

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 15<sup>th</sup> January 2024**

### 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 Business Manager. 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:

- I. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings)

**Item**  
11-26

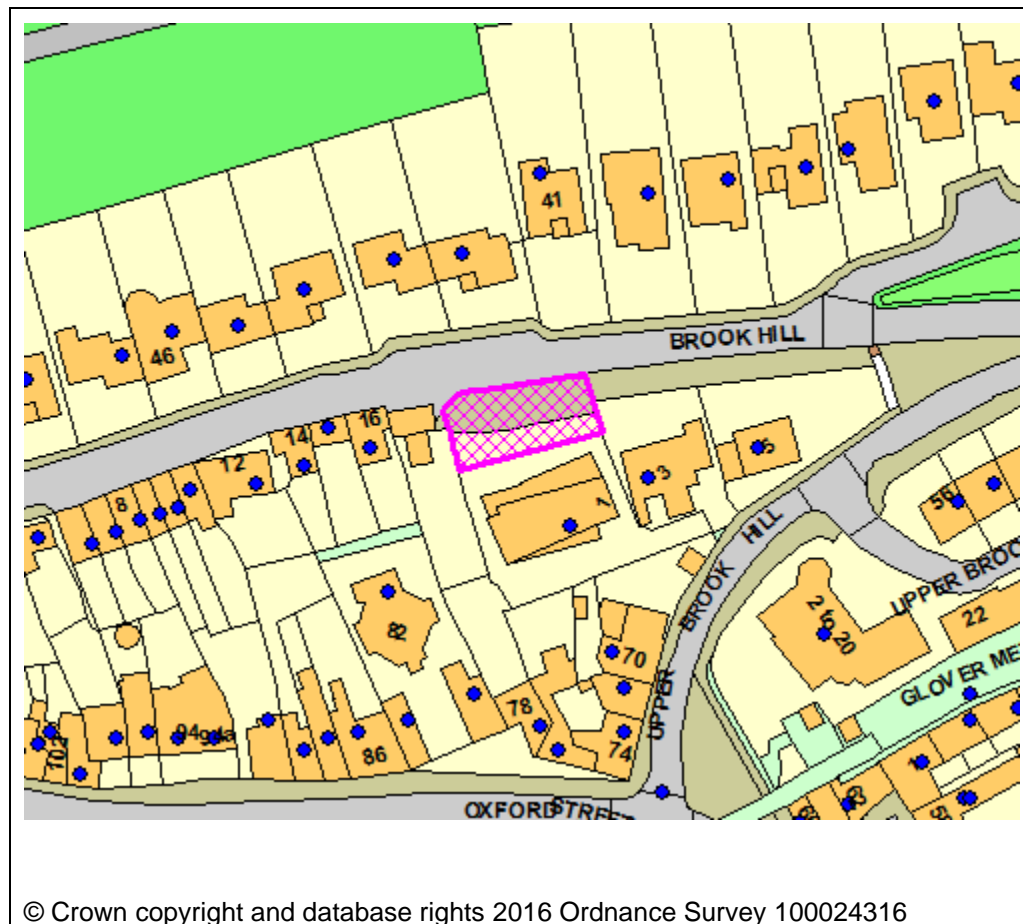
**Application Number**  
23/02890/FUL

**Address**  
1 Upper Brook Hill Woodstock

**Officer**  
James Nelson

Application Number	23/02890/FUL
Site Address	1 Upper Brook Hill Woodstock Oxfordshire OX20 1UA
Date	3rd January 2024
Officer	James Nelson
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	444479 E 216912 N
Committee Date	15th January 2024

### Location Map



### Application Details:

Construction of a dwelling together with associated works

**Applicant Details:**

Mr Dennis Allen  
1 Upper Brook Hill  
Woodstock  
Oxfordshire  
OX20 1UA

**I CONSULTATIONS**

Conservation And Design  
Officer

This appears to be pretty much what we saw at pre-app - except for the addition of a modest canopy to the lower level doors, and except that we now have a more subdued colour to the render. They appear to have addressed the guarding issue for the green roof by excluding general access to it, although I am not sure how that protects those maintaining it - maybe they will use safety harnesses, with anchor points - and perhaps they could confirm.

Anyway, to reiterate my previous view, there is more volume here than in the approved single storey scheme, but the massing has been well handled, and in my view sits fairly happily on the site. The design work is also of a high standard, and the contemporary forms chime with those of the parent building above.

In summary, there are no obvious objections from our point of view.

