

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 27th April 2015

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC HOUSING**



**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 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

Application Number	Address	Page
I4/I102/P/OP	Land to East of Church Road, Long Hanborough	3
I5/00836/FUL	Land North Of Chaucers House 28 Park Street, Woodstock	14

Application Number	I4/I102/P/OP
Site Address	Land To East Of Church Road Long Hanborough
Date	15th April 2015
Officer	Phil Shaw
Officer Recommendations	Approved subject to Legal Agreement
Parish	Hanborough
Grid Reference	441853 E 214136 N
Committee Date	27th April 2015

Application Details:

Erection of up to 50 dwellings, provision of play group facilities, provision of public open space and ancillary enabling works together with access from Church Road

Applicant Details:

Corpus Christi College
C/O Agent

I CONSULTATIONS ON LATEST PROPOSALS

- 1.1 The scheme was re-advertised with key consultees just before Easter. At the time of agenda preparation no responses have been received. Any representations will be reported in the additional representations report or reported verbally at the meeting.

2 ORIGINAL REPRESENTATIONS

- 2.1 The following is a summary of the main matters raised in response to the application proposals. It is not practical to provide details of all of the representations, some of which include detailed technical submissions. However, all representations have been considered in full and are available for inspection.
- 2.2 Objections have been received in nearly 120 representations on the following summarised grounds:

POLICY

- The development would conflict with Policies BE1, BE2, BE3, BE4, NE1, NE3, NE6, H2, H4, H7 and T1 of the adopted Local Plan.
- The housing would not accord with the principles in the emerging plan of growth proportional to the size of settlement and phased over the plan period: it would be disproportionate in number and built at an unsustainable rate.

SCALE AND IMPACT ON INFRASTRUCTURE

- A number of substantial developments have already recently been approved or proposed in the village
- The increase in residents could not be supported by the Hanborough Manor CE Primary School and Long Hanborough Surgery, which are at capacity with inadequate parking and no scope for expansion, shops (for which parking is already problematic) and employment leading to commuting and increased tensions.

- Claims that Freeland and Long Hanborough schools have identified expansion space are not true.
- Children having to attend school outside the village would be socially harmful and would increase traffic: every child should be able to attend their local school and integrate into their community.
- Freeland School is also near capacity, experiences parking problems and the village does not have street lighting to make walking from the site safe in winter.
- Eynsham Medical Centre to which a modest extension has been made in recent years is not a practical alternative to the village facility as it is 7.25km away and a return journey is impractical by public transport. The only realistic option would be for the developer to make provision for increased capacity.
- Train services are already overcrowded and additional carriages could not be added without an expansion of the station
- Recent surveys show heavy use of the station car park (85-90%) and this will only increase as there are plans to encourage greater use of the station by residents of Witney.
- No consideration has been given to the impact on inadequate broadband, electricity (brief interruptions of supply are regular) or sewerage infrastructure (regular and recent sewerage blockages nearby in Long Hanborough and Freeland) which are inadequate.
- Additional police infrastructure would be necessary
- The need for possible off-site sewerage network improvements is identified but a solution should be found before the application is determined.
- Local voluntary groups will not be able to cope with the increased demands from the new development.
- The development would destroy the local community.
- The site is not well sited to access local services and facilities.
- If the development is to be approved, the dualling of the A40, all infrastructure improvements, etc. should be in place before development commences, and an improved cycle path to the station and a footpath to the village centre through the green space north of Hurdeswell and opportunities for self-build housing should be secured. Also, no development should take place until a year after completion of the Wolvercote and Cutteslowe Roundabout improvements, further traffic surveys have been undertaken and a Pelican crossing is provided at the site entrance.
- A smaller development may be more easily assimilated
- It is too many too quickly.

TRAFFIC IMPACT

- Increased traffic on the A4095, which is already congested and could take additional traffic from planned development at East Witney, would result in traffic delays and jams and inhibit use by emergency services.
- The Transport Assessment concluded that the A4095 traffic flow is above capacity.

- It is peak flows not average flows that need to be considered and road will become gridlocked.
- Congestion on the A4095 would make egress from roads leading to it and from the site very difficult (particularly turning right in the morning peak time to destinations in the village, the station and towards Oxford) and construction vehicles would cause a particular problem at the Bladon pinch point.
- The Local Plan 2011 (p64) identifies the A4095 as one of the roads where a combination of local and through traffic are causing congestion and environmental damage particularly in settlements on these routes.
- Church Hanborough would become a rat-run.

