



To: **Members of the Planning & Regulation Committee**

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 6 June 2022 at 2.00 pm

Council Chamber - County Hall, New Road, Oxford OX1 1ND

If you wish to view proceedings online, please click on this [Live Stream Link](#).

In line with current Government advice, those attending the meeting are asked to consider wearing a face-covering.

A handwritten signature in black ink that reads "Stephen Chandler".

Stephen Chandler
Interim Chief Executive

May 2022

Committee Officer: **Cameron MacLean**
Tel: 07526 985 978; *E-Mail:*
cameron.macleam@oxfordshire.gov.uk

Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chair – Councillor Geoff Saul

Deputy Chair - Councillor Richard Webber

Councillors

Robin Bennett
Felix Bloomfield
Yvonne Constance OBE
Imade Edosomwan

Mohamed Fadlalla
Stefan Gawrysiak
Judy Roberts
David Rouane

Les Sibley
Ian Snowdon

Notes:

Date of next meeting: 18 July 2022

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/lnsite/Elected+members/> or contact Sukdave Ghuman on **07551 680591** or Sukdave.ghuman@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes (Pages 1 - 6)**

To approve the minutes of the meeting held on 25 April 2022 and to receive information arising from them.

4. **Petitions and Public Address**

For hybrid meetings:

Members of the public who wish to speak at this meeting can attend the meeting in person or “virtually” through an online connection. In line with current Government advice, those attending the meeting in person are asked to consider wearing a face-covering.

Normally requests to speak at this public meeting are required by 9.00 am on the day preceding the published date of the meeting. However, during the current situation and to facilitate “hybrid” meetings we are asking that requests to speak are submitted by no later than 9.00 am four working days before the meeting i.e., 9.00 am on 26 May 2022. Requests to speak should be sent to:

cameron.maclean@oxfordshire.gov.uk

If you are speaking “virtually”, you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be considered. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.

5. **Construction of a single storey dwelling for use as a Children's Home with associated external works to form a new access on to Back Lane, associated landscaping, boundary treatment and car parking. (Pages 7 - 38)**

Report by Director for Planning, Environment and Climate Change

It is RECOMMENDED that planning permission for R3.0149/21 be approved, subject to conditions to be determined by the Director for Planning, Environment and Climate Change to include those set out in Annex 1.

6. **Relevant Development Plans and Policies (Pages 39 - 54)**

The Paper sets out policies in relation to Item 5 and should be regarded as an Annex to the report.

Pre-Meeting Briefing

There will be a pre-meeting briefing on a date and at a time to be determined for the Chairman, Deputy Chairman and Opposition Group Spokesman.

Public Document Pack Agenda Item 3

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 25 April 2022 commencing at 10.00 am and finishing at 11.50 am.

Present:

Voting Members: Councillor Geoff Saul – in the Chair
Councillor Robin Bennett
Councillor Yvonne Constance OBE
Councillor Imade Edosomwan
Councillor Mohamed Fadlalla
Councillor Judy Roberts
Councillor David Rouane

Officers:

Whole of meeting David Periam, Mary Hudson & Matthew Case (Strategic Infrastructure & Planning); David Mytton & Cameron MacLean (Law & Governance).

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with [a schedule of addenda tabled at the meeting] [the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports, and schedule/additional documents], copies of which are attached to the signed Minutes.

22/22 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies for absence were received from Councillor Richard Webber (Deputy Chair), Councillor Felix Bloomfield, and Councillor Stefan Gawrysiak.

23/22 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

There were no Declarations of Interest.

24/22 MINUTES

(Agenda No. 3)

There was one amendment to the minutes, as follows –

Item 7/22: Faringdon Quarry

Councillor Bennett noted that he had left the meeting before the Committee considered Agenda Item No. 7: Faringdon Quarry. Therefore, the number of votes in favour of approving the application, as set out on Page 8 of the minutes, should be 11 and not 12.

Subject to that amendment, the Committee approved the minutes of the meeting of 28 February 2022 and authorised the Chair to sign them as a correct record.

25/22 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

Representations had been received from the applicant and the applicant's agent in respect of Item 6: Land at Quarry Farm North of Green Lane, Green Lane, Chipping Norton, Great Tew.

26/22 ALKERTON QUARRY, RATTLECOMBE ROAD, ALKERTON WITH SHENNINGTON, OXFORDSHIRE

(Agenda No. 5)

The Committee considered a report by the Assistant Director for Strategic Infrastructure and Planning regarding the modification of the approved restoration scheme through importation of inert soil material for nature conservation afteruses and the erection of 18 single storey holiday lodges with associated landscaping and car parking at Alkerton Quarry, Rattlecombe Road, Alkerton with Shennington, Oxfordshire

Subject to:

- (i) The final comments from the Environment Agency confirming they have no objection to the application; and
- (ii) The applicant first entering into a Section 106 agreement and Routeing Agreement for the obligations set out in Annex 4; and
- (iii) Subject to conditions to be determined by the Assistant Director for Strategic Infrastructure and Planning, to include those set out in Annex 1 [of the report];

it was RECOMMENDED that planning permission for MW.0124/21 be approved.

Mary Hudson, Principal Planning Officer, Strategic Infrastructure and Planning, presented the report that was before the Committee.

In response to a Member's question, Mary Hudson stated that, at the time of writing the report, the Environment Agency, which had objected to the application, had yet to submit a reply in response to additional information provided by the applicant.

David Periam stated that, if the Committee was minded to approve the recommendation set out in the report, the committee would be delegating authority to officers to issue the permission subject to the Environment Agency confirming that they no longer objected to the application. If the Environment Agency maintained its objection, officers would bring the application back to the Committee.

In response to a further question, Mr Periam stated that the application had been brought before the Committee because it had been called in by the local Member, and because the next scheduled meeting of the Committee was not until 6 June. Accordingly, the recommendation had been framed in such a way as to allow the matter to progress should the Environment Agency withdraw its objection to the application.

As there were no more questions for officers, the Chair asked if Members wished to debate the application. As there was no response from Members, the Chair asked if any member wished to move that the Committee approve the recommendation as set out in the report before the Committee.

Motion

That the Committee approve the recommendation as set out in the report.

Moved by Councillor Constance. Seconded by Councillor Edosomwan.

The votes cast were, as follows:

For:	7
Against:	0
Abstentions:	0

RESOLVED: subject to -

- (i) The final comments from the Environment Agency confirming they have no objection to the application;
 - (ii) The applicant first entering into a Section 106 agreement and Routeing Agreement for the obligations set out in Annex 4 [of the report]; and
 - (iii) Subject to conditions to be determined by the Assistant Director for Strategic Infrastructure and Planning, to include those set out in Annex 1 [of the report],
- to approve Planning Permission for Application MW.0124/21.

27/22 LAND AT QUARRY FARM NORTH OF GREEN LANE, GREEN LANE, CHIPPING NORTON, GREAT TEW, OXFORDSHIRE

(Agenda No. 6)

The Committee considered a report by the Assistant Director for Strategic Infrastructure and Planning RECOMMENDING that planning permission for Application No's: MW.0100/21 and MW.102/21:

- (i) Extraction of limestone and deposit of imported clay to achieve an agricultural restoration (part retrospective) Land at Quarry Farm North of Green Lane, Green Lane, Chipping Norton, Great Tew, Oxfordshire; and
- (ii) Temporary Change of Use to Mineral Processing and Storage Area to continue the development of limestone quarry extension permitted by 18/02008/CM (MW.0027/18) without complying with condition 1, condition 2, condition 8 and condition 26 in order to amend the approved restoration scheme, extend the date for restoration and allow the importation of inert material at Enstone Airfield North, Land at Enstone Airfield North, Banbury Road, Enstone, Oxfordshire;

be approved.

The report was presented by Matthew Case, Senior Planning Officer. Mr Case noted changes to the proposed conditions set out in the report.

In response to questions by Members of the Committee, officers provided the following information.

- (a) During a monitoring visit in April of last year, it was noted that materials were being extracted from the area. Officers issued a "Temporary Stop Notice" and entered discussions with the applicant. Pursuant to those discussions, the applicant agreed to submit the present planning applications.
- (b) If the Committee was not minded to approve the applications, consideration would have to be given to taking appropriate enforcement action.

- (c) The applications had been made because officers were of the view that the activities of the applicant constituted unauthorised development.
- (d) The reasons for the delay in determining the applications included objections received in response to formal and informal consultation on various issues including archaeological, landscape, biodiversity, and transport elements of the application. In response to the objections, the applicant had amended the proposed restoration scheme and landscape assessment. In addition, there had been discussion on proposed conditions, including appropriate safety signage.
- (e) The Mullin development to build a large permanent motor museum on Enstone Airfield, south-east of the site of the current application, had been granted outline planning permission by West Oxford District Council. As the current application was for a temporary development which would be restored to an agricultural field, officers were of the view that they could not support a requirement for a bridleway as part of the Mullin development to make the current application acceptable.
- (f) Initial reservations by the Highway Authority about the application had been resolved by the inclusion of appropriate signage in the proposed conditions and officers were satisfied that it was not necessary to require a Routeing Agreement to make the impacts of the development acceptable.
- (g) The Transport Officer had approved the proposed signage as a condition of the planning approval which would be enforceable and subject to monitoring by officers carrying out site inspections.
- (h) Green Lane was a tarmac road with passing places that was part of the highway, and which was sufficiently wide to allow motorised and non-motorised users, including coaches and lorries from the quarry, to pass each other in a safe manner. In addition, Green Lane served traffic to and from the airfield.
- (i) If the committee was minded to approve the application, it could include an informative to the effect that the Committee would support a requirement for a bridleway.
- (j) The processing plant that was part of the present application was land that was part of the Mullin development.
- (k) The proposed conditions included the installation of wheel washes to ensure that mud would be removed from the wheels of vehicles entering and leaving the site before travelling on the highway. Julian

As there were no more questions for officers, the Chair invited the applicant, Mr Julian Veal, and the applicant's agent, Ms Lucy Binnie, to address the Committee.