WODC Drainage

- The permeable paving for the parking area is proposed to be constructed up to the northern site boundary/top of the embankment - an impermeable barrier/construction i.e. concrete baffles, should be provided within the construction to contain the water within the site, prevent lateral movement of water through the embankment and ensure slope stability.

Soakaways should be designed to accommodate a 1 in 30 year + 40% climate change event with a minimum 1m clearance from the base to the water table at all times. They should be sited at least 5m from any building and at least 2.5m from the site boundary.

All surface water should be contained on site for all storm events up to and including 1 in 100 year + 40% cc without property flooding.

An exceedance flow plan is required to indicate the route taken by any storm water in excess of 1 in 100 + 40%, based on finished ground levels and directed away from neighbouring properties.

No objection subject to condition as set out in Section 6.

OCC Highways

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

Recommendation:

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following condition

- G28 parking as plan

#### INFORMATIVE

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

Env Health Contamination

Thank you for consulting our team, I have looked at the application in relation to contaminated land.

Review of the records we hold suggest that the proposed development site is located in the vicinity of a former gas works. Given that the proposed development involves cutting into the hill side. Please consider adding the following condition to any grant of permission.

1. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be 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 Remediation Scheme specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.
2. 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 a Verification Report confirming 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 prevent pollution of the environment in the interests of the amenity.

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

It is also noted that the proposed development site is located in an area where full radon protection is required.

Parish Council

There have been multiple applications on this site and the Town Council feels that the previous comments made by the Conservation Officer are still relevant.

The Council believes that the proposal is not in keeping with the other properties in the area and that are other locations in Woodstock which would be more suitable for building a new dwelling.

The Council is also concerned that the extensive works required to carry out the proposal may cause subsidence to neighbouring properties.

## 2 REPRESENTATIONS

2.1 Third party comments have been received from 12 parties, all of which oppose the development. The following matters are raised:

- Disturbance during construction
- Subsidence
- Drainage/flooding concerns
- Impact upon the character and appearance of the area/poor design
- Scale/massing
- Loss of open space/garden
- Overbearing/overlooking
- No housing need
- Failure of address concerns of refused application
- Precedent for future development

- 3.2 Personal comments with regard to the applicant's agent are not considered material in this assessment and should not be taken into account in a planning judgement. Further, issues of subsidence relate to Building Control and civil legal matters.

### **3 APPLICANTS CASE**

- 3.1 The application has been furnished with a Design and Access Statement, the key points of which are summarised below. The full document is available to view on the Council's website.
- 3.2 This statement is to support a planning application for a new dwelling on land to the rear of 1 Upper Brook Hill with a frontage on Brook Hill.
- 3.3 In June 2017, full planning was granted for a two-bedroom, single storey, partly subterranean dwelling on this plot (17/00717/FUL). Pre-commencement planning conditions have all been discharged (20/01017/CND) and in 2019 a stopping up order was obtained from Oxfordshire County Council for control of the land abutting the highway (190429-SE3706). A dropped kerb application was submitted in May 2020 and the kerb access works and site clearance was carried out soon afterwards, thereby discharging the condition for the works to be commenced within three years.
- 3.4 During the pre-construction phase, construction costs were rising and material supplies were under pressure. It transpired that in the current market, the approved scheme would not be financially viable and a more efficient, more sustainable use of the land was required.
- 3.5 In December 2022 an alternative scheme was submitted as a full planning application (22/0345/FUL). In February 2023 the scheme was refused at officer level for two main reasons: The design was considered by officers not to be in keeping with the character of the street scene or the Conservation Area and had negative amenity impacts on the surrounding neighbours and future occupants of the property.
- 3.6 This application is a result of the positive response recently received from the local planning authority for a smaller, alternative scheme (23/01344/PREAPP, Officer: James Nelson). The reduced scheme is described below. The 3d views in this section are the 3d views submitted with the pre-application enquiry.
- 3.7 After significant consideration and review of the previous refusal, this smaller alternative was proposed which followed a completely different approach to the massing and design.
- 3.8 It was accepted that a four-bedroom dwelling was beyond the limit of the site potential, mainly due to the terrain and the compromised private amenity space available. A two-bedroom dwelling however had proved unviable due to the disproportionate cost for excavation and retaining structures. Although the conservation and design officer stated that a new design should use the previous approval as a model, implying single storey and simpler forms, we believed that this proposal, with a reduced upper level, had found a balanced position somewhere between. The forms were also simpler and followed the pattern of existing development within the site.
- 3.9 Given the engineering limits of the retaining structure, the footprint of the development is limited to that of the previously refused application. There are opportunities however to follow

the established aesthetic and geometry of the existing dwelling to provide more unity across the site.

