845/HHD - Proposed basement extension, replace existing timber framed windows and doors with new double glazed metal framed windows and doors; change one of the south facing ground floor windows to a door set - Approved.
- 22/01921/CND - Discharge of condition 4 (full surface water drainage plan) of planning permission 21/03845/HHD - Approved.
- 5.4 Prior approval was granted for the change of use of the former offices to dwellings under Class J in January 2015.
- 14/02148/PN56 - Change of use under Class J of offices (Use Class B1(a) to 3 dwellings (Use Class C3) - Prior Approval Not Required
- 15/00848/FUL - Change of use and alteration of Class B1(a) office accommodation to 3 dwellings - Approved
- 16/00592/FUL - Change of use, alteration, and extension of Class B1(a) office accommodation to 3 dwellings (Class C3). Erection of double garage (amended plans). - Approved

16/01636/S73 Variation of condition 2 of Planning Permission 16/00592/FUL to allow amendments to the approved plans. - Refused

16/03541/FUL - Conversion of existing building (presently B1a office) and extension to form single dwelling, with associated parking. - Approved

17/00428/S73 - Noncompliance with condition 2 of planning permission 16/00592/FUL to allow new approved drawing PA200 A - Approved

17/00474/S73 - Variation of condition 2 of Planning Permission 16/00592/FUL to alter the link which has been approved between the two existing buildings. - Approved

17/03635/S73 - Noncompliance with condition 2 of planning permission 16/00592/FUL to allow change to approved plans. - Approved

5.5 This application is a resubmission of planning application 21/03845/HHD.

Officers Assessment

Principle of Development

5.6 The principle of development has already been established as part of the previously approved 21/03845/HHD application.

Design, Siting and Visual Impact

5.7 This application differs from 21/03845/HHD with the additions and alterations set out below:

- Increase of approximately 4.5m in width of basement;
- Decrease of approximately 0.5m in length of basement;
- 1 additional lightwell;
- Lightwell balustrade on west elevation increased by approximately 1.2m; and
- Western elevation of Dairy Wing timber weatherboard cladding to be replaced with Natural Cotswold Stone finish.

5.8 In terms of visual amenity, given the nature of the basement area this will not impact on the visual amenity of the house or street scene. The style of the proposed replacement windows and doors, and the timber weatherboard cladding on the western elevation to be replaced with a natural Cotswold stone finish is considered acceptable. As such, the proposed design is considered acceptable by officers, and officers do not consider that the proposed would give rise to any adverse impacts in regards to the visual amenity of the host dwelling or street scene.

5.9 Officers are of the opinion that the proposed basement will not impact the openness of the area or surrounding properties. To introduce daylight to the basement it is proposed to have 4 structural glass walk-on light wells fitted into the landscaping of the garden, and an open light well with glass balustrade at the southern gable end of the Dairy. It is understood that the open light well would be modestly sized and will be screened by low level planting.

5.10 In the case of the proposed light well, located at the gable end of the Dairy wing to the front of the property, front boundary hedges currently exist and will help to reduce visual impact, therefore the

issue of lighting impact on neighbouring properties is considered to be minimal and will not cause a negative impact on neighbouring amenity. Given the siting of the basement, officers do not consider that the development will be overbearing, or result in a loss of light or privacy to the detriment of neighbouring properties. As such, the application is considered to be acceptable in these terms.

5.11 Regarding residential amenity, the basement development will not result in a loss of garden space. The garden will be retained as existing. The basement roof is to be set below ground level to allow for landscaping and vegetation to be planted over the top. As the bulk of the development is below ground it will not result in loss of light, overlooking, overbearing, or overshadowing impacts to nearby neighbours or the host dwelling. Therefore it is considered acceptable and will not cause harm to the residential amenity of the property.

Impact on the Oxford Green Belt

5.12 In terms of the impact of the development on the Oxford Green Belt, Officers must take into consideration Policy OS2 of the adopted WOLP 2031 which allows for limited extension of existing dwellings within the Green Belt. In this case, by virtue of its underground nature, along with the scale and the design, Officers consider that the proposed does not materially impact on the openness, rural character or visual amenity of the Oxford Green Belt.

Highways

5.13 The pedestrian and vehicular access will remain as existing. There is no alteration to parking provision at the property. Therefore it is acceptable on highways grounds.

Flooding and drainage

5.14 The Granary is located within Flood Zone 1, which is at the lowest risk of flooding. Concerns have been raised by objectors and the parish council regarding the impact of the proposed development on drainage and the increased danger of flooding. The Drainage Officer has made the below observations from the submitted documents:

- Stephen Buss has stated that the volume of groundwater that would need to be removed from the temporary excavation is relatively small and could be either pumped/piped away or collected in a 10,000l bower and disposed of by an experienced contractor without increasing flood risk elsewhere.
- He has also stated that construction of the basement will lead to a small rise in groundwater level, but not of a magnitude that would increase flooding (in the future).
- The GEA report states that infiltration on the site is slow, so shallow soakaways are unlikely to be viable and have suggested other SUDS options are considered (some of which may not be viable).

5.15 However, the following information is required to be submitted to ensure that there is no increased danger in flooding:

- A full surface water drainage plan, taking on board the above comment in the GEA report.
- A construction phase groundwater and surface water management plan.