The Committee then heard a presentation by Mr Veal and Ms Binnie in support of the application.

In response to a question by the Chair, Ms Binnie stated that the number of vehicular movements were set out in the officer's report¹. Vehicles leaving the site would turn left to head south.

The Chair then invited Members of the Committee to debate the application. The following points were made in the subsequent debate.

¹ Page 55 of the report: "The transport statement estimates that the traffic generated between both the quarry and processing site would see between 28 to 32 movements per day, approximately three movements per hour".

- (a) This was a small-scale operation to remove one third of the limestone beyond the Great Tew Estate which would not significantly increase the number of vehicular movements and the objections had been met by the conditions relating to signage and Green Lane.
- (b) The application would contribute towards meeting the gap in the Council's crushed rock minerals policy with minimal transport disturbance.

At this stage in the proceedings, Councillor Constance moved that the recommendations, as set out in the report of the Assistant Director for Strategic Infrastructure and Planning, in relation to both applications be approved.

The motion was seconded by Councillor Fadlalla.

In the subsequent discussion of the motion to approve the recommendations, which included objections by the Parish Council which opposed the application, officers provided the following information.

- (a) The main objection by the Parish Council was the proposal that it was not necessary for there to be a routeing agreement. Having considered the objection, officers remained of the view that the application did not require a routeing agreement as a condition to the application being granted.
- (b) The Highway Authority had required that the sleeping policeman in Green Lane be removed as they had been laid without the necessary permission.
- (c) Regarding soil stored on the Mullin site, it was noted that various works were being carried out on the airfield in preparation for the Mullin development and any soil stored there was not part of the operation that was the subject of the planning application before the Committee.
- (d) Soho Farmhouse had been notified about the application and had made no response.
- (e) Regarding road safety concerns in relation to Green Lane, these had been addressed by the proposed conditions for appropriate signage. In addition, the Highway Authority was of the view that a routeing agreement was not necessary.
- (f) Other matters raised by the Parish Council, including ecology and archaeology had been addressed in the report.
- (g) Should the Committee approve the report's recommendations, an informative supporting the creation of a bridleway as part of the West Oxford District Council Mullin development planning application would be included in the notices granting planning permission.

Having concluded the debate on the motion, the Chair put the motion to approve both planning applications to a vote.

The votes cast were, as follows:

For:	7
Against:	0
Abstentions:	0

RESOLVED: That Planning Permission be granted for Application No's: MW.0100/21 and MW.102/21 viz.

- (i) Extraction of limestone and deposit of imported clay to achieve an agricultural restoration (part retrospective) Land at Quarry Farm North of Green Lane, Green Lane, Chipping Norton, Great Tew, Oxfordshire; and
- (ii) Temporary Change of Use to Mineral Processing and Storage Area to continue the development of limestone quarry extension permitted by 18/02008/CM (MW.0027/18) without complying with condition 1, condition 2, condition 8 and condition 26 in order to amend the approved restoration scheme, extend the date for restoration and allow the importation of inert material at Enstone Airfield North, Land at Enstone Airfield North, Banbury Road, Enstone, Oxfordshire; and
- (iii) That the notice(s) granting planning permission include an Informative supporting the inclusion of a condition requiring a bridleway in any grant of planning permission by West Oxford District Council in respect of the Oxford Mullin Automotive Park development.

28/22 RELEVANT DEVELOPMENT PLANS AND POLICIES

(Agenda No. 7)

NOTED

..... in the Chair

Date of signing

Division Affected – Eynsham

PLANNING AND REGULATION COMMITTEE

6th June 2022

Construction of a single storey dwelling for use as a Children’s Home with associated external works to form a new access on to Back Lane, associated landscaping, boundary treatment and car parking.

Report by Director for Planning, Environment and Climate Change

Contact Officer: Mary Hudson **Tel:** 07393 001 257

Location: Land at Home Farm, Back Lane, Aston, Bampton, OX18 2DQ

OCC Application No: R3.0149/21
WODC Application No: 21/04027/CM

District Council Area: West Oxfordshire District Council

Applicant: Oxfordshire County Council

Application Received: 3rd December 2021

Consultation Period: 30th December 2021 – 31st January 2022
10th April – 12th May 2022

Contents

- Part 1- Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Assessment and Conclusions

PART 1- FACTS AND BACKGROUND

Location (see Plan 1)

1. The application site is within the village of Aston, in West Oxfordshire. It is in the north west of the village, located off Back Lane which connects North Street which runs north from the village centre, and Bampton Road (B4449) which runs west.
2. The application site lies 300 metres from the centre of Aston, 1.8 km (1 mile) east of Bampton and 7.2 km (4.5 miles) south of Witney.

Site and Setting

3. The application site is currently a grassed paddock with a gated access from Back Lane. It covers 0.2 hectare.
4. The site lies entirely within Aston Conservation Area. The nearest listed buildings are a cluster of Grade II listed buildings over 100 metres south east of the site comprising West End Cottage, Westerleigh and West End Farmhouse, at the southern end of Back Lane. Thatched Cottage Grade II listed building lies on North Street, to the east of the application site across fields. It is also within an area of known archaeological interest.
5. There are no public rights of way in close proximity to the site. The site is entirely in flood zone 1, the area of least flood risk.
6. The closest residential properties are Home Farm Cottages, which lie immediately south west of the site on the same side of Back Lane. In other directions the application site is immediately surrounded by fields, although there is further low-density residential development beyond.
7. The site is not near any sites designated for nature conservation, the closest being Chimney Meadows National Nature Reserve and SSSI, approximately 3 km to the south east.

Details of Proposed Development

Original scheme

8. It is proposed to construct a new single storey dwelling to be used as a children's home. It would provide supported accommodation for four children of secondary school age (between 12-17 years). Two members of staff would stay on site overnight and so the proposal is for a six-bed property.
9. The proposals also include the removal of a section of hedge on Back Lane to create a new access, creation of a garden area and a car park providing six spaces for visitors including professionals and family members. There would be one disability space and space to park six cycles.
10. The application sets out that a new children's home is needed due to the closure of a former home at Maltfield House, to reduce out of county placements and accommodate cared-for children closer to their homes. It states that a quiet semi-rural location is needed for children who would benefit from living in a more rural area.
11. The building is single storey with an L-shaped footprint covering 336 square metres pitched roof and gable ends. It would be constructed of re-constituted stone and heat-treated natural timber cladding with light grey UPVC fascia and soffits, fibre cement roof in slate grey, light green aluminium frame doors with glass panes, and light grey powder coated aluminium framed windows with glass panes.
12. The building would be 7.2 metres high to the ridge and 3.1 metres to the eaves. At the widest point it would measure 26 metres by 17 metres.
13. It is proposed to connect the development to mains sewerage.
14. The building would include bedrooms, meeting rooms, offices, kitchen and open plan living areas.
15. External areas to the south west of the building include a South Garden which would include a wildflower grassland incorporating a patio and seating area with access from the building, areas of native scrub planting, and a mound formed from excavated soil. There would also be a bicycle shed, drainage features and car park. To the north east of the building there would be further paved areas with accesses from the building with a species rich lawn beyond. In the east of the site there would also be a basket hoop pitch, allotment and shed.

16. Bird and bat boxes have been incorporated into the design along with a bee log and hedgehog house.
17. The field access would be retained in between the existing adjacent residential property and the proposed new access. There would be a separate pedestrian access to the north east of the proposed new vehicular access.
18. External lighting is proposed, and a surface water drainage strategy has been submitted.
19. The application confirms that the building has been designed to be as accessible and practical for all users as possible. Provision for disabled access across the site has been considered and facilitated. External routes to the building would be ramped and a suitable width for wheelchair access.
20. Boundary treatments include native hedgerows, post and rail fencing facing the fields and close board fencing facing Back Lane.

Amended Scheme

21. Amended drawings were submitted in April 2022, following an objection from the District Council to the original proposal. Rooflights were removed, the solar panel array was re-arranged, and a pitched canopy was added to the porch of the door. The basketball pitch was removed, and stone pillars are proposed for either side of the driveway, to reflect other properties in the village.

PART 2 – OTHER VIEWPOINTS

22. Public consultation on the proposals ran between 30th December 2021 – 31st January 2022. The full text of the consultation responses can be seen on the e-planning website¹, using the reference R3.0149/21. These are also summarised in Annex 1 to this report.