- 3.10 The massing of the existing dwelling is an assembly of simple, rectangular volumes each arranged on one of two rotated axes. This original concept for the host dwelling was to reflect the topography of the site and peninsular setting.
- 3.11 Already it can be seen that the emphasis is taken away from the previously dominant first floor volume and that the site is more open. The proposed courtyard is also larger and less enclosed and there is the opportunity for further amenity space by way of a sheltered first-floor terrace.
- 3.12 Terraces that overlook the street cannot be considered to have adverse impact on properties opposite, as the street is in the public realm. This is a well-established principle and is evidenced by the upper-level terraces at numbers 1,3 and 5 Upper Brook Hill, all with views of the frontages of the houses on the north side of Brook Hill.
- 3.13 Equally as important, a first-floor terrace wants to be as private as possible in order for it provide maximum benefit for the occupants, screening is therefore of mutual benefit.
- 3.14 The management of site levels and planting ensures a pleasant outlook from 1 Upper Brook Hill which replaces a steep slope with little or no usability.
- 3.15 Two parking spaces are provided in front of the dwelling. The way the parking is arranged means that occupants/visitors will also be able to 'park in' the two onsite parking bays by parking alongside the kerb, thereby creating four parking spaces in total. The courtyard gates are wide enough to allow a car or van to enter in the event that a vehicle needs to be stored more securely should the occupants be away from the property for any period of time.
- 3.16 Secure cycle and bin storage is provided in the courtyard. There is also sufficient storage for outdoor furniture, barbeques etc to ensure that the courtyard remains an uncluttered and pleasant outdoor environment. The total storage provided is approximately 10 sqm.
- 3.17 The 53 sqm courtyard is of a size typical of a town centre town house and is located to be of maximum use as an extension to the main living space. The upper terrace is accessed from the hall and bedroom at first floor level.
- 3.18 The Energy & Sustainability Statement prepared by ERS Consultants demonstrates that the proposal meets the high standards of energy use required to comply with current WODC planning policies.
- 3.19 In this instance, with a very high-performance building fabric, assisted by being partially subterranean, a solution is proposed that requires a high-efficiency air source heat pump, but does not require photovoltaic panels. This is significant as the unique site topography is not ideally suited for the use of solar panels.
- 3.20 The proposal has been carefully considered in terms of the unique site and wider setting. Issues raised from the previously refused application have been addressed and there will be no noticeable impact on adjoining properties. The dwelling will be detailed and constructed to a high standard and aims to enhance the conservation area.'



## 4 PLANNING POLICIES

OS1 Presumption in favour of sustainable development

OS2 Locating development in the right places

OS3 Prudent use of natural resources

OS4 High quality design

H1 Amount and distribution of housing

H2 Delivery of new homes

T2 Highway improvement schemes

T4 Parking provision

EH7 Flood risk

EH8 Environmental protection

EH9 Historic environment

EH10 Conservation Areas

EH16 Non designated heritage assets

EW10 Eynsham- Woodstock sub area

West Oxfordshire Design Guide

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

## 5 PLANNING ASSESSMENT

### Background

- 5.1 This application seeks consent for the construction of a dwelling together with associated works at 1 Upper Brook Hill, Woodstock.
- 5.2 The application site comprises of a steep banked area, which lies to the rear of a large modern detached property (1 Upper Brook Hill), which was approved as a replacement dwelling under application ref. 12/1333/P/FP.
- 5.3 The site lies within the Woodstock Conservation Area ('CA'). The site lies in close proximity to a run of three locally listed buildings forming a terrace (14-16 Brook Hill).

### Relevant Planning History

17/00710/FUL- Construction of new dwelling with associated parking and landscaping.

Approved.

22/03455/FUL- Construction of new dwelling with associated parking and landscaping. Refused.

### *Development Plan*

- 5.4 In October 2023 the Levelling-Up and Regeneration Act ("LURA") received royal ascent. The LURA replaces Section 38(6) of the Planning and Compulsory Purchase Act 2004 in favour of new Section 38(5A) - (5C) which states:

(5A) For the purposes of any area in England, subsections (5B) and (5C) apply if, for the purposes of any determination to be made under the planning Acts, regard is to be had to—

- (a) the development plan, and

(b) any national development management policies.

