

**SUPPLEMENTARY INFORMATION**

**Planning Committee**

**17 January 2019**

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*If you need any further information about the meeting please contact Aaron Hetherington, Democratic and Elections [aaron.hetherington@cherwellandsouthnorthants.gov.uk](mailto:aaron.hetherington@cherwellandsouthnorthants.gov.uk), 01295 227956*

## CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

17 January 2019

### WRITTEN UPDATES

#### **Agenda Item 7**

#### **18/01881/F - Land East Of Jersey Cottages, Station Road, Ardley**

Since the December Planning Committee, further discussions have taken place between the applicants, their planning agent, CDC planning officers and OCC highways officers with regard to highway improvement works that might address the local highway authority's objection and the concerns expressed by Planning Committee.

#### **Additional Information received**

Amended plans 04D and 06C from Oakley Architects along with a S278 works drawing ref. 104 P1, which shows the provision of a signalised crossing over Station Road, opposite Plot 6 of the proposed development and to the north east of No. 2 Jersey Cottages.

Also, a Technical Note from CCE (a consulting engineer), concluding that provision of a new footpath would be costly and time consuming and involve cutting back or removal of multiple trees and hedges, and so would not be the most feasible option.

#### **Additional Representations received**

#### **ARDLEY WITH FEWCOTT PARISH COUNCIL**

I write at the request of Ardley with Fewcott Parish Council to confirm that the above application has been submitted with the full support of Ardley with Fewcott Parish Council.

Ardley with Fewcott Parish Council first identified a need for low cost housing in the village over a decade ago, when Cllr Ian Corkin was the Parish Councillor taking a lead on this issue. Since that time the Parish has been working firstly to locate suitable land for this development, and secondly to ensure that residents have been fully involved as the scheme has been developed. On the advice of Cherwell District Council it approached Waterloo Homes with a request that they devise a scheme which would meet the need that had been identified in the Village. The scheme was supported by 79% of responding parishioners when surveyed in October 2018. Many of the respondents cited the need for more affordable housing in the area and were excited that the development will enable people with a local connection to rent or buy homes in the village.

The Parish Council is pleased that its hard work over a long period of time has brought before the Cherwell District Council Planning Committee a scheme that can be developed to provide homes for local people in the near future. The Parish Council supports the design and the location, and also supports the developer's proposal to maintain the connectivity of the development to the village of Ardley by a light controlled crossing over the B430 (as suggested by OCC Highways).

The Council notes that there have been concerns expressed about potential noise from the B430, but is confident that the proposals by Waterloo homes will mitigate any problems that could arise from this, and furthermore, it would suggest that there are already a number of properties fronting the B430, without the benefit of noise reduction measures, and for whom noise from the road does not appear to be an issue which features on the Parish Council agenda.

This development has agreed funding from the Oxfordshire growth Bid, but the development needs to be started before the end of March 2019 for the funding to be forthcoming. The Parish Council very much hopes that the Committee will see its way to granting permission for this development so that the low cost housing proposed can be built in the village

#### PARISH CLERK FOR THE PARISH COUNCIL

The Parish Council can now confirm the following projects requiring funding within the parish: Additional play equipment on the recreation ground, and an extension to the village hall to provide additional storage.

#### LOCAL RESIDENT COMMENT

Funding required for the village hall – to upgrade the heating system, extend the storage space and kitchen, install a multi-use games area (MUGA) and provide equipment / maintenance for the play park.

#### OFFICER COMMENT:

The representations above query paragraph 9.101 of the officer report to Committee. However, officers have been seeking further information on specific projects during the course of the application, without reply until now. Officers are grateful to have now received this information, and consider the projects identified (play equipment, village hall storage and MUGA) to be reasonable and to be related to the proposed development.

#### MARTIN LIPSON FOR THE MID CHERWELL NEIGHBOURHOOD FORUM:

I am grateful for the numerous mentions of MCNP draft policies in this new version, but have a few observations to make, as follows:

1. I note that in para 7.14 CDC Conservation team has not submitted comments to date. In your earlier report they were not listed as a consultee. Does this mean that they have now been asked to do so? I assume therefore that the section on the Impact on Heritage Assets was written by yourself, but I still find it odd that your specialist colleagues were not asked for their views in the first place. Are you still expecting to receive them?

2. In para 9.40, you correctly mention our policy PD4 as having some relevance to the impact of the development on local views and vistas.

However, you have failed to mention the more relevant paragraph of that policy which requires a Heritage Impact Statement to be submitted where a development might impact on an adjacent Conservation Area. Is there any reason why this should not be requested from the applicants, even at this late stage?