¹Click here to view application [R3.0149/21](#)

23. 1.2 metre high fencing was originally proposed either side of the property facing Back Lane, however this was amended to 1.8 metre high fencing in response to the consultation comments from Thames Valley Police.
24. Two third party representations were received during the consultation, objecting to the proposals. These concerns are summarised and addressed in Annex 2.
25. A second consultation was held in April 2022 after amended plans were submitted. These included modifications to design details, including landscaping and boundary treatments, a revised Design and Access Statement, further details of the site selection process and a Briefing Note on impact on heritage.

PART 3 – RELEVANT PLANNING DOCUMENTS

Relevant planning documents and legislation (see Policy Annex to the committee papers)

26. In accordance with Section 70 of the Town and Country Planning Act 1990, planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan Documents

27. The Development Plan for this area of relevance to this application comprises:
 - West Oxfordshire Local Plan 2031 (WOLP)

Other Policy Documents

28. The **National Planning Policy Framework (NPPF)** is a material consideration in taking planning decisions. Paragraph 95 states that LPAs should give great weight to the need to create, expand or alter schools through decisions on applications and work with school promoters to identify and resolve key planning issues prior to submission of applications.
29. The **National Planning Policy Guidance (NPPG)** contains specific advice on matters including flood risk, conserving and enhancing the historic environment, determining a planning application and the natural environment. This includes the Government's **National Design Guide** (January 2021) which sets out the characteristics of well-designed places and demonstrates what good design means in practice.

30. The **West Oxfordshire District Council Design Guide** Supplementary Planning Document (SPD) (2016) is a material consideration. It provides technical details and guiding principles used to assess schemes within West Oxfordshire.

Relevant Development Plan Policies

31. The WOLP policies most relevant to this development are:

- OS1 Presumption in Favour of Sustainable Development
- OS2 Locating Development in the Right Places
- OS3 Prudent use of Natural Resources
- OS4 High Quality Design
- H2 Delivery of New Homes
- H4 Type and Mix of New Homes
- T1 Sustainable Transport
- T3 Public Transport, Walking, Cycling
- T4 Parking Provision
- EH2 Landscape Character
- EH3 Biodiversity
- EH6 Renewable Energy / Low Carbon
- EH7 Flood Risk
- EH8 Environmental Protection
- EH9 Historic Environment
- EH10 Conservation Areas
- EH11 Listed Buildings
- EH13 Historic Landscape Character

PART 4 – ASSESSMENT AND CONCLUSIONS

Comments of the Director for Planning, Environment and Climate Change

32. The NPPF sets out a presumption in favour of sustainable development (paragraph 11), which is supported by WOLP policy OS1. This means taking a positive approach to development and approving an application which accords with the development plan without delay, unless material considerations indicate otherwise.

33. All planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, in accordance with the Town and Country Planning Act 1990. The key planning policies are set out above and discussed below in accordance with the key planning issues.
34. The key planning issues are:
 - i. Location
 - ii. Design
 - iii. Heritage
 - iv. Amenity, noise and air quality
 - v. Transport
 - vi. Biodiversity
 - vii. Drainage and Flooding
 - viii. Carbon Emissions, Natural Resources and Waste

Location

35. Aston is listed as a village under the provisions of WOLP policy OS2, which states that development in villages will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area. As set out below, WODC have raised concerns that this proposal does not respect the character of the area.
36. WOLP policy H2 states new dwellings will only be permitted in such villages where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. The applicant has stated that a quiet semi-rural location is required for children who would benefit from living in such a location. Details have been provided of other sites which were considered and found to be unsuitable. It is accepted that there is a strong need for the development. Overall, the proposal is considered to be in accordance with this policy due to the need for the development and the specific requirements for this particular children's home.
37. WOLP policy H4 states that all residential developments will be required to provide or contribute towards the provision of a good, balanced mix of property types and sizes. This policy lends some support to the proposal, which would provide specialist accommodation which is required within the County.

Design

38. WOLP policy OS2 states that all development should be of a proportionate and appropriate scale to its context and form a logical complement to the existing scale and pattern of development and the character of the area.
39. WOLP policy OS4 states that high quality design is the central 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.
40. WOLP policy EH2 states that new development should conserve and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape. Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures.
41. WODC have objected and raised specific concerns about the original design, including the institutional appearance, monotonous elevations and untidy roofscape. They consider the design and untraditional form of the development fails to accord with advice set out in the West Oxfordshire Design Guide. In response, the applicant revised the proposals to remove rooflights, re-arrange solar panels and add a pitched canopy to the door and stone pillars to the driveway. The basketball court was removed to reduce the urbanising influence. At the time of writing this report, WODC had not responded to the consultation on the revised proposals, however the changes were intended to address their initial concerns and in my view the revised proposals offer an improved design.
42. Thames Valley Police originally objected to the design due to the proposed building security and boundary treatments. However, upon receipt of further information about the purpose of the development and an amendment to the height of an area of fencing, the objection was removed. They have recommended a condition for the details of lighting and CCTV, which should be attached to any permission granted. Subject to this, the design is acceptable in terms of crime prevention and safety.

43. Overall, the design of the proposed building is not fully in accordance with WOLP policies EH2, OS2 and OS4 as it does not complement or enhance the existing character or represent high quality design.
44. The minor amendments to the building design are considered to improve the design. Although the development is not fully in accordance with the policies relating to design, it is not considered to significantly conflict with them either. Notwithstanding the specialist advice from the District officers, I consider that there are already a range of building designs within the Aston Conservation Area and whilst the proposed building is functional, efforts have been made to ensure the design is compatible with the surrounding character. In my view the proposed building does not represent unacceptably poor design, such that it should be refused, particularly in view of the strong need for the development.

Heritage

45. The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses while section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
46. Paragraph 199 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation.
47. WOLP policy OS2 states that development should conserve and enhance the historic and built environment.
48. WOLP policy EH9 states that all development proposals should conserve and/ or enhance the special character, appearance and distinctiveness of the historic environment, including the significance of heritage assets, in a manner appropriate to their historic character and significance. Great weight and importance will be given to the special historic interest, character or appearance of Conservation Areas and their settings. Proposals which would harm the significance of a designated asset will not be approved,

unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.

49. WOLP policy EH10 states that development in a Conservation Area will be permitted where it can be shown to conserve or enhance the special interest, character, appearance and setting, provided that the location, form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic or architectural interest, character and appearance of the Conservation Area, and the proposals are sympathetic to important green spaces such as paddocks and other gaps or spaces between buildings and the historic street pattern.
50. WOLP policy EH11 relates to development which would affect the setting of a listed building; however, this is not considered directly relevant to these proposals due to the distance between the site and the closest listed buildings.
51. WOLP policy EH13 states that in determining applications that affect the historic character of the landscape or townscape, particular attention will be paid to the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected, the degree to which the form and layout of the development will respect and build on the pre-existing historic character and the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings.
52. Historic England responded but did not provide specific comments on the application. There has been an objection on heritage grounds from the District Council.
53. The existing dwellings on Back Lane are dispersed and the area has a rural character. The Conservation Area boundary includes open fields beyond the settlement limits because of the contribution of these open spaces to the rural character in this part of Aston.

54. WODC have objected to the application and have stated that it would have an adverse, urbanising impact on the rural character. The Conservation Officer has noted the importance of the paddock in bringing agricultural qualities into the settlement and providing an important separation between Back Lane and North Street. The proposals conflict with the requirement of WOLP policy EH10 that development in the conservation area must conserve or enhance the special interest and be sympathetic to important green spaces.
55. A Heritage Assessment has been submitted to support the application. This assesses various impacts and the level of residual risk following mitigation. Most impacts are assessed as low, though there are a number of moderate impacts and the impact of the infilling of the pasture and loss of the historic pattern of landuse is assessed as moderate-high and it is noted that no mitigation is possible. Overall, the report concludes that the level of harm would be less than substantial. Although there clearly would be harm to the conservation area, the Planning Practice Guidance states that substantial harm is a high test, so it may not arise in many cases. Case law (Bedford Borough Council and the SoS for Communities and Local Government and Nuon UK Ltd) indicates that substantial harm requires such a serious impact on the significance of a heritage asset that its significance is lost or very much reduced. Therefore, I concur that the harm would be less than substantial. I believe that this is consistent with WODC decisions on similar proposals within the conservation area.
56. NPPF 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. The development would bring significant public benefit, through the provision of appropriate accommodation for 12-18 years old children within Oxfordshire. Additional information submitted to support the application states that 8 sites were shortlisted, however the other 7 sites were discounted following consideration of their physical characteristics and Ofsted's criteria.
57. The most severe impacts to the Conservation Area would be to the field, however most of the field would remain undeveloped and it would continue to provide a rural backdrop to buildings in this part of the village. The Conservation Area contains a range of dwelling types, forms and materials and extends across the whole village. Overall, the harm to the Conservation Area as a whole is considered to be outweighed by the significant public benefit of the scheme.