(5B) Subject to subsections (5) and (5C), the determination must be made in accordance with the development plan and any national development management policies, unless material considerations strongly indicate otherwise.

(5C) If to any extent the development plan conflicts with a national development management policy, the conflict must be resolved in favour of the national development management policy.

5.5 The amended legislation gives statutory weight to 'national development management policies' (which do not form part of the development plan) and states that material considerations must 'strongly' outweigh the development plan and any national development management policies to warrant departure. Subsection 5C outlines that where the development plan conflicts with a national development management policy, national policy should take precedence.

5.6 In this case, the development plan is comprised of the West Oxfordshire Local Plan 2031 ('the WOLP') and Woodstock Neighbourhood Plan ('WNP'). The WNP has a singular focus upon the protection of green and open spaces within the neighbourhood area. The proposed development would not affect a designated Local Green Space and as such, the WNP does not contain any policies relevant to this application.

5.7 Section 38ZA clarifies the meaning of "national development management policy" as:

(1) A "national development management policy" is a policy (however expressed) of the Secretary of State in relation to the development or use of land in England, or any part of England, which the Secretary of State by direction designates as a national development management policy.

5.8 At this time, no national development management policies have been adopted and as such, the application should be determined in accordance with the WOLP unless material considerations strongly indicate otherwise.

#### *National Policy/Guidance*

5.9 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.

5.10 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

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

- 5.11 Policies H1 and H2 of the WOLP identify an overall housing requirement of 15,950 homes to be delivered in the period 2011 - 2031. Ordinarily, this would be used to calculate the Council's five-year housing land supply. However, the Council has undertaken a formal review of the WOLP in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 and in doing so has determined that the housing trajectory of Policies H1 and H2 are out of date and need to be reviewed. In accordance with national policy, because those policies are now more than 5 years' old, until such time as a new housing requirement is determined through the new Local Plan, the District Council will calculate its five-year housing land supply position on the basis of local housing need using the Government's standard method. For West Oxfordshire, the latest standard method calculation suggests a housing need figure of 570 homes per year. This is the basis upon which the requirement for the 5-year period 2023 - 2028 has been calculated. Set against a 5-year requirement of 3,060 homes, the Council is currently able to demonstrate a 5.4-year supply and NPPF Paragraph 11d is therefore not engaged and the application should be determined in accordance with the development unless material considerations strongly indicate otherwise.
- 5.12 Taking into account planning policy, history, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations for the application are:
- Principle;
  - Siting, Scale and Appearance;
  - Impact upon Heritage Assets;
  - Drainage/Flood Risk
  - Neighbourly Amenity;
  - Highways/Accessibility Impacts; and
  - Sustainability
- 5.13 Each will be considered in the following sections of this report.

### **Principle**

- 5.14 WOLP Policy OS2 sets out the general spatial strategy in the District and identifies a hierarchy of settlements for new development, which seeks to steer a significant proportion of future development to the 'main service centres' of Witney, Carterton and Chipping Norton. It takes a hierarchical approach as set out in table 4b, which characterises Woodstock as a 'rural service centre' suitable for:

'a reasonable scale of development, whilst protecting its important historic character and the setting of Blenheim Palace, in order to deliver affordable housing, enhance local services and reinforce its role as a service centre'.

- 5.15 OS2 goes on to state:

'Proposals for residential development will be considered in accordance with Policy H2 of this Local Plan'.

- 5.16 WOLP Policy H2 states that new dwellings will be permitted at the main service centres, rural service centres and villages on undeveloped land within the built up area, provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. These principles include that development should not involve the loss of open space or other features that make an important contribution to the character or appearance of the area; and further, that development should conserve and enhance the natural, historic and built environment.
- 5.17 Subject to the application demonstrating compliance with these general principles, officers consider that the principle of residential development on this site is acceptable.

