

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Planning Committee

30 May 2019

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

30 May 2019

WRITTEN UPDATES

Agenda Item 7

Proposed Pre-Committee Site Visits

Officers would like to recommend that the Committee agrees to hold pre-committee site visits for the following applications, which are expected to be brought before the Committee for determination at the next meeting:

Application No.: 18/00904/F

Proposal: Formation of inland waterways marina with ancillary facilities building, car parking, access and associated landscaping including the construction of a new lake.

Location: Glebe Farm, Boddington Road, Claydon

Reason for the visit: Major development which has received many objections from the local community. It would be helpful for members of the Committee to see the application site and its environs first hand.

If the Committee accepts these recommendations, the site visit will be held on 20 June 2019, along with any other site visits agreed at today's meeting.

Agenda Item 8

19/00423/F Middle Farm, Featherbed Lane, Mixbury NN13 5RN

Additional representations received

One additional letter of objection – no new issues raised

Further representation received from Ridge and Partners LLP on behalf of Mr & Mrs Harris of Mixbury Hall, in support of their objection previously received.

The letter of objection is supported by the following technical reports:

- Noise and odour assessment by "Noise Consultant Limited and Air Quality Consultants"

- Transport Assessment by Cotswold Transport Planning
- Landscape and Visual Impact and Assessment (LVIA) by Davies Landscape Architects

Issues raised:

Impact on landscape – The conclusions of Davies Landscape Architects broadly align with those of the Council’s Landscape Officer, i.e. the proposed development would result in a visually intrusive form of development that would cause harm to landscape features and topography.

Impact on heritage – The proposal would be highly prominent within the countryside, would be intrusive, would act as a prominent visual preceptor within the listed building’s setting and would result in demonstrable harm to the setting and character of the Grade II listed Middle Farmhouse and outbuildings. To the extent that the proposal would cause harm in this regard the objector agrees with the Council’s conclusion on the matter.

Impact from noise/odour – The consultants’ reports say that further clarification is required on a number of issues and that until that time, an assessment of the materially detrimental effect on nearby dwellings or settlements due to smell or noise cannot be reliably or accurately made.

Design – Ridge comments that the form, layout and scale of the development is too substantial for its location, causes harm to the character and appearance of the open countryside and conflicts with Policy ESD15 in this regard.

Impact on highway safety – Cotswolds Transport Planning concludes that,

- a. The impact of the development and construction traffic has not been appropriately assessed;
- b. Visibility splays from the site access have not been demonstrated to be within the adopted highway or land in the ownership of the applicant;
- c. The site access and site access road has not been demonstrated to be suitable for Heavy Goods Vehicles;
- d. A detailed traffic routeing assessment has not been undertaken;
- e. Featherbed Lane and the Junction with the A421 are substandard and not suitable to accommodate the proposed development traffic; and
- f. Alternative traffic routes are not suitable to accommodate the proposed development traffic.

Officer comment

The submission from Ridge & Partners agrees with the planning officers’ assessment in respect of landscape and heritage. It disagrees with the officers’ assessment (and that of consultees to the Council) in respect of noise, odour and highway safety.

The comments of the CDC Environmental Protection team and OCC Highways have been sought in respect of the documents submitted on those topics, and any responses will be verbally reported to Planning Committee.

Change to recommendation

None

Agenda Item 9

19/00128/Hybrid BAN 15 land adjacent M40 Junction 11 and west of Daventry Road

NCC Highway re-consultation response

Following review of the post submission Highway response submitted by the applicant in response to the initial comments raised by NCC and OCC Highways, NCC has made the following comments and recommendations;

- A suitably worded condition is recommended to be attached to any consent to secure the inclusion of a pedestrian crossing facility at the A361 to serve the proposed bus stops;
- An operational routing agreement for HGV traffic should be secured by condition;
- The modal shift within the Travel Plan should be set at 20%.

Officer comment

The comments of NCC highways are noted and suitably worded conditions can be attached to the consent as recommended.

Revised Recommendation

Due to time constraints and officer availability, no further progress has been made in respect of the drainage matters. However, CDC officers remain positive that these matters can be satisfactorily resolved post committee subject to the following revised recommendation;

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE SATISFACTORY RESOLUTION OF THE COMMENTS AND OBJECTIONS OF OXFORDSHIRE COUNTY COUNCIL IN RESPECT OF DRAINAGE AND THE CONDITIONS SET OUT IN THE COMMITTEE REPORT (AND ANY ADDITIONAL CONDITIONS OR AMENDMENTS TO CONDITIONS AS DEEMED NECESSARY) AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, AS SET OUT IN THE COMMITTEE REPORT (AND ANY AMENDMENTS AS DEEMED NECESSARY).

Agenda

Item 10

19/00055/F Meadow Barn, Merton Road, Ambrosden OX25 2LZ

Additional representation received. This is reproduced in full below:-

“I am the owner of Willow Barn, a neighbouring property. I, along with my partner, are the only residents in the immediate vicinity to the proposal who have no pecuniary, or financial interest in this planning application. I am grateful that the Parish council also objects to this application.

I spoke against this proposal the last time it came to planning committee and was rejected. Unfortunately, due to prior commitments, I am unable to attend this time.

The vehicular access proposed is from a private, one-vehicle wide gated driveway leading to a recent barn conversion development. My understanding is that current national highways policy states that a private drive should serve a maximum of 5 dwellings.

This proposed development will result in private drive access to 7 large properties and an annexe, against national highways policy and national planning guidance. The five current dwellings are Oak Barn (3 bed), Willow Barn (3 bed), Meadow Barn (5 bed), Paddock Cottage (3 bed) and its annexe (1 bed).