58. Development which would harm the significance of a designated asset can be approved in certain circumstances as set out in WOLP policy EH9. This requires a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.
59. There is strong protection for conservation areas in law, in the NPPF and in local plan policies. This proposal fails to preserve or enhance the Conservation Area and great weight needs to be given to this. However, it would provide public benefits and the information submitted with the application has shown that there are only limited other possible sites and a strong need for the development. The Site Selection documentation submitted with the application details multiple problems for each of the potential alternative sites. These include locations on hazardous roads, lack of public transport, current use as allotments and leases with long termination periods. The overall finding, that the other sites do not offer a suitable alternative, is accepted.
60. Given that the harm to the Conservation Area is considered to be less than substantial and that it has been demonstrated that there is a strong need for the development and no alternative site is currently available, the public benefits of the proposal are considered to outweigh the harm, as required by WOLP policy EH9.
61. There is some conflict with WOLP policies OS2, EH10 and EH13 due to the harm to the Conservation Area. However, it is considered that these conflicts are overridden by the need for the development and the lack of a suitable alternative site.

Archaeology

62. An archaeological evaluation has been carried out which has confirmed that archaeological deposits related to the medieval development of Aston survive on the site and would be disturbed by this proposed development. The Lead Archaeologist has confirmed that the features are not of such significance that physical preservation is needed, however there should be a programme of archaeological mitigation to record them. Therefore, subject to conditions to secure this, the development is acceptable in terms of impact on archaeological remains.

Amenity, noise and air quality

63. NPPF paragraph 180 states that decisions should ensure new development is appropriate for the location by taking into account the likely effects (including cumulative effects) on health, living conditions and the natural environment. This includes mitigating and reducing to a minimum potential noise impacts and limiting the impact of light pollution on amenity and nature conservation.
64. WOLP policy OS2 states that all development should be compatible with adjoining uses and not have a harmful effect on the amenity of existing occupants.
65. WOLP policy EH8 states that new development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance and that the installation of external lighting on new buildings will only be permitted where this would not result in excessive levels of light, the elevations of buildings are designed to limit light spill and the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.
66. A neighbour has raised concerns about potential impacts from external lighting and has requested that at night it should be sensor controlled. Thames Valley Police have stated that they would like to see dusk to dawn switched lighting. It is recommended that a condition is added to any permission granted for a detailed external lighting scheme showing the locations and specifications of proposed external lighting to be submitted for approval. This will ensure that the external lighting is not excessive and the security needs can be balanced with the need to limit light spill in this semi-rural area.
67. The neighbour has also suggested amendments to the planting mix for the western boundary to allow for better winter screening to protect privacy. This could also be addressed by a planning condition.
68. The Environmental Health Officer has confirmed that there would be minimal permanent noise impacts on the locality as staff would be on site overnight and due to the distance between the proposed dwelling and existing

dwellings. They have requested a condition for a Construction Management Plan to ensure that noise disturbance during land clearance and construction is minimised. Such a condition should be added to any consent granted. This could also address the request from a local resident that no construction takes place at the weekend.

69. Subject to conditions, the development is considered to be acceptable in terms of policies protecting neighbouring amenity, including WOLP policy OS2 and EH8. It is considered unlikely to cause significant impacts in terms of noise or light pollution.

Transport

70. NPPF paragraph 113 states that all development that generates a significant amount of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 111 states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
71. WOLP policy OS2 states that all development should be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities.
72. WOLP policy T1 states that priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised.
73. WOLP policy T3 states that all new development will be located and designed to maximise opportunities for walking, cycling and the use of public transport.
74. WOLP policy T4 states that parking in new developments will be provided in accordance with the County Council's adopted parking standards.
75. There has been no objection from Transport Development Control. They consider that the proposed vehicular access arrangements are suitable. A Section 278 agreement would be needed for the creation of the new access and widening of the carriageway and conditions are requested to secure the visibility splays on the new access, the parking area to be provided and a

Construction Traffic Management Plan. The pedestrian access is considered acceptable. They have no objection to the proposed car park.

76. The Travel Plans team have requested a condition for a travel plan statement, ensure that children and staff are aware of sustainable and active travel modes and actively encouraged to use these.
77. Back Lane is narrow and there is no pavement to allow pedestrians to walk off the carriageway. However, vehicle speeds are low and risks to pedestrians are considered minimal. There is a bus service from Aston to Witney and Carterton and a school coach taking children from the village to school in Witney. Overall, it is considered that the location of the development is acceptable in terms of access to services and public transport, walking and cycling opportunities.
78. The development is in accordance with transport policies including WOLP policies OS2, T1, T3 and T4.

Biodiversity

79. NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
80. NPPF paragraph 170 states that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
81. WOLP policy EH3 states that biodiversity shall be protected and enhanced to achieve an overall net gain in biodiversity.
82. It is proposed to achieve biodiversity net gain through the implementation of the Landscape Masterplan, which includes provision for bat and bird boxes, a hedgehog house, a bee log, a nettle stand to encourage butterflies, a logger for invertebrates and planting of hedgerows, scrub, shrubs and species enriched lawn. Therefore, a condition should be added to ensure

that the Landscape Masterplan is implemented as approved including the biodiversity measures.

83. The OCC Protected Species Officer has confirmed that the development would have no impact on protected species or habitats.
84. Subject to the condition to secure the implementation of the biodiversity enhancements shown on the Landscape Masterplan, the proposal is considered to be in accordance with WOLP policy EH3.

Drainage and Flooding

85. WOLP policy OS2 states that development should not be at risk of flooding or likely to increase the risk of flooding elsewhere.
86. WOLP policy EH7 states that all sources of flooding (including sewer flooding and surface water flooding) will need to be addressed and measures to manage or reduce their impacts, onsite and elsewhere, incorporated into the development proposal.
87. The site is in the area of least flood risk and drainage details have been submitted with the application. There is no objection from the Lead Local Flood Authority.
88. The Parish Council have asked for a condition that the development has a septic tank. However, this is not considered necessary as Thames Water have no objection to the proposal for the development to be connected to the mains sewerage system.
89. The development is considered to be in accordance with WOLP policies OS2 and EH7 and acceptable in terms of drainage and flooding.

Carbon Emissions, Natural Resources and Waste

90. WOLP policy OS3 states that all development proposals should show consideration of the efficient and prudent use of natural resources including

making efficient use of land and buildings, delivering development which reduces the need to travel, minimising use of non-renewal resources, maximising resource efficiency, making use of sustainable drainage systems and using recycled and energy efficient materials.

91. A Sustainability Statement was submitted as part of the Design and Access Statement. This lists the design measures which have been incorporated to ensure the building is more energy efficient than the minimum statutory requirements. The measures listed include, amongst other things, natural ventilation, solar panels on the roof, shading for south facing windows, insulation, low water toilets and taps, an air source heat pump. The design is considered to comply with WOLP policy OS3.
92. WOLP policy EH6 states that in principle, renewable and low-carbon energy developments will be supported. This supports the proposed provision of solar panels on the roof of the building, although the concerns about the appearance of these must also be considered.
93. Overall, the proposal is considered to be in accordance with policies relating to natural resources, carbon emissions and waste. The design incorporates measures to ensure that the building is energy efficient and sustainable.

Sustainable Development

94. NPPF paragraph 10 states that a presumption in favour of sustainable development is at the heart of the NPPF and paragraph 11 sets out that for decision taking this means approving development proposals that accord with the development plan without delay.
95. The proposal accords with many development plan policies. The development plan policies are less supportive in terms of design and impact on the historic environment. However, overall, the development is considered to be sustainable development according with the development plan.

Financial Implications

95. Not applicable as the financial interests of the County Council are not relevant to the determination of planning applications.

Legal Implications

96. Legal comments and advice have been incorporated into the report.

Equality & Inclusion Implications

97. In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Conclusions

98. The proposals comply with development plan policies relating to amenity, transport, biodiversity, drainage and natural resources.

99. The development plan policies promoting good design and protecting the historic environment are less supportive. However, given the strong need for the development and the lack of a suitable alternative site, the public benefits of the development are considered to outweigh the harm, in accordance with WOLP policy EH9.

RECOMMENDATION

It is RECOMMENDED that planning permission for R3.0149/21 be approved, subject to conditions to be determined by the Director for Planning, Environment and Climate Change to include those set out in Annex 1.

Rachel Wileman

Director for Planning, Environment and Climate Change

Annexes:

Annex 1: Consultation Responses

Annex 2: Representations

Annex 3: Conditions

Annex 4: European Protected Species

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible. We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, as was the case with this application, and
- updating applicants and agents of issues that have arisen in the processing of their application, for example in this case further information was requested in relation to site selection and amendments were made to the fencing details in response to the comments from Thames Valley Police and to the design following comments from WODC.

Annex 1 – Consultation Responses Summary

West Oxfordshire District Council – Planning

Consultation on revised plans

1. No response received at time of writing report.

Initial Consultation

2. Object. The proposal remains virtually unchanged despite concerns raised during pre-application discussions. On green field sites such as this outside the built-up area, new dwellings will only be permitted where there is an essential operational or other specific local need. The conservation area boundary extends beyond the settlement limits because of the importance of these open spaces and their contribution to the rural character of the settlement. The development would fail to complement the existing pattern of development and would have an adverse urbanising impact on the rural character of this part of the settlement and the local landscape character. The design and untraditional form of the development is also of concern and does not comply with the West Oxfordshire Design Guide.
3. Conservation Officer comments - The paddock makes an important contribution to the rural character of the Conservation Area, bringing agricultural qualities into the settlement, and amongst the buildings. It also provides an important separation between the buildings along Back Lane and North Street, where development remains somewhat sparse. Any development here is likely to be problematic, inevitably tending to bring a more urban quality. The design doesn't redeem the proposal. We are presented with a building of large footprint, set somewhat away from Back Lane, with a sizeable area of car parking and a sizeable area of garden and a games pitch – all very urbanising. And the building is of single-storey, low-pitched, deep-plan form, decidedly institutional, with fairly monotonous elevations. The roofscape is untidy too, with an uncoordinated rash of rooflights, and with a similarly uncoordinated spread of PV panels, cut away around a rooflight – and all appearing somewhat arbitrary.