### **Siting, Scale and Appearance**

- 5.18 WOLP Policy OS4 states 'high design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings'.
- 5.19 Section 11 of the NPPF relates to effective use of land and states that planning decisions should support development that makes efficient use of land. Section 12 reinforces the fundamental nature of good design to sustainable development and states that 'good design is a key aspect of sustainable development' (Para. 126). Paragraph 130 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 and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Paragraph 134 outlines that 'development that is not well designed should be refused, especially where it fails to reflect local design policies'.
- 5.20 The proposed dwelling would be cut into the steeply sloping site, which whilst associated with 1 Upper Brook Hill, is practically unusable as amenity space. The built form would be concentrated in the eastern part of the plot and set over two-stories comprised of two rectangular blocks, slightly off-set to align with the rear of the plot, with a small cantilever to the front elevation and roof terrace. The dwelling would be finished in stone and render with a sedum roof and triple glazed windows. A courtyard and parking area would also be provided within the site.
- 5.21 The proposed design displays an unashamedly contemporary design using forms that chime with 1 Upper Brook Hill. A significant portion of the massing of the building would be recessed into the hillside. Further, the perception of massing is reduced through the scale of the upper floor, which occupies a smaller footprint than the ground floor. Therefore, in terms of scale and massing, whilst the proposed would be taller than the approved structure on this site, the design and forms are considered cleaner and would not read as bulky nor overdevelopment of the site. The proposal would also retain a sense of openness in the western half of the plot, and would differentiate itself from 1 Upper Brook Hill through its massing and use of materials. In addition, the proposed terraces, refuse storage space and parking areas have been thoroughly integrated into the design, with screening used to secure privacy. As a result, the proposed design is considered to represent efficient use of land and demonstrate high quality design in response to this unusual site context.

## Impact upon Heritage Assets

- 5.22 Within a conservation area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.23 Section 16 of the NPPF states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 194 requires the applicant to describe the significance of affected heritage assets. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). 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 (paragraph 200). Paragraph 202 states that 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. WOLP Policies EH9, EH10 and EH16 are directly relevant to the application with regard to the impact of the proposal upon the significance of the CA and non-designated heritage assets.

### *Main elements contributing to the significance of the CA*

- 5.24 In order to assess the impact of the proposal upon the CA, it is first necessary to identify its heritage significance.
- 5.25 Paragraph 9.5.2 Eynsham-Woodstock Sub-area Chapter of the WOLP states:
- 'Woodstock is a historic town of national, if not international, renown. The old part of Woodstock is a well preserved example of a medieval town; a Conservation Area covers much of the central area and there are almost 200 listed buildings.'
- 5.26 The CA encompasses what is largely the mediaeval market town of Woodstock as well as parts of 'Old Woodstock' along the A44. The mediaeval core of the town contributes primarily to its heritage significance as well as its relationship with Blenheim Palace and its associated park, which dominates the western edge of the town. The mediaeval street pattern of the town, developed by way of 'burgage plots', is still evident. The market square at the centre of the town is defined by the primary streets, High Street and Market Street, which conjoin to form Park Street proceeding to Blenheim Palace Gates. The architectural form of the town reflects this organic growth over the centuries, and a broad range of styles ranging from the Medieval to the present day are evident and comprise Georgian, Victorian to contemporary modern styles.

### *Contribution of the site to the significance of the CA and setting of non-designated heritage assets*

- 5.27 The application site falls within a transitional region between the historic development along Oxford Street to the south and Brook Hill, the north side of which is comprised of modern dwellings. The existing site is largely read in the context of modern and contemporary dwellings to the north, south and east. The site itself contributes to some extent to a relatively spacious and low-density character however, largely reads as an underused and peripheral piece of land that does not form an area of open space that forms a significant contribution to the character

and appearance of the area. Therefore, officers do not consider that it makes a particular contribution to the heritage significance of the CA or the setting the locally listed terrace of dwelling to the west of the site.

*Impact of the scheme upon the significance of the CA and setting of non-designated heritage assets*

- 5.28 The proposed development would exhibit clean, modernist forms, which would be contextualised by nearby contemporary-style development, particularly at 1 and 5 Upper Brook Hill. Further, the proposal would minimise its perceived massing through utilising the sloping nature of the site and reducing the footprint of the upper story, pulling the massing away from the adjacent terrace to the west. The use of form and proposed materials would differentiate the dwelling from 1 Upper Brook Hill, thereby alleviating concerns raised during the previously refused application that the development would lead to the appearance of a 'knot' of built form. The scheme is therefore considered to enhance the character and appearance of the CA and would not result in any material harm to the setting of non-designated heritage assets.

### **Drainage/Flood Risk**

- 5.29 WOLP Policy EH7 relates to flood risk and seeks to reduce flood risk to people and property where possible and manage any residual risk. In this case, the site lies within Flood Risk Zone 1, in an area at very low risk from fluvial flooding, and the Council's Drainage Officers have raised no objection to the application subject to the imposition of a pre-commencement surface water drainage condition. Officers also note that matters of flood risk were considered and found to be acceptable in the assessment of both previous applications quoted above at the site. Officers are therefore satisfied that the scheme will be required to demonstrate how surface water will be adequately managed prior to construction of the proposed dwelling should the application be approved.