5.16 In light of this, the Drainage Officer has requested a pre-commencement condition should planning permission be granted, as in the absence of a full surface water drainage plan, and construction phase groundwater and surface water management plan, the mitigation of flood risk can be secured by the condition set out below:

- That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the size, position and construction of the drainage scheme and a construction phase groundwater and surface water management plan, to include -
 - I. Confirmation of how the groundwater from the excavation will be disposed of without putting neighbouring properties at risk of flooding.
 - II. The control measures to be implemented to prevent the diversion of groundwater and surface water towards other properties.

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 (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework 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 alterations to the approved site layout being required to ensure flooding does not occur

5.17 This proposal is located within Flood Zone I and the application is supported by an in-depth site investigation and basement impact assessment report, following concerns raised by neighbours and the Parish. This detailed assessment is not typically required for a development of this nature. However, following the concerns raised, these details were requested by officers and duly supplied by the applicant. These details were reviewed by our specialist drainage officer, who is the relevant technical expert that we rely on for addressing flood risk and drainage matters. As summarised above, the extension of the basement will lead to a small displacement of groundwater which can be adequately displaced on site. Furthermore, the drainage officer has no concerns with the scheme, subject to conditions. In light of the opinion of the specialist officer, that groundwater and surface water can be adequately dealt with by the engineering solutions required by the pre-commencement condition, and that the site sits in flood zone I which is at the lowest risk of flooding, officers are satisfied that the proposed basement will not unacceptably increase flood risk at the site or elsewhere.

Other matters

5.18 A third party has commented on the proposed development and raise the issue of noise and disruption during construction. While the development is modest and limited in scale and thus impacts, a condition has been added to the permission stating that prior to work commencing on site, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This will add controls during the construction period and will reduce impacts during the build.

5.19 Objectors and the Parish council have raised the potential of the proposed development to affect local ecology. The site does not fall within any areas of special designated control in regards to ecology and given the works proposed are mostly below ground it is not considered the

development will result in any adverse impact on ecology. While there will be some light spill, this will not be too dissimilar to light levels emitting from a single storey extension with rooflights. Furthermore, the Biodiversity Officer has been consulted and it is felt the comments provided on the previously approved application (21/03845/HHD) are still applicable and relevant and that there is low risk that bats may be present at the development site. The supplied informatives for the applications are sufficient if bats were discovered.

5.20 The risk of damage to existing buildings has been raised. This is not a planning matter. Should damage occur to neighbouring properties during or after construction, this would be a civil matter to be dealt with between the relevant parties.

5.21 Objectors and the Parish Council have raised concerns with the increase in light pollution due to the addition of 1 light well above the previously consented scheme. The proposed development is within the residential curtilage of The Granary, and is therefore not within open countryside. The extremely modest increase in light wells will have minimal impact, as there will be some light pollution when the room in which they serve is occupied, however, this will not be 24 hours a day. Ultimately, it is not protected landscape, it is a residential area and therefore officers do not consider the increase in light to be significant enough to warrant a refusal.

5.22 The Cassington Neighbourhood Plan 2021 has been referenced, it is not adopted as part of the Development Plan therefore the policies do not garner full weight in the assessment. The 'dark skies policy CAS3' and 'zero-carbon building policy CAS8' has been referenced within objections. Officers are mindful of the policies contained within the Cassington Neighbourhood Plan. However, light pollution from the new windows is modest and the scale of this development is considered to be quite minor. Officers consider that the scheme does accord with the relevant policies in the Cassington Neighbourhood Plan.

Conclusion

5.23 The recommendation to GRANT permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3. The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4. Prior to work commencing on the site, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Hours of operation.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Delivery arrangements.

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

5. Before first occupation of the basement hereby permitted the windows shall be fitted with blinds/curtains to minimise light spillage and shall be retained in that condition thereafter.

REASON: To safeguard light pollution in the surrounding area.

6. That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the size, position and construction of the drainage scheme and a construction phase groundwater and surface water management plan, to include -

- I. Confirmation of how the groundwater from the excavation will be disposed of without putting neighbouring properties at risk of flooding.
- II. The control measures to be implemented to prevent the diversion of groundwater and surface water towards other properties.

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 (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework 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 alterations to the approved site layout being required to ensure flooding does not occur

INFORMATIVES :-

- There is a low risk that bats may be present at the development site. The Council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale, and the potential impacts arising from, the proposed development. Furthermore, given the particular proposals for the site, the Council considers that if bats were found, mitigation would probably not require further planning permission and a Natural England Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a bat licence if an offence is likely.

If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches) or visit http://www.bats.org.uk/pages/natural_england_roost_visits.html for more information.

- Consideration should be given to obtaining a survey from a professional ecologist before commencing any works that would impact upon the roof structure of the building (visit <https://cieem.net/ineed/finding-a-consultant/> to search a directory of professional ecological consultants and download a 'householder's guide to engaging an Ecologist' and 'what to expect from a bat survey - a guide for UK homeowners').
- Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), 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. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February, or after the young have fledged and left the nest and replacement provision made so that there is no net loss of biodiversity.
- 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
- Oxfordshire County Council's Local standards and guidance for surface water drainage on major development in Oxfordshire (V1.2 December 2021)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.
- Non-statutory technical standards for sustainable drainage systems (March 2015)"

Contact Officer: Darcey Whitlock
Telephone Number: 01993 861697
Date: 20th December 2022