SURVEY DATA IS UNREPRESENTATIVE

- Increased traffic increase noise would spoil a quiet area and the villages of Long Hanborough and Freeland.
- Increased fumes in the villages and wider impact on global warming for CO emissions
- Church Road varies in width
- Increased traffic on narrow, unlit village roads in Long Hanborough and Freeland (en route to the A40) without footways would be dangerous.
- Increased traffic on the A4095 at speeds that are not controlled by cameras would be a danger to an increased number of pedestrians trying to cross the road.
- There are few local employment opportunities so residents will commute to work.
- Residents will be likely to use cars because buses are infrequent, unreliable and stop at 7pm; there are no bus shelters or real time timetables; bus services do not coincide with train times; buses do not go to the Summertown area; cycle lanes are inadequate and dangerous; there are no cycle racks at bus stops and inadequate racks at the station; the station is too far away to walk to.
- Insufficient provision is made for car parking and there would therefore be congestion within the development.
- Consideration should be given to improving bus routes through the village; to a cycle path between Long Hanborough and the Eynsham roundabout along Lower Road, and to supporting alternative routes to Oxford and London from Witney
- Landscape impact and character
- The green gap between Long Hanborough and Freeland would be significantly eroded.
- The loss of productive agricultural land and greenfield development is not justified: it would harm the rural character and context of the area.
- The development would not be physically integrated in the village, being a clear extension,
- The development would be a satellite rather than being absorbed within the village and would not contribute to social cohesion.
- The scale of development would fundamentally spoil the rural feel of the village and urbanise an existing village.

- The density, layout and design are inappropriate for a rural village setting Light pollution would be caused.
- The development would result in the loss of trees and hedgerows.
- Pinsley Woods would be affected

BIODIVERSITY IMPACT

- The site sustains a lot of flora and wildlife
- HPFA will continue to cut hedges as required by needs of sport

DRAINAGE

- The ability of the site, which has flooded in recent years, to accommodate run-off water with heavy winter storms and increased hard surfaces is queried -particularly following the new Cotsway development.

LIVING CONDITIONS

- Existing properties would experience noise disturbance and loss of privacy and light and of outlook
- If approved, conditions should control construction access and hours of operation to safeguard local residents.

OTHER OPTIONS

- If there is to be development in this area it should be smaller and sited to the north of Witney Road where it would be bordered on two sides by existing development, by Witney Road and a public footpath and would not reduce the gap to Freeland.

OTHER ISSUES

- This development could set a precedent for further development, No EIA, and no measures to mitigate CO2 emissions, for local energy generation or for renewable energy have been required or proposed.

PROCEDURAL MATTERS

- The site is not within walking distance of Chipping Norton or 1.2m from Combe Station (it is only a request stop halt) as stated in the submitted Planning and Consultation Statement.
- Few local residents were aware of the public consultation event.
- The submitted Travel Plan lacks details.
- More information is needed on the types and mechanisms for the affordable housing and potential infrastructure contributions before the application is determined.
- A site visit should be undertaken before the application is determined.
- Consent of HPFA is needed before a land swap is undertaken

- No access should be shown to HPFA land
- Approval in advance of local plan is premature

ADDITIONAL POINTS MADE:

- There is now a better place to site the school provided OCC consider it financially viable
- Can the plans be modified to this extent even though they are only in outline?
- 2 people per house will result in 500 additional residents with the other developments
- I support Hands off Hanborough campaign
- Lower oil prices will increase road traffic
- Traffic impacts will therefore be greater than assessed as there will be less modal switch and greater car use
- Accurate revised data should be sought before an informed decision can be taken
- New sites for facilities should be sought
- Failure to address need for facilities will undermine the concept of the village as a rural service centre
- Countryside should not be concreted over
- Where are the jobs?
- Trains will not cope with additional demand
- What happens in Hanborough affects me in Witney as it impacts on my journey to work and puts pressure on Witney services
- Increased chaos, stress and inconvenience and decimation of lifestyle
- Thanking officers for their time in dealing with the complicated applications
- The NPPF is flawed and untested with its pro development stance
- Concerned that the lack of an adopted plan should not stop WODC securing what WODC wants
- Will block the vital artery that is the A 4095 with consequences beyond the village
- OCC has not assessed traffic impact properly
- Planning decisions should not be influenced by financial pressures
- Where will the funding for the station improvements come from? Will they ever happen?
- Small scale development is acceptable but we are now at capacity

LATEST REVISION REPRESENTATIONS

None received to date. Any representations will be reported in the additional representations report or reported verbally at the meeting.