3. In para. 9.57 there is reference to a site appraisal carried out by yourselves, identifying the site as the preferred option. Presumably this means that there is an assessment of all the other sites which were considered. Can you kindly send me a copy of this appraisal?

#### OFFICER COMMENT:

The Conservation team has been asked to comment on the application – their response has since been received and is shown below.

The applicant did submit a Heritage Impact Statement – it is found at Section 5 of the submitted report by Cotswold Archaeology.

The site appraisals carried out by CDC did not identify preferred options; they simply gave an assessment of the constraints and impacts at each site. The Parish Council then reviewed those appraisals and identified its preferred options.

#### CONSERVATION OFFICER

##### *Understanding the heritage assets affected*

The proposed development lies immediately adjacent to Ardley Conservation Area and in close proximity to the grade II\* Church of St Mary.

The Old Rectory and Jersey Cottages are non-designated heritage assets which lie in close proximity to the site.

##### *Appraisal of issues*

The proposed development would potentially impact on Ardley Conservation Area and individual heritage assets within it including Jersey Cottages, The Old Rectory and Church of St Mary.

- Ardley Conservation Area Appraisal describes the settlement form Ardley is located to the west of the B430, the main Oxford to Brackley Road. The village has a dispersed settlement form. In essence, Ardley is a village of two halves, separated by an area of open land to the west of Ardley Road that is currently in agricultural use.

The southern half of the village includes a dispersed collection of dwellings loosely grouped around the historic church. This area is characterised by open spaces, narrow lanes, hedges and stone walls which all contribute to the special character of this part of Ardley.'

The proposed development would have a significant impact on the character of the conservation area as the area to the east of Station Road has not previously been developed land. The development would erode the dispersed settlement pattern, the linear approach to the conservation area and loose grouping of historic properties.

The impact on the appearance of the conservation area would be mitigated by the retention of the existing hedge and tree line, but the access to the development would inevitably suburbanise the area.

- The Heritage Desk Based Assessment which accompanies the application refers to the erosion of the rural surroundings of Ardley by modern development. It is considered that the proposed development causes additional harm to the wider setting of the area.

- The proposed development would have a particular impact on Jersey Cottages, a pair of late 19th century estate cottages erected by the Blenheim estate. The dwellings are proposed to be located to the rear of a hedge line, but the proposed access road is almost immediately adjacent to the cottages. This would have a suburbanising impact on the properties and will detract from the prominence of the buildings in the streetscape. The Heritage Desk Based Assessment which accompanies the application states "Sympathetic design and landscaping is required to ensure that the new builds do not detract from the current prominence of Jersey Cottages along this section of Station Road and to preserve current views from its ground and / or first floor windows by retaining the hedgerow along the road front of the site'. The access road should be moved to an alternative location to minimise harm to Jersey Cottages.

- The proposed development would have a limited impact on The Old Rectory as it is set back from the road at a considerable distance and the development would be screened by the existing tree and hedge line. Although its impact would be greater if the access road were to move further to the north.

- The proposed development would have a limited impact on the setting of the grade II\* listed church as the church is set back from the road and located slightly to

the north and west of the development. Although its impact would be greater if the access road were to move further to the north.

*Level of harm*

Less than Substantial harm to character of Ardley Conservation Area and setting of Jersey Cottages

*Conclusion*

Concerns regarding principle of development in this location

LOCAL HIGHWAY AUTHORITY

Comments received 03.01.2019:

Following a review of the attached documents, we are confident that a signalised crossing can be successfully installed adjacent to the site (please see comments below). Therefore, we are happy to **remove our objection** regarding safe pedestrian access (ref. Transport Schedule contained within OCC Single Response, dated 12 December 2018) **provided that this crossing is incorporated within the application.**

From a highway safety perspective, a speed limit reduction to 30mph is not considered necessary to make the development acceptable, if a signalised crossing is provided.

Under the S278 agreement, commuted sums for maintenance of any new highway infrastructure will be payable. OCC will also require the works to be secured via a S106 agreement.