West Oxfordshire District Council – Environmental Protection

4. Contaminated Land – No objection but suggest a condition requiring any contamination found to be reported and remediation provided if necessary.
5. Response to amended plans - Suggest it would be prudent to seek the applicant's confirmation whether the amendments to the layout affect the conclusions of the risk assessment.

6. Noise – No objection. Although there will be some temporary noise disturbance during construction, permanent noise impacts on the locality would be minimal as staff would be on site overnight and due to the distance between the development and existing residents. Suggest a condition for a Construction Management Plan to include measures to minimise construction noise and set out hours of working.

Aston, Cote, Shifford and Chimney Parish Council

7. No objection, but would like to raise concerns. The sewer and foul water system is already overloaded. Access to the site is via a single-track road with poor visibility. Conditions should be added to require the building to have a septic tank, for a traffic management plan and for on-street parking for contractors, users and visitors to be prohibited during the construction period.

Thames Water

8. No objection in terms of foul water network capacity. Request an informative regarding groundwater risk management. No objection in terms of surface water drainage as long as the developer follows the sequential approach. No objection with regard to water network infrastructure capacity.

Historic England

9. Responded, no comments.

Thames Valley Police

Final Response

10. No objection. Further explanation of the design rationale has addressed previous concerns. Only remaining concern is that the external lighting scheme to the front of the building might not provide sufficient lighting for the CCTV to be effective. Recommend that the CCTV and lighting are designed in tandem to ensure visibility over the site is not compromised by location or level of lighting. dusk till dawn photoelectric switched lighting should be used instead of timer or PIR activated lighting.

First Response

11. Holding objection with regards to boundary treatments and building security. Disappointed that crime and safeguarding of vulnerable residents was not considered within the Design and Access Statement. An addendum should be provided by the applicant to address this. Concerned it might be possible to scale the 1.5 metre fence at the front of the site. The 1.2 metre post and rail fencing proposed offers no security or privacy and is not recommended even for a standard residential dwelling. Strongly recommend that a secure and private outdoor amenity space is provided. Recommend 1.8 metre close board fencing. At the rear 1.5 metre vertical railing fencing could be used in conjunction with hedging.

12. Unable to locate a lighting plan, it is important that the development is well lit after dark. A plan should be provided prior to permission being granted. An operational needs assessment should be undertaken to inform the specification and location of CCTV.
13. Concerned about the number of externally opening doors. Recommendations regarding window materials, letterbox and recess to the main entrance.

Oxfordshire County Council (OCC) Archaeology

14. No objection, however, this submitted evaluation report demonstrates that archaeological deposits related to the medieval development of Aston survive on the site and would be disturbed by the proposed development. Whilst these features are not of such significance to require physical preservation a programme of archaeological mitigation will need to be undertaken to investigate and record these features in advance of any development. Therefore, conditions should be attached to any permission granted to secure this, in accordance with a Written Scheme of Investigation to be submitted and approved.

OCC Transport Development Control

15. No objection, subject to conditions to cover protection of vision splays, access, driveways, parking and turning areas to be provided in accordance with approved details and a Construction Traffic Management Plan. The proposed new access and widening of the carriageway would be subject to a s278 agreement. The widening would be beneficial to the movement of vehicles

OCC Drainage Team and Lead Local Flood Authority

Final Response

16. No further comments regarding the design. The changes have brought it to an acceptable level. No conditions required.

First Response

17. A Surface Water Management Strategy should be submitted in accordance with guidance. Provides comments on the drainage strategy drawing.

OCC Travel Plans

18. No objection, subject to conditions. A development of this size would not usually trigger the need for a Travel Plan, but one is recommended in this case due to the location within a conservation area, to ensure young people and staff are aware of sustainable and active travel modes available to them. Therefore, a condition is required for a Travel Plan Statement to be submitted and approved

prior to first occupation. The installation of EV charging points and provision of cycle parking is welcomed.

OCC Ecology Officer

19. No comments. There would be no impact on protected species or habitats. Biodiversity net gain will be secured through the implementation of the landscaping plan, since the building itself is not particularly suitable for integrated bat or bird boxes.

OCC Landscape Officer

20. No objection subject to conditions for the implementation of the Landscaping Scheme and the protection of trees and hedgerows during construction. Pleased to see that pre-application advice has been taken into account. Advice should be sought from the District Council's conservation officer in terms of design, layout and materials.

Cllr Dan Levy (Local Member)

21. Broadly speaking, I welcome the building of an essential facility for residents of the County, and believe this will be accepted by the community of Aston, as evidenced by the response of Aston Parish Council. However, the site proposed has some flaws in it and access arrangements both during construction and occupation will need to be carefully considered. Access is only by a narrow single-track road. There is a sewage problem in Aston, and the effect on the current infrastructure does need serious thought. WODC's objection to the siting has strength as well, and we do need to retain the green spaces in the middle of the village, between North St and Back Lane. The Local Plan for WODC does suggest extreme caution in building here, and I would hope that the County Council has considered other sites before choosing to propose this one.

Annex 2 – Representations Summary

1. Two letters of representation were received, both objecting. The following points were raised. The officer response is provided in italics.

- There should be no floodlighting at night. If it must be, it should be sensor controlled.

A condition could be added for full details of the external lighting arrangements to be submitted and approved. The applicant has confirmed that the building would benefit from external and bollard lighting within the carpark which would be controlled via a time clock and sensors after-hours. The specification, positioning and angle of illumination of any lighting units would be managed so as to avoid glare towards other properties.

- Solar panels are not attractive and would prefer to see them on the south east facing roof.

The applicant has suggested that moving the panels may make them less effective and would mean they were visible to other properties.

- Could the western hedge to the South Garden be dense and evergreen to protect privacy to neighbouring dwelling?

The applicant has not proposed dense evergreen planting as they consider it unlikely to be acceptable in terms of landscape or biodiversity. However, they have suggested that native species including yew, holly, privet and hornbeam could provide good screening through the winter months. The planting mix and density could be conditioned.

- Could the location of the South Garden be swapped with the vegetable garden to reduce noise and disturbance at neighbouring property?

The applicant has confirmed that the South Garden is intended as a relatively quiet space where children can meet with parents and staff for quiet conversation away from the boisterous play in the back garden.

- Back Lane is in a poor state of repair and should be repaired if it is to support more users

A condition could be added for a Construction Management Plan, which could include the commitment that any damage would be made good by contractors.

- Back Lane has no pavements or lighting and would be dangerous for the children living at the home

Children would not walk unaccompanied after dark. Road speeds along this section are very slow and there is good visibility.

- There are no activities for 12-17 year olds in the village and no buses to/from Witney in the evenings

The applicant has stated that the aim would be to involve children in activities at the village as they arise and services in Witney would be accessed by public transport where possible, or accompanied by staff.

- Site is in the conservation area and would add to erosion of green space

This is a key policy consideration and is addressed in the main body of the report.

- Concerned about additional loading on sewer system

Thames Water have not objected to this application.

- Concerned about loss of archaeology as the site is of moderate interest.

The Archaeological Officer has not objected to the application and has recommended conditions which would ensure that no archaeological interest is lost.

- There should be no construction at weekends

A condition could be attached for a construction management plan, which would set out the hours for working.

Annex 3 – Heads of condition

1. Complete accordance with approved plans and particulars
2. Three-year commencement
3. Construction Management Plan, to include hours of construction, traffic management, a commitment to make good any damage cause by construction vehicles and measures to minimise noise – submission, approval, implementation
4. CCTV and external lighting details - submission, approval, implementation
5. Archaeological Written Scheme of Investigation- submission, approval
6. Archaeological mitigation implemented in accordance with the approved Written Scheme of investigation, including a full report for publication.
7. Final landscaping details and planting mixes, in general accordance with the submitted Landscape Masterplan - submission, approval, implementation
8. New access, parking, turning areas to be implemented as approved, prior to occupation, in accordance with details to be submitted and approved.
9. Visibility splays to be maintained
10. Travel Plan Statement - submission, approval, implementation, prior to first occupation
11. Contaminated land to be report, with remediation if necessary
12. Protection of trees and hedgerows during construction
13. External materials - submission, approval, implementation

Annex 4 – European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Habitats & Species Regulations (Amendment) (EU Exit) Regulations 2019 which identifies four main offences for development affecting European Protected Species (EPS):

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and the habitat on and around the proposed development site indicate that European Protected Species may be present but are unlikely to be impacted by the proposed development. Therefore, no further consideration of the Habitat Regulations is necessary.