3 APPLICANT'S CASE

- 3.1. A Planning Statement, Ecological appraisal, Landscape and Visual Assessment, Design and Access Statement, Sustainability Statement, Draft Heads of Terms, Flood Risk Assessment, Archaeological Assessment, Transport Assessment and Arboricultural report were submitted in support of the application and are available to view on line or upon request to the case officer.
- 3.2. The amended content of the agents latest letter are reported in full below:

I refer to the above application which was considered at Uplands Area Planning Sub-Committee on 2nd March 2015. The application was deferred, following extensive discussion by members of the Sub-Committee. The view expressed by a number of District Councillors was that; whilst the principle of housing development on the application site was acceptable, the number of houses proposed was too high. The applicant (Corpus Christi College) acknowledges the concern raised by Members and in response, following discussion with planning officers and a representative of the Parish Council, is proposing to reduce the number of dwellings from 64 to 50. This letter proposes a formal revision to the application description to state;

'Erection of up to 50 dwellings, provision of play group facilities, provision of public open space and ancillary enabling works together with access from Church Road.'

I have attached an indicative layout which is submitted in support of the outline application which demonstrates how 50 dwellings and play group facilities could be accommodated on the application site. The reduction in the number of houses will significantly reduce the development value of the land and it is, therefore proposed that the proposed mix of housing will be 32 market dwellings and 18 affordable dwellings. It is also proposed that all 18 affordable dwellings should be offered first to those on the District Council's Housing Register with a local connection to Long Hanborough. The mix of affordable housing as proposed by the District Council Housing Enabling Manager is 2 one bed flats, 4 two bed flats, 8 two bed houses, 2 three bed houses, 1 four bed house and 1 level access dwelling. The amended proposals include the offer of 1.8 hectares of land to the County Council for use as either educational purposes or for public open space.

The amended proposals also include the provision of a building for a play group which could facilitate the relocation of the existing play group from the site of the primary school.

I have also attached a letter dated 16th March 2015 from Brett Farmery of Cole Easdon which states that the additional traffic generated by the relocation of the play group will be more than offset by the reduction in traffic as a result in the reduction in housing numbers to 50.

The proposals also include the offer of a financial contribution of £25,000 to assist in the provision of improved health services in Long Hanborough. The proposed contribution follows discussion with Dr Neil Rust of the Eynsham Medical Group.

The revision of the application description will require further consultation with key stakeholders such as the County Council and the Parish Council. It is, therefore proposed that consideration of the application be deferred until the Uplands Area Planning Sub-Committee on Monday 27th April 2015.

The reduction in housing numbers will have implications for the level of financial contributions which will be sought as part of the Section 106 planning obligation. Officers are requested to confirm such figures in the Committee Report prior to consideration at Sub-Committee next month.

I trust that this revision to the application description is acceptable and I look forward to discussing the application in more detail in due course.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

NE1 Safeguarding the Countryside

NE3 Local Landscape Character

NE6 Retention of Trees, Woodlands and Hedgerows

NE13 Biodiversity Conservation

T1 Traffic Generation

T2 Pedestrian and Cycle Facilities

T6 Traffic Management

H2 General residential development standards

H3 Range and type of residential accommodation

H7 Service centres

H11 Affordable housing on allocated and previously unidentified sites

The policies of the emerging plan are also of limited but increasing weight

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

5 BACKGROUND INFORMATION

- 5.1 This application as submitted was seeking outline planning permission for the erection of up to 68 dwellings, up to 34 of which were to be affordable dwellings, with access from Church Road. The illustrative plans included open space and associated works. The application site has been promoted by the applicant as part of the Local Plan process and is identified in the SHLAA as potentially being able to accommodate development of the general nature now proposed.
- 5.2 Members may recall that they gave initial consideration to the application, following a site visit, in November of last year. Following that the description of development was changed to reduce the number of units from 68 to 64. A series of meetings were undertaken to seek greater clarity as to the educational impacts of the proposals and this resulted in the applicants offering to fund the relocation of the nursery use from its existing site on the school campus to the application site, provision of additional classroom capacity at the school and making the balance of the site not used for housing available at nil cost to OCC for a new school site should the need arise- and in the interim its use as open space. It was on this basis that the application was presented with a recommendation for approval when the application was last considered
- 5.3 Members determined not to accept the recommendation but deferred the application. Part of the reason for deferral was to enable all the conditions and the heads of terms to be incorporated into the written report. Additionally Officers were invited to open further negotiations with the developer seeking a further reduction in the number of units to 50 and local nomination rights for the affordable housing. Local Members advised that in recognition of the impact on viability of the reduction in the overall number of units that if the affordable housing could be local needs based rather than for the general list that they would consider reducing the percentage of affordable housing as a means to retain viability whilst reducing the overall numbers

- 5.4 Members are advised that the original report and minutes should be referred to for the full background information considered last time. For clarity this report concentrates on the key changes, consultations and representations since the deferral. In that context the applicant has agreed to amend the application in line with the suggestions made by local members and the application has been re-notified to the PC and County Education and Highways services and a further site notice placed adjoining the site.