Comments on S278 Works drawing (drg. No. 104, rev. P0)

a. Don't think the proximity (around 170m) to the existing crossing is a major issue - there doesn't seem to be anything pointing against this in LTN2-95 and we've some examples of signalled crossings at closer spacings (albeit in lower speed limits) and there don't appear to be any problems e.g. with drivers misinterpreting the signals, such as seeing a green at the 'downstream' signal and failing to stop for a red at the first one, and also noting that the crossings are likely to both only be lightly used. Would suggest though that the signal heads are doubled up as in the existing crossing by the pub <https://goo.gl/maps/v95FrmwLoTC2> – & given the narrow width of the footway on the west side, the offset pole arrangement as at the existing crossing will be needed to ensure there is sufficient clearance for the signal heads.

b. The visibility (80m) to the signal heads as shown on the plan does though appear likely to be insufficient – from the 2012 speed survey just south of the Bucknell Road junction, 85th percentile speeds averaged over the 24 hours are

around 43mph, so referring to the table 1 in LTN 2-95 the absolute minimum would be 95m – I don't know how viable it is to achieve this; a speed survey here would be needed to confirm requirements.

c. Street lighting – appears to be just one column shown on the plan. Think we'd likely want a higher provision, requiring additional columns.

d. Skid resistance on approaches to crossing- the extent of high PSV stone should be extended to at least 50m on each approach

e. From looking at street view, a possible issue could be maintaining the adjacent trees etc. to ensure that the visibility of the crossing was adequate, even if a cut back at the time of installation was done.

OFFICER COMMENT:

An amended set of plans has subsequently been received, as noted above, namely 04D and 06C from Oakley Architects along with a S278 works drawing ref. 104 P1, which shows the provision of a signalised crossing over Station Road, opposite Plot 6 of the proposed development and to the north east of No. 2 Jersey Cottages, and which responds to the points raised above by the local highway authority. In particular, drawing 104 P1 has been updated to reflect the comments raised with regards to the increased visibility splay required and the increase in length of the non-skid surface.

APPLICANT RE S106 REQUESTS:

Further to your email I have had another look at the scheme feasibility, and we would be able to provide £60k of contributions.

We are always prepared to pay contributions to help enhance/improve the local area/facilities for residents local to our developments. In this case as we will be receiving the Oxfordshire Growth Board funding it is in a way paying part of that subsidy back out in contributions, however our main concern now is expediting things to ensure that we meet the funding deadlines, and we want to ensure the contributions are sorted so that we don't have any delays to the S.106 agreement.

[Following case officer's query as to whether this was inclusive or exclusive of the highways works required:]

We are comfortable with providing £60k contributions in addition to the necessary highway works (providing the additional pedestrian crossing).

OFFICER COMMENT:

The applicant's helpful response is appreciated. In light of the representations latterly received from the Parish Council, the contributions towards Local Areas of Play (LAP) and Ardley with Fewcott Village Hall are considered justified. Therefore,

in light of the applicant's response, some of the planning obligations requests can be met, but not all.

The S106 contributions set out at page 42 of the agenda are as follows:

LAP - £29,989.18

General green space - £18,451.51

Outdoor sports - £26,221.39

Indoor sports - £10,854.31

Village hall - £13,854.36

Total = £99,370.75 (£80,919.24)

Officers consider all except the general green space to have been justified. The total for these four is shown in brackets above.

In officers' view, the full £60,000 available for contributions should be taken up, with the outstanding question being the order of priority for the remaining four sums.

Officers would recommend that the LAP, Village hall and Indoor sports are funded, and the balance of the £60k made up by a proportion (i.e. £5,302.15) of the funding sought for outdoor sports.

### **Change to Recommendation**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:**

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
  - a) Provision of 100% affordable housing on site (7 units for affordable rent and 6 units in shared ownership);**
  - b) Provision of highway works to mitigate the impact of the development;**
  - c) Payment of a financial contribution towards play areas in the locality of £29,989.18;**
  - d) Payment of a financial contribution towards the enhancement of Ardley with Fewcott Village Hall of £13,854.36;**
  - e) Payment of a financial contribution towards off-site outdoor sports and recreation provision in the locality of £5,302.15;**
  - f) Payment of a financial contribution towards off-site indoor sports and recreation provision of £10,854.31.**

## **Agenda Item 8**

### **18/01050F - The Pheasant Pluckers Inn, Burdrop, Banbury**

#### **Additional Representations received**

None

#### **Additional Information received**

None

#### **Officer Comment**

At para. 9.6 of the officer's report it is indicated that the applicant's selling agent details had not been received at the time of the preparation of the report to planning committee. Details of the agent were supplied and a conversation was held with Joshua Sullivan of 'Christies' just prior to the committee meeting in November (22/11/2018) when the application was initially scheduled to be presented, prior to notification of the application being appealed. Mr Sullivan confirmed that he had provided selling advice to Mr and Mrs Noquet and would act on their behalf if required to do so, should any expression of interest be received.

#### **Change to recommendation:**

None

## **Agenda Item 9**

### **18/02013/F - 8 Cranesbill Drive, Bicester**

No update

## **Agenda Item 10**

### **18/00156/NMA - Land Adj Oxford Canal, Spiceball Park Road, Banbury**

No update