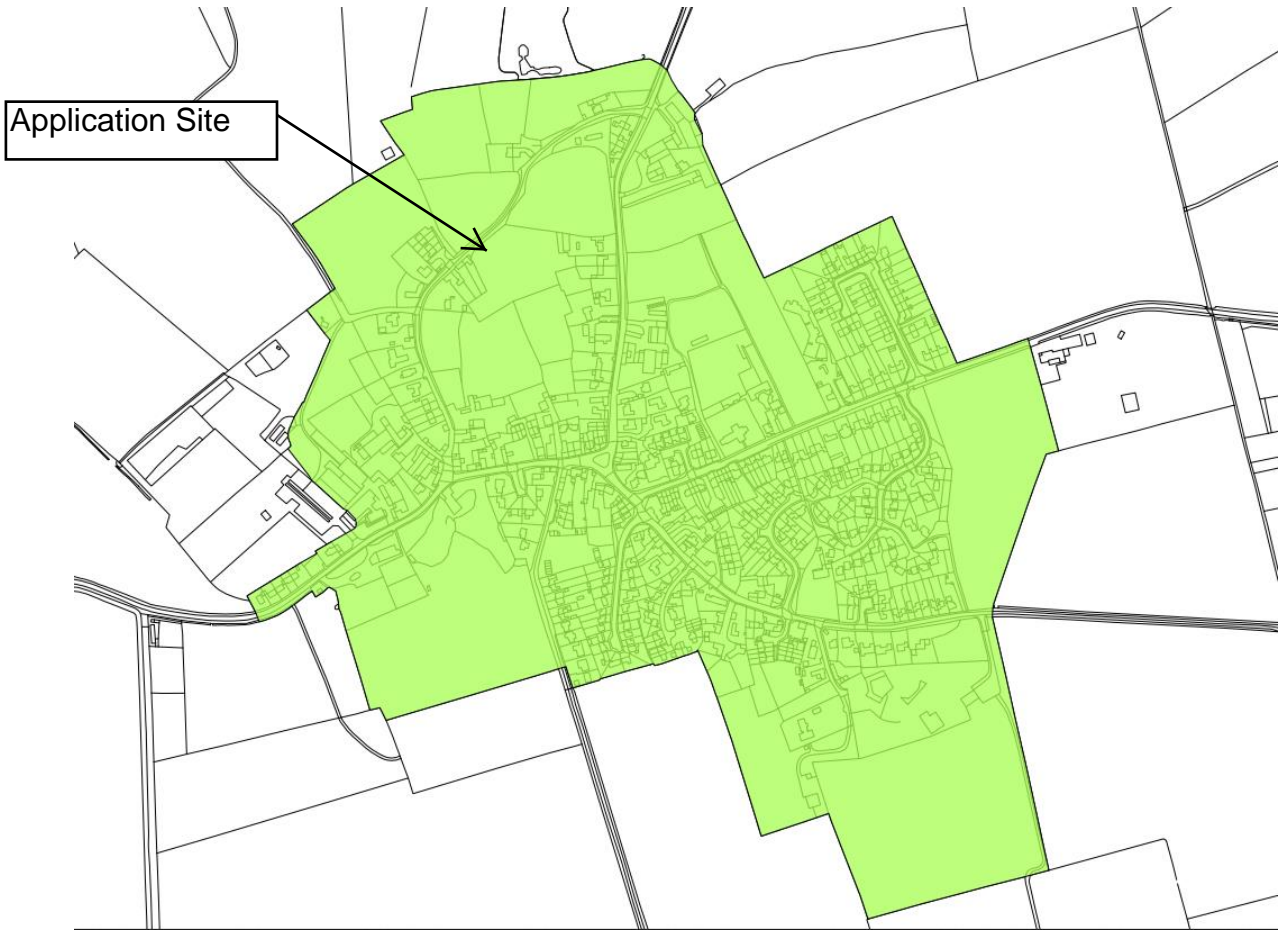
This page is intentionally left blank

Plan 1

Children's Home, Aston R3.1049/21



This page is intentionally left blank



Plan 2 – Aston Conservation Area Boundary

This page is intentionally left blank

Policy Annex (Relevant Development Plan and other Policies)

West Oxfordshire District Council Local Plan 2031

POLICY OS1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

POLICY OS2: LOCATING DEVELOPMENT IN THE RIGHT PLACES

Main service centres, rural service centres and villages

A significant proportion of new homes, jobs and supporting services will be focussed within and on the edge of the main service centres of Witney, Carterton and Chipping Norton. A number of site allocations are proposed to ensure identified needs are met. The distribution of development is set out in Policy H1.

Due to the size of the settlement and its proximity and connections to Oxford City, Eynsham will also make a significant contribution towards meeting the identified housing needs of the District and Oxford City with a strategic urban extension to be provided to the west of the village.

A new rural service centre – Oxfordshire Cotswold Garden Village – will be created to the north of Eynsham and contribute towards Oxford City's needs. This will comprise a self-contained settlement based on 'garden village' principles and will play a complementary role to Eynsham.

Woodstock is 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.

Burford and Charlbury are relatively constrained by their AONB location and Bampton and Long Hanborough have a more restricted range of services and facilities. Consequently, these rural service centres are suitable for a modest level of development to help reinforce their existing roles. Two site allocations are proposed at Long Hanborough.

The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. A number of site allocations are proposed to ensure identified needs are met. Further allocations may be made through Neighbourhood Plans.

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

Small villages, hamlets and open countryside

Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area.

Proposals for residential development will be considered under Policy H2.

Proposals for non-residential development that is regarded as appropriate will include:

- Re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting, with preference given to employment, tourism and community uses;
- Proposals to support the effectiveness of existing businesses and sustainable tourism;
- Development which will make a positive contribution to farm and country estate diversification; and
- Telecommunications development sited and designed to minimise impact upon the environment.

General Principles

All development should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment;
- Safeguard mineral resources;

- In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development;
- In the Green Belt, comply with national policies for the Green Belt; and
- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

POLICY OS3: PRUDENT USE OF NATURAL RESOURCES

All development proposals (including new buildings, conversions and the refurbishment of existing building stock) will be required to show consideration of the efficient and prudent use and management of natural resources, including:

- making the most efficient use of land and buildings, whilst having regard to the character of the locality;
- delivering development that seeks to minimise the need to travel;
- minimising use of non-renewable resources, including land and energy, and maximising opportunities for travel by sustainable means;
- minimising their impact on the soil resource*
- minimising energy demands and energy loss through design, layout, orientation, landscaping, materials, and the use of technology;
- minimising summer solar gain, maximising passive winter solar heating, lighting, natural ventilation, energy and water efficiency and reuse of materials;
- maximising resource efficiency, including water. All new residential development will be expected to achieve the optional building regulations requirement for water efficiency of 110 litres/person/day;
- minimising risk of flooding;
- making use of appropriate sustainable drainage systems;
- using recycled and energy efficient materials;
- minimising waste and making adequate provision for the re-use and recycling of waste and causing no deterioration and, where possible, achieving improvements in water or air quality.

*Guidance includes the 2011 DEFRA publication: Construction Code of Practice for the Sustainable Use of Soils on construction sites.

POLICY OS4: HIGH QUALITY DESIGN

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 and should:

- demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and
- not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and

- demonstrate resilience to future climate change, particularly increasing temperatures and flood risk, and the use of water conservation and management measures; and
- conserve or enhance areas, buildings and features of historic, architectural and environmental significance, including both designated and non-designated heritage assets and habitats of biodiversity value; and
- enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.

Designers of new development will be expected to provide supporting evidence for their design approach. They should have regard to specific design advice contained in supplementary planning guidance covering the District. The West Oxfordshire Design Guide, Oxfordshire Historic Landscape Appraisal, Landscape Assessments, Conservation Area Appraisals and Cotswolds AONB guidance documents are key tools for interpreting local distinctiveness and informing high design quality. 36 West Oxfordshire Local Plan 2031 - Adopted September 201

POLICY H2: DELIVERY OF NEW HOMES

Provision will be made for at least 15,950 new homes in the period 2011 – 2031.

This will include 13,200 homes in the period 2011 – 2031 to meet West Oxfordshire's housing needs and a further 2,750 homes in the period 2021 – 2031 to meet Oxford City's housing needs.

The housing requirement will be phased over the plan period in accordance with the following table:

Year	West Oxon's needs	Oxford City's needs	Combined annual requirement
2011-2017	550 per annum		550 per annum
2017-2018	550		550
2018-2019	550		550
2019-2020	550		550
2020-2021	550		550
2021-2022	525	275	800
2022-2023	525	275	800
2023-2024	700	275	975
2024-2025	850	275	1125
2025-2026	850	275	1125
2026-2027	850	275	1125
2027-2028	850	275	1125
2028-2029	850	275	1125
2029-2030	850	275	1125
2030-2031	850	275	1125
Totals	13,200	2,750	15,950

The 5 year housing land supply is to be calculated on the basis of the phased requirement set out in this table. The additional requirement of 2,750 dwellings to meet Oxford City's housing needs is set out separately for illustrative purposes but delivery and supply will be assessed against the combined annual requirement.

When assessing the 5-year housing land supply the Council will apply the residual (Liverpool) approach with any under-supply (backlog) of housing to be delivered over the remaining plan period to 2031.