6 PLANNING HISTORY

- 6.1 There is no relevant planning history for this site as it is previously undeveloped and has been used historically for agricultural purposes only.

7 PLANNING ASSESSMENT

- 7.1 Taking into account planning policy, other material considerations, the representations of interested parties, the views of consultees and the views expressed by members in deferring the application the last time it was considered, your officers are of the opinion that the key considerations are:
- a) Whether the revised offer meets the views expressed at the last meeting as a means to secure an approval
 - b) The adequacy of the conditions and 106 heads of terms
 - c) Whether any new material considerations have been raised that were not considered last time
- 7.2 The revised offer is set out in the Applicants Case section of this report. In essence the applicant has maintained his offer as regards the main heads of terms of the mitigation package agreed in the context of the 64 house scheme but as suggested the reduction in numbers has been achieved by reducing the affordable housing contribution from 32 units to 18 units. However it has been agreed that all of these units will in effect be local needs housing looking to meet the needs of Hanborough rather than more general housing need. Additionally the tariff based requests from OCC would need to be pro rata down wards to reflect the fact that the impacts that are being mitigated against are now 50/64ths of the impacts originally calculated. This would not apply to the classroom as this is needed as a direct consequence of the development to offset the lack of capacity in the current school. The reduction in the number of units and the reservation of the balance of the affordable housing for local needs accords with the wishes of local Members when the application was last considered
- 7.3 Critical to mitigating the impact of the development and ensuring that it is sustainable in the longer term is the package of measures to be delivered by way of any section 106 agreement. In this regard the applicants have agreed to:
- 1 Provide funding for a new classroom at the school (with OCC providing additional funding to secure a 2 classroom extension) to the value of £194346
 - 2 Meeting the balance of contribution requests to OCC for monies towards education, transport and other OCC facilities.
£50,000 towards bus transport improvements
£217,812 x 50/64 for Secondary Education
£9,925 x 50/64 for Special needs education
Between circa 400 and circa 900 per units dependant on final mix for libraries, waste management, museum resource centre, social and health care and adult learning

£1,240 monitoring fee

- 3 The relocation of the pre-school at nil cost to the pre-school
 - 4 The provision of a site for a new school at nil cost along with a covenant that it can in perpetuity only be used for educational , recreational or community use
 5. WODC securing 18 of the affordable housing units of the size and tenure as agreed and with nomination rights to local persons
 - 6 Leisure contributions to the value of £91392.50 plus an arts strategy
 - 7 Police contributions towards ANPR, IT and bicycles to the value of £11350.
 - 8 Contribution of £25k to assist the local GP practice in increasing capacity
 - 9 Contribution of £5,000 towards covered cycle parking facilities at the station to encourage non car access by residents of the new development
 - 10 Arrangements to secure the on-going maintenance of the non OCC open space and strategic landscaping buffer
- 7.4 The Parish Council has not identified any impacts that they would wish to be mitigated by way of S106 agreement or contributions.
- 7.5 In terms of the overall package of measures this is considered to retain the viability the scheme, mitigate the impacts of the development and provide additional community, educational and cultural benefits that would not arise other than if the development took place. It is considered to be an acceptable package of mitigation.
- 7.6 At the time of agenda preparation the application has only just been re advertised and the Easter break may have inhibited some respondents such that there are no additional representations or consultations in respect of the amended proposals to report at this stage. Any that are received will be reported by way of the additional representations report or verbally at the meeting. At the time of writing officers are not aware of any matters that were not already considered as part of the earlier consideration of this application that would be material to the decision to be taken.