### **Neighbourly Amenity**

- 5.30 WOLP Policy OS2 states that new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. The importance of minimising adverse impacts upon the amenity of future and neighbouring occupiers is reiterated in Policy OS4, the NPPF and the West Oxfordshire Design Guide.
- 5.31 Officers consider that the proposal would provide adequate levels of amenity for future occupiers.
- 5.32 In terms of impact on neighbouring amenity, the proposed dwelling is approximately 20m from the front elevation of the adjacent properties on northern side of Brook Hill. Whilst the scheme would lead to an increase in massing compared to the approved single storey scheme, given this separation distance, the context provided by the existing dwelling at 1 Upper Brook Hill and the fact only the public facing front elevation would be affected, officers consider that the proposal would not materially impact the amenity of neighbouring properties. Further, given the location and design of the proposed amenity spaces, officers consider that no material impacts in terms of overlooking, overbearing or loss of light would occur as a result of the scheme.
- 5.33 In terms of disturbance during construction, officers acknowledge the proximity of the site to residential dwellings and the large amount of excavation works that would be required to construct the dwelling. As such, officers consider that in order to mitigate disturbance during

construction, a condition requiring a Construction Traffic Management Plan should be imposed, requiring necessary arrangements to be made prior to the commencement of development. The application is therefore considered acceptable in neighbourliness terms.

### **Highways/Accessibility Impacts**

- 5.34 WOLP Policy OS2 states that new development should be provided with safe vehicular access. WOLP Policy T2 states that all new development "will be required to demonstrate safe access and an acceptable degree of impact on the local highway network". The general principles of Policy OS2 and Policy OS3 seek to promote development which minimises the need to travel and lies in close proximity to public transport networks.
- 5.35 The application site is located in an inherently sustainable location, reducing reliance on private car transport whilst providing parking spaces to alleviate concerns relating to on-street parking. Therefore, the highways authority have confirmed non objection the scheme subject to the parking arrangement proposed being secured via condition. As such, the application is considered acceptable in highways/accessibility terms.

### **Sustainability**

- 5.36 WOLP Policy OS3 states:
- 'All development proposals will be required to show consideration of the efficient and prudent use and management of natural resources'.
- 5.37 As described above, the location of the proposed dwelling ensures that it would be served by a good range of public transport and active travel options. In addition, the proposed dwelling would be served by electric vehicle charging facilities, triple glazing and ample space for recycling/refuse storage off-street. Officers are therefore satisfied that the proposal complies with the requirements of Policy OS3.

### **Other Matters**

- 5.38 The application site is comprised of amenity grassland of very limited ecological value and as such, no material harm in this respect is identified.

### **Recommendation**

- 5.39 In light of this assessment, the proposal is considered to accord with West Oxfordshire Local Plan 2031 Policies OS1, OS2, OS3, OS4, H1, H2, T2, T4, EH7, EH8, EH9, EH10, EH16 and EW10, the Woodstock Neighbourhood Plan, the West Oxfordshire Design Guide 2016 and the NPPF 2023. The application is therefore recommended for conditional approval subject to the conditions as set out in the following section of this report.

## **6 CONDITIONS**

- I. 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. No development shall take place until a Construction Traffic Management Plan (CTMP) has been agreed in writing by the Local Planning Authority. The development hereby approved shall be implemented and operated in accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the residential amenities of neighbouring occupiers.

4. That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework and Planning Practice Guidance). If the scope of surface water drainage is not agreed before works commence, it could affect either the approved layout or completed works.

5. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be 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 Remediation Scheme specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

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

6. 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 a Verification Report confirming 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 prevent pollution of the environment in the interests of the amenity.

7. Prior to the erection of external walls, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

REASON: To safeguard the character and appearance of the area.

8. Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

9. Prior to first occupation of the dwelling hereby approved, a Rapid EV charging point(s) shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of air quality and to reduce greenhouse gases.

10. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

11. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, AA, B, C, D, E and G shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to safeguard the character and appearance of the area.

## INFORMATIVES :-

1. Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Electricity-fed heating systems and renewable energy, for example solar panels and heat pumps; thus avoiding fossil fuel based systems, for example gas boilers
  - Wall, ceiling, roof, and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy and water efficient appliances and fittings
  - Water recycling measures
  - Sustainably and locally sourced materials

For further guidance, please visit:

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

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

**Contact Officer:** James Nelson

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**Date:** 3rd January 2024