The required level of housing delivery of at least 15,950 homes will be achieved through a combination of homes already completed, existing commitments, site allocations (strategic and nonstrategic sites) windfall development and any additional provision in Neighbourhood Plans.

If, post adoption of the Local Plan, the phased housing requirement is consistently not delivered, or it becomes clear that this is likely to be the case during the remainder of the plan period, then the Council will undertake an early review of the plan. Such a review will consider up to date evidence on housing needs (including unmet needs from neighbouring authorities) and, if necessary, will allocate additional sites for housing.

Proposals for housing will be determined as set out below:

Main service centres, rural service centres and villages

New dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:

- On sites that have been allocated for housing development within a Local Plan or relevant neighbourhood plan;
- On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan;
- 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.
- On undeveloped land adjoining the built up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the plan in particular the general principles in Policy OS2.

Small villages, hamlets and open countryside

New dwellings will only be permitted in the small villages, hamlets and open countryside where they comply with the general principles set out in Policy OS2 and in the following circumstances:

- where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;
- where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;
- residential development of exceptional quality or innovative design;
- new accommodation proposed in accordance with policies specifically for travelling communities;
- accommodation which will remain ancillary to existing dwellings*;
- replacement dwellings on a one for one basis;
- re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting and where it has been demonstrated that the building is not capable of re-use for business, recreational or community uses, tourist accommodation or visitor facilities or where the proposal will address a specific local housing need which would otherwise not be met; and
- on sites that have been allocated for housing development within an adopted (made) neighbourhood plan.

* Proposals for extensions or alterations to an existing dwelling to create a self-contained unit of accommodation may be subject to a condition ensuring the accommodation remains ancillary to the main dwelling.

POLICY H4: TYPE AND MIX OF NEW HOMES

All residential developments will be required to provide or contribute towards the provision of a good, balanced mix of property types and sizes.

Developers will be required to demonstrate how their proposal would help create a more balanced housing stock within the District and meet the needs of a range of different groups having regard to specific local needs.

Particular support will be given to proposals for specialist housing for older people including but not restricted to, extra-care housing. Opportunities for extra care will be sought in the main and rural service centres and other locations with good access to services and facilities for older people.

In recognition of the ageing population the Council will also require larger housing developments of 50 or more units to provide a percentage of new homes as accessible and adaptable housing designed to meet Building Regulations Requirement M4(2). This will be a matter for negotiation but as a minimum the Council will seek the provision of at least 25% of market and affordable homes to this standard.

To support the anticipated increase in the number of people with disabilities (linked to the ageing population) the Council will require larger housing developments of 50 or more homes to provide a percentage of market and affordable homes as wheelchair adaptable dwellings designed to meet Building Regulation Requirement

M4(3). This will be a matter for negotiation but as a minimum the Council will seek the provision of at least 5% of homes to this standard. Where wheelchair adaptable homes are provided they will be counted as contributing towards the 25% accessible and adaptable homes requirement.

The provision of specialist housing for those with a disability will be supported in principle in accessible, sustainable locations subject to other policies in this plan. The District Council will work with the County Council and other relevant partners to identify suitable sites and opportunities.

In recognition of the needs of households from the travelling communities who are no longer travelling, the Council will seek to ensure the provision of up to 24 additional pitches for non-travelling Gypsies and Travellers and up to 3 plots for Travelling Showpeople in the period to 2031. This will include consideration of all opportunities including within the strategic location for growth (SLG) and strategic development areas (SDAs) identified in the Local Plan.

POLICY T1: SUSTAINABLE TRANSPORT

Priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport, particularly where this would help to reduce traffic congestion on the routes around Oxford and the Air Quality Management Areas at Witney and Chipping Norton.

In addition to this;

- All new development will be designed to maximise opportunities for walking, cycling and the use of public transport, ensure the safe movement of vehicles and minimise the impact of parked and moving vehicles on local residents, business and the environment
- To promote increased home working and telecommuting, all new residential and commercial developments will be required to make provision for superfast broadband.
- Mixed-use developments will be supported in principle in accessible, sustainable locations subject to compliance with other relevant local plan policies.

Proposals for new developments that have significant transport implications either in themselves or in combination with other proposals will be required to include a Transport Assessment (TA), and a travel plan, in accordance with County Council requirements.

POLICY T3: PUBLIC TRANSPORT, WALKING AND CYCLING

All new development will be located and designed to maximise opportunities for walking, cycling and the use of public transport.

Where opportunities for walking, cycling and using public transport are more limited, other measures will be sought to help reduce car use as appropriate (e.g. measures

to promote home working or the opportunity for linked trips e.g. through mixed-use development).

New development will be expected to contribute towards the provision of new and/or enhanced public transport, walking and cycling infrastructure to help encourage modal shift and promote healthier lifestyles with particular regard to be given to safe and convenient routes to school.

Development that fails to make adequate provision of measures to encourage the use of non-car modes of transport will not be favourably considered.

West Oxfordshire District Council will continue to work in partnership with the highway authority, developers, local councils, bus and rail operators and other voluntary and community sector organisations, to:

- Increase the use of bus, rail and community transport through the provision of improved services, facilities and information including specific schemes identified in the Local Transport Plan (Connecting Oxfordshire) and IDP; and
- Provide safe and convenient travel within and between the network of towns and villages in West Oxfordshire, particularly for pedestrians, cyclists and other vulnerable road users, users of public and community transport including specific schemes identified in the Local Transport Plan and IDP.

POLICY T4: PARKING PROVISION

The Council will work with partners to provide, maintain and manage an appropriate amount of off-street public car parking, particularly to support our town and village centres and to address issues of congestion and air quality.

Parking in new developments will be provided in accordance with the County Council's adopted parking standards and should be sufficient to meet increasing levels of car ownership.

Proposals for new off street public car parking areas will be supported in accessible locations where they would help to ensure the continued vitality and viability of town centres, where they would support visitor and tourist facilities and attractions or where the local environment is being seriously damaged by on-street parking and alternative parking provision is essential.

Development proposals which significantly increase car parking demand will be expected to make appropriate public car parking provision or equivalent financial contributions.

POLICY EH2: LANDSCAPE CHARACTER

The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity, will be conserved and enhanced.

New development should conserve and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features and their settings, such as stone walls, trees, hedges, woodlands, rivers, streams and ponds. Conditions may be imposed on development proposals to ensure every opportunity is made to retain such features and ensure their long-term survival through appropriate management and restoration.

Proposals which would result in the loss of features, important for their visual, amenity, or historic value will not be permitted unless the loss can be justified by appropriate mitigation and/or compensatory measures which can be secured to the satisfaction of the Council.

Proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality, reversing existing pollution where possible.

Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project, the Windrush in Witney Project Area and the Wychwood Project Area.

POLICY EH3: BIODIVERSITY AND GEODIVERSITY

The biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity, including by:

- giving sites and species of international nature conservation importance and nationally important sites of special scientific interest the highest level of protection from any development that will have an adverse impact;
- requiring a Habitats Regulations Assessment to be undertaken of any development proposal that is likely to have a significant adverse effect, either alone or in combination, on the Oxford Meadows SAC, particularly in relation to air quality and nitrogen oxide emissions and deposition;
- protecting and mitigating for impacts on priority habitats, protected species and priority species, both for their importance individually and as part of a wider network;
- avoiding loss, deterioration or harm to locally important wildlife and geological sites and sites supporting irreplaceable habitats (including ancient woodland, Plantations on Ancient Woodland Sites and aged or veteran trees), UK priority habitats and priority species, except in exceptional circumstances where the importance of the development significantly and demonstrably outweighs the harm and the harm can be mitigated through appropriate measures and a net gain in biodiversity is secured;
- ensuring development works towards achieving the aims and objectives of the Conservation Target Areas (CTAs) and Nature Improvement Areas (NIAs);
- promoting the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, particularly within the CTAs and NIAs;

- taking all opportunities to enhance the biodiversity of the site or the locality, especially where this will help deliver networks of biodiversity and green infrastructure and UK priority habitats and species targets and meet the aims of CTAs;
- ensuring that all applications that might adversely affect biodiversity are accompanied by adequate ecological survey information in accordance with BS 42020:2013 unless alternative approaches are agreed as being appropriate with the District Council's ecologist;
- all major and minor applications demonstrating a net gain in biodiversity where possible. For major applications this should be demonstrated in a quantifiable way through the use of a Biodiversity Impact Assessment Calculator (BIAC) based on that described in the DEFRA Biodiversity Offsetting guidance or a suitably amended version. For minor applications a BIAC will not usually be required but might be requested at the Council's discretion;
- all development incorporating biodiversity enhancement features.

All developments will be expected to provide towards the provision of necessary enhancements in areas of biodiversity importance.

POLICY EH6: DECENTRALISED AND RENEWABLE OR LOW CARBON ENERGY DEVELOPMENT (EXCEPTING WIND TURBINES)

In principle, renewable and low-carbon energy developments especially run-of-river hydropower and the use of biomass will be supported. Battery energy storage developments that aid the deployment of renewable and low carbon development across the wider electricity network will generally also be supported.