This suggests that over 25 vehicles will be expected to use a one track, narrow gated private driveway for access to these dwellings. Within this private driveway there is no ability for cars to pass, it is narrow and unsuitable for this significant number of vehicles. This application almost doubles the number of vehicles expected to use this private driveway..

This national guidance is used in multiple cities and counties across the UK: including, but not limited to Bath, Bristol, Northamptonshire, Wolverhampton, Devon, Worcester, Staffordshire.

As shown:

<http://www.devon.gov.uk/highways-standingadvice.pdf>

<http://www.wolverhampton.gov.uk/CHttpHandler.ashx?id=10510&p=0>

<https://www3.northamptonshire.gov.uk/councilservices/northamptonshire-highways/transport-plans-and-policies/Documents/Adopted%20Development%20Management%20Strategy.pdf>

[https://www.wychavon.gov.uk/documents/10586/157693/SOGOS%20RNP%20-%20App%20F%20-%20Worcestershire%20Highways%20Design%20Guide%20\(EXTRACT\).pdf](https://www.wychavon.gov.uk/documents/10586/157693/SOGOS%20RNP%20-%20App%20F%20-%20Worcestershire%20Highways%20Design%20Guide%20(EXTRACT).pdf)

<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/Documents/6AccessLayout.pdf>

It seems plain to me that:

- The access is too narrow for the proposed large number of dwellings.
- There is no passing point provided. Vehicles are expected to either reverse onto the busy Merton Road, or back up the driveway causing inconvenience for the current residents.
- I am concerned about the increase in noise to my house and family.
- No refuse lorry can travel up the driveway, Nor can a fire tender.
- There is no turning circle for a delivery lorry.
- The parking for this new development is very tight, and as such is not even shown on the plans!
- There will be a significant reduction in our residential amenity as a result of the doubling of cars using this accessway.

In addition, the current waste disposal situation, if continued, will result in another 6 bins out on the roadside, obstructing pavements, obstructing your view of traffic and will result in the residents of the new dwellings dragging there refuse over 50+m of loose shingle to the roadside. Oxford's current guidance suggests a waste collection bin store should be built near to the roadside, but there is no provision for this in the plans.

I would also like to ask at what point does Cherwell and Oxfordshire deem a driveway to be inadequate to support X number of properties - nationally, and in other counties it is suggested to be 5 - why is Cherwell different? The driveway will not be adapted and sets bad precedent for future developments. The parking forecourt outside these properties, and the existing development will have far in excess of 10 cars parked within it, outside of Cherwell & Oxfordshire guidance.

I cannot see how national guidance used in countless counties across the UK, is simply not used in Oxfordshire. I do not understand what limit the council would put in place to the maximum number of dwellings served by such a narrow access lane. I am unable to view Oxfordshire's own guidance, as this has been unavailable on their website for the past 6 months.

There have been numerous applications for this site, including the remainder of the previous proposed site now having permission for 5 houses. This

piecemeal approach to planning has resulted in the applicant asking for 8 houses on a site where previously 5 was deemed to be the absolute limit (previous guidance suggesting it would be unreasonable for an edge-of-village location. I would point out that the 'provision of 5 houses' described in the planning officers report is specific to a different access route, with a two way, highway maintained road network. The planning officer makes no reference to these original plans for the site in his report of previous applications.

Specifically, the fact that my concerns relating to traffic relate far more to the immediate vicinity of the access road and parking forecourt, than they do to the effect on the main road network within Ambrosden and Bicester.

Some 15+ applications have been made for this site, meaning most nearby residents have planning fatigue and have given up opposing these developments.

I strongly feel that the inadequate access to this development will set a poor precedent for future developments in Bicester and Cherwell. I appreciate the need for more housing, but do feel this should not be at the expense of poor planning and negative effects on current residential amenity.

This development is over-development. It is not about the number of bedrooms, but the doubling of family units. This can only lead to a doubling of cars, doubling of vehicle movements, doubling of noise and doubling of bins. It will have a severe detriment to my family's residential amenity and I would ask that the planning committee, again, reject this proposal".

Officer comment

The above matters are addressed in the Committee report

Change to recommendation

None.

Agenda Item 11 **18/01206/OUT – Broken Furrow, Warwick Road, Banbury**

Additional representations received

OCC DRAINAGE: No objection. However as part of the detailed drainage scheme attenuation features should not be located in private gardens.

Officer comment

This matter is covered by the reserved matters and the drainage scheme which would be required by condition.

Change to recommendation

None.

Agenda Item 12
18/02147/OUT – Stone Pits, Hempton Road, Deddington

Additional representations received

CDC ARBORIST: No further comments.

OCC HIGHWAYS: **No objection**. The site access drawing now includes the footpath along Hempton Road and the give way build out as previously requested. This is indicative and will need to be fully designed as part of the S278 agreement.

Officer comment

A typographical error at section 11 of the report exists. This should state that 35% affordable housing is required on the site rather than the 40% referenced in the section 11.

Change to recommendation

The recommendation remains as outlined in section 11 of the report with the substitution of 35% affordable housing rather than 40%.

Agenda Item 13
18/02169/F Heyford Park, Camp Road, Upper Heyford OX25 5HD

No update

Agenda item 14
19/00583/CM ETC. Premier Aggregates, Finmere Quarry, Finmere MK18 4AJ

No update

Agenda item 15

19/00136/DISC Land to rear of Methodist Church The Fairway, Banbury Road, Launton

No update

Agenda Item 16

19/00535/CLUP 36/37 Castle Quay, Banbury OX16 5UN

No update