8 CONCLUSION

- 8.1 This is a contentious application and the fact that a larger proposal was submitted concurrently exacerbated concerns about the impact that it will have on the quality of life and character of the village. Concerns have been raised in particular about the scheme exacerbating the existing traffic problems in the village and adding to the problems of educating village children at the popular and over-subscribed local school and the impact on surgery capacity. As requested by members the applicants have reduced the number of units proposed and tabled a S106 package that seeks to mitigate the impacts of the development by addressing the educational shortfall, providing a new pre-school and land for a new primary school as well as making contributions to the local surgery and providing affordable housing to meet local needs. Other financial contribution requests have been met
- 8.2 The settlement is a relatively sustainable one on the context of a rural area such as West Oxfordshire and development of this scale on site has been identified as acceptable within the SHLAA. The scheme is contrary to policy H7 but this is increasingly out of date and the scheme is much more in line with the policies of the emerging plan- albeit again this currently only has

limited weight. In the interim the deficiencies and harms identified are not considered to pass the significant and demonstrable harm tests set out in the NPPF. The applicant is considered to have addressed the reasons for deferring the application at the last meeting and as such it is recommended for conditional approval subject to the applicant first entering into a legal agreement the heads of terms are set out above

9 CONDITIONS.

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the requirements of S.92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development shall be carried out in accordance with the plans accompanying the application as modified by the agents letter(s) dated 30th March 2015 and accompanying plan(s).
REASON: The application has been amended by the submission of revised details.
- 3 Details of the layout, means of access, landscaping, appearance and materials, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 4 In the submission of reserved matters the submitted scheme should closely follow the design principles set out in the illustrative plans accompanying the agents letter dated 30th March 2015
REASON: For the avoidance of doubt.
- 5 The dwellings submitted for reserved matters should have a maximum ridge height of 8.5 m measured from finished ground level.
REASON: The flat nature of the landscape and low lying built form context justify a restriction on the overall height of the units.
- 6 As part of the submission of reserved matters the details to enhance biodiversity, reduce energy and water waste and generate on- site energy for the dwellings shall be submitted for agreement in writing by the LPA and completed prior to occupation of the dwellings concerned.
REASON: To ensure a satisfactory form of sustainable development.
- 7 The landscaping details submitted as part of the reserved matters shall include as a minimum a planted buffer of at least 10m minimum width along the southern boundary as well as a communal area of open space separate from the land to be transferred to OCC. Dwellings shall be designed and orientated such as to reduce pressure to trim or fell trees and hedges planted to provide a landscape buffer for the development.
REASON: To reduce the impact of the development in the wider landscape.
- 8 The materials to be used in the construction of the dwellings shall be predominantly artificial stone and render.
REASON: To ensure that the development compliments the prevailing materials and colour palette of the district.

- 9 Details of the design and location of fire hydrants to serve the development shall be submitted as part of the highway reserved matters.
REASON: To ensure that adequate fire safety measures are provided.
- 10 As part of the submission of the first reserved matter the design and location of the pre-school shall be agreed in writing by the LPA and the said pre-school shall be completed and made available for use in accordance with a timetable that has also been first agreed in writing by the LPA prior to commencement of development. The said pre-school shall only be used for that purpose and for no other purpose whatsoever without the prior planning approval of the LPA.
REASON: To ensure continuity of pre-school provision.
- 11 As part of the highway reserved matters details the constructional detail of the junction of the proposed estate road with the existing highway along with the necessary footway, vision splay and traffic calming improvements shall be submitted and the said agreed details shall be implemented prior to first occupation of any of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 12 Within 3months of the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note, 'Using the Planning Process to Secure Travel Plans' and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
REASON: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.
- 13 Prior to development, a Construction Phase Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.
REASON: In the interests of highway safety and convenience.
- 14 Prior to development a drainage strategy, incorporating SUDS, shall be submitted to and approved by the Local Planning Authority.
REASON: To ensure adequate means of water disposal
- 15 Development shall not commence until a drainage strategy detailing any on and /or off site drainage works has been submitted to and approved in writing by the LPA in conjunction with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
REASON: The development may lead to sewage flooding and to ensure sufficient capacity is made available to serve the new development.
- 16 The reserved matters scheme shall be limited to a maximum of 50 dwellings.
REASON: For the avoidance of doubt as to what is permitted.

Application Number	I5/00836/FUL
Site Address	Land North Of Chaucers House 28 Park Street Woodstock Oxfordshire
Date	15th April 2015
Officer	Abby Fettes
Officer Recommendations	Approve subject to no objection being raised by Highways
Parish	Woodstock
Grid Reference	444271 E 216816 N
Committee Date	27th April 2015

Application Details:

Erection of detached dwelling, new access and parking to include new parking to serve 5 Chancers Lane.

Applicant Details:

Ms Sally Ann Lasson
C/O Agent

I CONSULTATIONS

- I.1 Parish Council Woodstock Town Council objects to this planning application on the grounds of WODC policies B2, B3, B5, H2 (d), H2 (e) and H2 (f) of the Local Plan.
- I.2 OCC Highways No Comment Received.
- I.3 Thames Water Waste Comments
- Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- Water Comments
- On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning

permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

1.4 WODC Architect

The application proposes a new detached dwelling in part of the garden of Chaucer's House (C17 and later LB). Perhaps the first thing to say is that the plot is almost certainly large enough to accommodate a new detached dwelling of this type.

In response to the obvious sensitivities of the site, the applicants have gone for a low, modern pavilion-type structure, of c.3.5m height. The flipside of this is a rather sprawling plan; however, given the plot size, I don't believe this is a problem. The design, if well-built and well detailed, could be successful. The form, foot-print and elevations are all fairly simple and well resolved, and the materials look reasonable (stone, timber, aluminium, sedum roof etc.)

In terms of possible impacts, the proposal is set well away from the Listed Building, on falling ground, and is physically low in any event. The location, height and roof treatment would seem to mitigate any potential harm to the Conservation Area or World Heritage Site. I think it would be difficult to argue undue harm in heritage terms.

2 REPRESENTATIONS

2.1 A total of 8 letters of objection have been received from neighbours and members of the public including 1 Chaucer's Lane, 3 Chaucers Lane, 4 Harrisons Lane, 11 Park Street, 16 Park Street, 91 Manor Road, 112 Manor Road and Charlotte Cottage in Radford.

Character of the area

- The removal of the arches and walls of Chaucers Lane fronting No's 3 and 5 will completely alter its character. It will be replaced by an open driveway and hardstanding for two cars. Any vehicles manoeuvring at the junction of Chaucers Lane/Harrisons Lane with the high wall opposite and the steps of Hoggrove Hill adjacent will be causing dangerous problems.
- There are different levels between the existing access path to No 3 Chaucers Lane and the proposed access road, which do not seem to have been taken into account in the planning application.
- All the background trees are to be removed and the side of No 3 exposed.
- Chaucers House is a Grade II listed building and my understanding is that development is not permitted within the curtilage of a listed building (which has been held in some circumstances to include gardens). Thus the proposed development may be challengeable on that basis.
- One wonders whether the Council is aware of an historic air raid shelter in the existing garden of No 5 Chaucers Lane which would be affected by the proposed development.

- This application does nothing to enhance Chaucers House, Chaucers Lane or Woodstock.
- This application has no merit except to bolster the value of Chaucers House which is soon to be sold.
- As for the proposed house is it for moles? There is no view only old walls, new walls and trees.

Residential amenity

- No 3 Chaucers Lane will lose its security and privacy. Its current lockable access to the old pedestrian access to Chaucers House will go.
- The wall to its garden is not high, enabling anyone to see into the garden from the new driveway.
- The proposed development if carried out in its present form would deprive the owner of No 3 Chaucers Lane of easy access to her own home as the current path (which is to be demolished under the plan) is the only way in as the cottage has a solid wall facing onto Chaucers Lane.
- There are possible alternative plans which would require no alteration to the proposed dwelling and access to it which would however not deprive the owner of No 3 of easy access and so affect her safety, security and privacy. It seems reasonable that such alternative plans should be considered and consulted on.
- Amazed at the total lack of consideration of the likely effect of the proposed development on No 3 Chaucers Lane, and in particular on its owner and the stress that all this has caused
- There was no mention of No 3 Chaucers Lane in the planning application which seems extraordinary as the proposed development if carried out would affect that property considerably in terms of access, safety, security, privacy and disturbance quite apart from the effect on the value of the property.
- As this is to be built on quite a steep slope will the foundations be strong enough not to affect the property below (the Fish House) where the lie of the land does fall steeply, on the amount of light it will receive.

Highways

- Multiple car movements along a narrow driveway will destroy the peace and security of No3 Chaucers Lane.
- In particular the proposed development would have a significant effect on the use of the right of way to No 3 Chaucers Lane which would (due to the suggested demolition of the existing path) effectively be on the new access road to the proposed new residence, yet this was not disclosed in the application. Such access road furthermore would go straight past the walls of the cottage and be directly adjacent to its basement windows.
- It seems likely that the proposed development would affect traffic in Chaucers Lane and Harrison Lane and that in particular vehicles from No 5 Chaucers Lane would potentially have to reverse on to the roadway, a source of some danger.

- There are practical issues for the owner of No 3 Chaucers Lane if the proposed development were carried out in terms of delivery of post and the position of rubbish bins and boxes and placing them for emptying etc.

Utilities

- At the top of the steps of Hoggrove Hill there is a lamppost and apparently underground cables that do not seem to have been taken into account in the planning application and would be affected by the proposed development.
- No consideration appears to have been given to the effect of the proposed development on the manholes in the existing access path to No 3 Chaucers Lane.

Publicity

- There has been a major lack of proper consultation or notification including of the pre-application, to the person most affected by the proposed development, i.e. the owner of No 3 Chaucers Lane.
- I walked past the notice a couple of times and didn't bother to read it thinking it would be the usual , tree, windows, porch, maybe single storey extension. I have to say when I stopped earlier today and read the notice I was slightly stunned to see, access, dwelling, 2 parking bays.
- There was limited signage and publicity about the planning application, at the time of writing the only sign appearing is that on the lamppost at the top of Hoggrove Hill steps and some distance from Chaucers House itself.
- I note that the WODC no longer needs to notify immediate neighbours but surely the yellow sign that says there is an application should be clearly visible at the entrance of the property concerned, Chaucers House, and not tucked down a side lane where no one can see it outside No. 5 Chaucers Lane.
- The occupant of No 3 Chaucers Lane was not informed of this application or consulted in any way and only accidentally heard about it.

One letter of comment has been received from the Fish House, summarised as follows:

My concern, in respect to planning is very simple, privacy. The building is located very close to the boundary wall and although from the drawings it seems that a view over will not be possible, the wall drops in height by approximately 1.5m in the centre for a length of 5m. This is currently obscured by planting although the continued presence of such is not guaranteed. Were this to be removed then it would be possible to look directly into my conservatory below. This structure is two storey and serves the landing at first floor, onto which are accessed bedrooms and the family bathroom. At night, with lights on and as there are no blinds (difficult for 80m² of glass) it would be possible to see every movement occupants visiting the bathroom from the bedrooms.

The solution would be to build up this dip in the stone wall using suitable matching stone. Can I please suggest that this be undertaken prior to construction commencing and if necessary be made a condition of the consent.

3 APPLICANT'S CASE

3.1 A Heritage and Planning Statement, Design and Access Statement and a Tree Survey have been submitted in support of the application.

3.2 Heritage Statement

- This Statement demonstrates that a full and proper analysis of the historic context of the application site and the surrounding area has been paid and has permitted for the particular design approach followed in the appearance of the finished submission.
- The site stands in a secondary area of development, where the siting, form and appearance of buildings evident in the area are varied in comparison to the main street front properties along Park Street. It allows for a different and in this case contemporary design approach to stand proper scrutiny.
- The low slung appearance of this new building and the lower relative position of the application site, combine to avoid any harm to the setting of the listed Chaucers House and have no impact on the adjacent World Heritage site.
- The proposal delivers a new family home into the existing part of Woodstock and is not in any way unneighbourly in doing so.
- Car parking is provided to standard on site and replaced too in relation to 5 Chaucers Lane, in a fashion that is deemed safe all round in highway terms.
- Overall, the proposal represents a form of development that is entirely appropriate for this part of the Woodstock Conservation Area, does not detract in any way from its character and appearance and causes no harm to any identified heritage assets.
- In the circumstances of the case, it is very much hoped that this application can be approved as submitted.

3.3 Design and Access Statement

- The proposals are designed to be respectful of the existing aesthetic, the surrounding landscape and the conservation area, as well as retaining and enhancing the character of the walled garden.
- The contemporary modernist approach to the design does not seek to compete with the existing local vernacular nor does it try to be a pastiche. The design approach allows the low simple building to sit comfortably alongside the traditional buildings in the conservation area and adds to the eclecticism that defines the make-up of this part of Woodstock.
- The dwelling is single storey, and set on the lowest part of the site and therefore its impact on the site and the surrounding properties is minimal, and there can be no loss of light to any neighbours.
- Being single storey there is no overlooking potential from the dwelling and due to the orientation and distances from the adjacent buildings there is little possibility of overlooking into the site.
- The proposal is supported by Policy H7 and the NPPF.
- There is no impact on the World Heritage Site (Blenheim Palace) as the building is set below the level of the wall separating the two sites and cannot be viewed. The dwelling is also not set against that boundary.

- Parking will be introduced without dominating or altering the natural flow of the site. Existing parking is re-provided and 2 No. new spaces created for this dwelling. There will not be any detrimental effect on the local 'on street' parking demand as a result.
- Existing trees and landscaping features have been retained where possible and the building designed around and to avoid damaging the main Category B tree on the site.
- All measures will be taken to ensure that any protected species and the general ecology of the area remains unaffected by the development by the use of mitigation strategies. The building has been sited on the existing lawned area of the site and as such is minimising any potential harm.
- Due to the reasons set out in this document, the Planning statement and the tree report, we respectfully ask West Oxfordshire Council for support for the approval of this application.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE5 Conservation Areas
 BE8 Development affecting the Setting of a Listed Building
 BE11 Historic Parks and Gardens
 H2 General residential development standards
 H7 Service centres
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 T4NEW Parking provision
 EH7NEW Historic Environment
 EW1NEW Blenheim World Heritage Site
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning consent for a new single storey dwelling in the garden associated with Chaucers House. It is within the Conservation Area and adjacent to a Grade II Listed building (Chaucers House). It also backs on to Blenheim World Heritage Site but is not visible from the Palace, being tucked behind the Chaucers House and the Triumphal Arch.
- 5.2 The ground falls from south to north across the site and there are several trees on site.
- 5.3 The site notice was posted adjacent to the site on the corner of Chaucers Lane and Harrisons Lane and at the top of the steps from The Causeway. It has been commented on by objectors that the site notice was not prominent, however officers consider that as representations have been received from 9 households in total, including all the immediate neighbours it is felt that the publicity was sufficient.
- 5.4 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

- 5.5 The principle of a new dwelling in this location is considered to accord with local plan policy and the provisions of the NPPF. Woodstock is a sustainable settlement, and Policy H7 of the West Oxfordshire Local Plan supports the provision of new dwellings where they form a logical complement to the existing pattern of development. The proposal is considered to be a logical compliment to the settlement as beyond the town's medieval core and back off the main street fronts, lesser plots and reduced properties have grown organically on secondary streets and locations, behind the principal buildings. The application site is considered to fall within this secondary zone.

Siting, Design and Form

- 5.6 The proposed dwelling is of a low key modern design in a low, modern pavilion-type structure, of c.3.5m height. It is proposed to be single storey with a flat sedum roof, constructed in stone and timber with aluminium windows which are considered to appropriate materials for this sensitive location. The plan form is quite large; however, given the plot size, it is considered to be acceptable.
- 5.7 The siting is away from the boundaries with neighbouring properties and makes use of the natural changes in levels. The tree survey has identified that one Category B tree will have to be removed to enable the development, and a few Category C trees will be removed, but the majority of trees will be retained to provide screening for the proposal. Therefore the proposal is unlikely to be visible from the public realm. The proposal is therefore considered to accord with BE2 and H2 of the Adopted plan and OS4 and OS2 of the emerging plan.

Highway

- 5.8 The proposed dwelling will be accessed from Chaucers Lane. The original pre application submission sought to provide a car free development which officers resisted. The planning application makes provision for two spaces for the proposed dwelling and two spaces for no. 5 Chaucers Lane, this provision is considered adequate.
- 5.9 The Highway Authority have been consulted but have yet to respond. However Officers are fairly confident that there will be no highway issues raised as they were consulted at pre application stage.

Residential Amenities

- 5.10 It is not considered that the proposed dwelling will be unduly harmful to the amenities of adjacent properties. The proposed dwelling is some distance from all the adjacent properties and by reason of its single storey form will not be considered overbearing. The property most affected is 3 Chaucers Lane and whilst it is accepted that there will be more traffic movements past the property, it is not considered so detrimental as to justify the refusal of planning permission.
- 5.11 The property to the rear of the site (Fish House) has raised concern that the new dwelling may impact on their amenity through overlooking. Officers consider that there is over 20m between the rear of Fish House and the rear of the proposed dwelling, and that the majority of windows

on this elevation are to secondary rooms. Also the planting is shown to be retained on this boundary. A condition can be included to ensure this planting remains.

- 5.12 The proposal is some distance from Chaucers House and it is not considered to impact on the fabric or structure of the building, and its overall setting.
- 5.13 Concerns have been raised about the loss of views from Chaucers House, and the implications on house prices but views and property valuation are not matters for the planning committee to take into account when determining applications.

Conclusion

- 5.14 The proposal is considered to accord with local plan and NPPF policies and is recommended for provisional approval.

6 CONDITIONS/REASONS FOR REFUSAL

- I Provisional approval subject to no objections being raised by the Highway Authority.

Conditions to cover:

Materials

Large scale details

Removal of permitted development

Drainage

Access details

Parking in accordance with plans

Tree protection

Landscaping