Renewable or low-carbon energy development should be located and designed to minimise any adverse impacts, with particular regard to conserving the District's high value landscape and historic environment. In assessing the proposals, the following local issues will need to be considered and satisfactorily addressed:

- impacts on landscape, biodiversity, historic environment, agricultural land, residential amenity, aviation activities, highway safety and fuel/energy security, including their cumulative and visual impacts;
- opportunities for Environmental enhancement. Environmental enhancements, in addition to those required to mitigate and compensate any adverse impacts, will be sought, especially where they contribute to Conservation Target Areas and Nature Improvement Areas;
- potential benefits to host communities (including job creation and income generation).

Any proposals for a solar farm involving best and most versatile agricultural land would need to be justified by the most compelling evidence which demonstrates why poorer quality land has not been used in preference to best and most versatile agricultural land.

Developments that are led by or meet the needs of local communities will receive particular support when considering the merits of renewable energy developments. Applicants should submit a written agreement between the applicant and a

community energy enterprise demonstrating that the benefits of all or part of the project will flow to the community for the lifetime of the project.

The use of decentralised energy systems, including Combined Heat and Power (CHP) and District Heating (DH), especially woody biomass fuelled, will be encouraged in all developments.

An energy feasibility assessment or strategy which assesses viability and practicability for decentralised energy systems, including consideration of the use of local wood fuel biomass and other renewable energy initiatives will be required for:

- proposals on strategic development areas (SDAs)
- all residential development for 100 dwellings or more
- all residential developments in off-gas areas for 50 dwellings or more
- all non-domestic developments above 1000m² floorspace

Where feasibility assessments demonstrate that decentralised energy systems are practicable and viable, such systems will be required as part of the development, unless an alternative solution would deliver the same or increased energy benefits.

Detailed guidance on renewable and low carbon energy technologies in West Oxfordshire, which includes information on submission requirements, national policy considerations and good practice is published in a West Oxfordshire Renewable and Low Carbon Energy Guidance and Landscape Capacity Study.

POLICY EH7: FLOOD RISK

Flood risk will be managed using the sequential, risk-based approach, set out in the National Planning Policy Framework, of avoiding flood risk to people and property where possible and managing any residual risk (taking account of the impacts of climate change).

In assessing proposals for development:

- the Sequential Test, and if necessary, the Exception Test, will be applied;
- all sources of flooding (including sewer flooding and surface water flooding) will need to be addressed and measures to manage or reduce their impacts, onsite or elsewhere, incorporated into the development proposal;
- appropriate flood resilient and resistant measures should be used;
- sustainable drainage systems to manage run-off and support improvements in water quality and pressures on sewer infrastructure will be integrated into the site design, maximising their habitat value and ensuring their long term maintenance;
- a site-specific flood assessment will be required for all proposals of 1 ha or more and for any proposal in Flood Zone 2 and 3 and Critical Drainage Areas;
- only water compatible uses and essential infrastructure will be allowed in a functional flood plain (Flood Zone 3b);
- land required for flood management will be safeguarded from development and, where applicable, managed as part of the green infrastructure network, including maximising its biodiversity value.

POLICY EH8: ENVIRONMENTAL PROTECTION

Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

Air quality

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton. Where appropriate, developments will need to be supported by an air quality assessment.

Contaminated land

Proposals for development of land which may be contaminated must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

Hazardous substances, installations and airfields

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

Artificial light

The installation of external lighting and lighting proposals for new buildings, particularly those in remote rural locations, will only be permitted where:

- the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- the elevations of buildings, particularly roofs, are designed to limit light spill;
- the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscape or nature conservation.

Noise

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

Water resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features.

Waste

Proposals for development that make provision of the management and treatment of waste will need to be in accordance with the Oxfordshire Minerals and Waste Local Plan.

POLICY EH9: HISTORIC ENVIRONMENT

All development proposals should conserve and/or enhance the special character, appearance and distinctiveness of West Oxfordshire's historic environment, including the significance of the District's heritage assets, in a manner appropriate to their historic character and significance and in a viable use that is consistent with their conservation, in accordance with national legislation, policy and guidance for the historic environment.

In determining applications, great weight and importance will be given to conserving and/or enhancing the significance of designated heritage assets, including:

- the outstanding universal values for which Blenheim Palace and Park is inscribed as a World Heritage Site (WHS), as guided by its WHS Management Plan (see also Policy EW9);
- the special architectural and historic interest of Listed Buildings, with regard to their character, fabric and their settings;
- the special architectural and historic interest, character and/or appearance of the District's Conservation Areas and their settings, including the contribution their surroundings make to their physical, visual and historic significance;
- the special archaeological and historic interest of nationally importance monuments (whether Scheduled or not), both with regard to their fabric and their settings;
- the special cultural, architectural and historic interest of Registered Parks, including contributions their surroundings make to their physical, visual and historic significance.

Significant weight will also be given to the local and regional value of non-designated heritage assets, including non-listed vernacular buildings (such as traditional agricultural buildings, chapels and mills), together with archaeological monuments that make a significant contribution to the District's historic environment.

All applications which affect, or have the potential to affect, heritage assets will be expected to:

- a) use appropriate expertise to describe the significance of the assets, their setting and historic landscape context of the application site, at the level of detail proportionate to the historic significance of the asset or area, using recognised methodologies and, if necessary, original survey. This shall be sufficient to

- understand the potential impact of the proposal on the asset's historic, architectural and archaeological features, significance and character;
- b) demonstrate that the proposal would, in order of preference:
- avoid adverse impacts on the significance of the asset(s) (including those arising from changes to their settings), and wherever possible, enhance or better reveal the significance of the asset(s);
 - minimise any unavoidable and justified (by the public benefits that would accrue from the proposed development – see below) adverse impacts and mitigate those impacts in a manner proportionate to the significance of the asset(s) and the nature and the level of the impact, investigate and record changes to or loss of physical fabric, features, objects or other remains and make the results publicly available.
- c) Demonstrate that any new development that would result in the unavoidable and justified loss of all or part of a heritage asset would proceed within a reasonable and agreed timetable that makes allowance for all necessary safeguarding and recording of fabric and other remains, including contingencies for unexpected discoveries.

Designated Assets

Proposals which would harm the significance of a designated asset would not be approved, unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.

Non-designated Heritage Assets

When considering proposals that affect, directly or indirectly, the significance of non-designated heritage assets, a balanced judgement will be made having regard to:

- the scale of any harm or loss;
- the significance of the heritage asset; and
- the public benefits of the development. If it is determined through the relevant evidence that currently non-designated buildings, structures, historic landscapes or archaeology are of national significance, those elements of this policy for designated heritage assets will apply.

Record and advance understanding

Where development that would result in substantial harm to or loss of the significance of a heritage asset is permitted, developers will be required to record and advance understanding of the significance of that asset, in a manner appropriate to the nature of the asset, its importance and the impact, and publish that evidence and make it publicly accessible.*

*(For the avoidance of doubt, the ability to mitigate loss of significance through investigation and recording will not contribute to the balancing judgement of whether such a loss is justifiable under this policy.)

POLICY EH10: CONSERVATION AREAS

Proposals for development in a Conservation Area or affecting the setting of a Conservation Area will be permitted where it can be shown to conserve or enhance the special interest, character, appearance and setting, specifically provided that:

- the location, form, scale, massing, density, height, layout, landscaping use, alignment and external appearance of the development conserves or enhances the special historic or architectural interest, character and appearance of the Conservation Area;
- the development conserves or enhances the setting of the Conservation Area and is not detrimental to views within, into or out of the Area;
- the proposals are sympathetic to the original curtilage and pattern of development and to important green spaces, such as paddocks, greens and gardens, and other gaps or spaces between buildings and the historic street pattern which make a positive contribution to the character in the Conservation Area;
- the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the Conservation Area; and
- there would be no loss of, or harm to, any feature that makes a positive contribution to the special interest, character or appearance of the Conservation Area, unless the development would make an equal or greater contribution.

Applications for the demolition of a building in a Conservation Area will only be permitted where it has been demonstrated that:

- the building detracts from or does not make a positive contribution to the special interest, character or appearance of the Conservation Area; or
- the building is of no historic or architectural interest or is wholly beyond repair and is not capable of beneficial use; and
- any proposed replacement building makes an equal or greater contribution to the special interest, character or appearance of the Conservation Area.

Wherever possible the sympathetic restoration and re-use of buildings that make a positive contribution to the special interest, character and appearance of a Conservation Area will be encouraged, thereby preventing harm through the cumulative loss of features which are an asset to the Conservation Area.

POLICY EH11: LISTED BUILDINGS

Proposals for additions or alterations to, or change of use of, a Listed Building (including partial demolition) or for development within the curtilage of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to:

- conserve or enhance the special architectural or historic interest of the building's fabric, detailed features, appearance or character or setting;
- respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context; and

- retain the special interest that justifies its designation through appropriate design that is sympathetic both to the Listed Building and its setting and that of any adjacent heritage assets in terms of siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form.

POLICY EH13: HISTORIC LANDSCAPE CHARACTER

In determining applications that affect the historic character of the landscape or townscape, particular attention will be paid to the following:

- the age, instinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected;
- the extent to which key historic features resonant of the area's character, such as hedgerows, watercourses and woodland, will be retained or replicated;
- the degree to which the form and layout of the development will respect and build on the pre-existing historic character (including e.g. street and building layouts);
- the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings.