

NOTIFICATIONS OF PLANNING DECISIONS FROM West Oxfordshire District Council

Minute Ref 8

Tue 9 April 2024

District Ref

' C ' Contrary to District 'CD' Contrary Delegated
' D ' Delegated
' E ' Endorsed by District 'ED' Endorsed Delegated

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GRANTED PLANNING PERMISSIONS

E WTC/001/24 Approved 9E WEST END

E WTC/002/24 Approved 9E WEST END

E WTC/004/24 Approved 34 SCHOFIELD AVENUE

E WTC/005/24 Approved 34 CORN STREET

E WTC/006/24 Approved 34 CORN STREET

C WTC/007/24 Approved with Conditions

District COMMENT 4. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

REASON: To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: West Oxfordshire Local Planning Policy EH8 and the NPPF.

5. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

ReASON: To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: West Oxfordshire Local Planning Policy EH8 and the NPPF.

6. No development shall commence until details of cycle parking for the dwellings have been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the cycle parking spaces required to serve those dwellings have been provided in accordance with the approved details. The cycle parking areas so approved shall thereafter be permanently retained and kept available for cycle parking.

CAR PARK REAR OF 58 WEST END

Local COMMENT Witney Town Council support the principle of redevelopment at this site. However, as raised in a previous response, Witney Town Council continue to have concerns about land, air and water contamination during any construction works as well as when homes are occupied. These concerns are for residents of the new dwellings as well as residents in the neighbouring area, to ensure a clean and safe environment for all in Witney. Members acknowledge the updated documents submitted by the applicant, including the Phase II Desk Study, however Witney Town Council are unable to support the application whilst identified issues are outstanding. Consistent and complete sampling is still to be carried out and objections from technical consultees need to be resolved.

Given the pollution risks the Local Planning Authority must ensure that the applicant addresses and can mitigate against all and any risk from contaminants to ensure no harm to human health, the environment or Witney waterways - Witney Town Council support brownfield development and would welcome an application that meets this scrutiny.

Further, Witney Town Council would like to see provision for safe access for cyclists and pedestrians with cycling and walking entry and exit points at the North and South of the site.

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REASON: In the interests of promoting sustainable transport.

7. No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety.

8. The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

9. A Construction Traffic Management Plan (CTMP) will need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0345 310 1111. Final correspondence is required to be submitted.
 - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.

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- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

10. Prior to first occupation the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

REASON: To ensure all residents and employees are aware from the outset of the travel choices available to them, and to comply with Government guidance contained within the National Planning Policy Framework.

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

REASON: Control is needed to

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

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

13. The acoustic design of the new residential homes shall accord with the internal noise design criteria specifications of BS 8233:2014; Guidance on Sound Insulation and Noise Reduction for Buildings.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

14. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. In respect to the protection of residential amenity and the local environment, the CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy/Large Goods Vehicle access to the site. It shall include measures to be employed to prevent

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the egress of mud, water and other detritus onto the public and any nonadopted highways. Once submitted and approved the details contained in the plan shall be adhered to.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

15. Hours of work shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00-13:00 on Saturday with no working on Sunday or Bank Holidays.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

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

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

17. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing: Reference: FRA & Drainage Strategy for a Development at T & B Motors, West End, Witney, OX28 1NF Ref FD147 Rev.3 October 2023

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.

18. Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.

- Consent for any connections into third party drainage systems
REASON: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

19. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and

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approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site
- (d) The name and contact details of any appointed management company information.

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.

20. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

21. Before above ground commences a detailed Energy Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. All the recommendations shall be implemented in full, unless otherwise agreed in writing by the LPA, and thereafter permanently maintained.

REASON: In the interests of energy efficiency and climate change

22. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones" e.g. buffers to trees and hedges.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (mainly in relation to hedgerows).
- d) The location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular).
- e) The times during construction when specialist ecologists need to be present on site to oversee works (as required).
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person (as necessary).
- h) Use of protective fences, exclusion barriers and warning signs (primarily in relation to protection of trees and hedgerows).

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with

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the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To maintain and enhance biodiversity prior to and during construction in accordance with paragraphs 174, 179 and 180 of the NPPF (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

23. A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats and species on the site post development, in accordance with the proposals set out in the submitted Biodiversity Metric (Crestwood Ecology). To ensure the restoration and subsequent management of the site for a minimum of 30 years to deliver a Biodiversity Net Gain of 47.15% net gain for habitat units (as measured by the Defra Metric v4, or its replacements.)

The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:

- a) Results of an up to date survey if time has lapsed more than 18 months to ensure the metric accurately reflects the habitat type and to inform habitat enhancement works. The metric shall be updated as necessary.
- b) Description and location of features to be retained, created, enhanced and managed, as per the approved biodiversity metric.
- c) Aims and objectives of management, in line with desired habitat conditions detailed in the metric.
- d) Appropriate management methods and practices to achieve aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 2, 3, 4, 5, 10, 15, 20, 25 and 30 years.
- i) Monitoring reports to be sent to the Council at each of the intervals above.
- j) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- k) Detailed habitat enhancements for wildlife, in line with British Standard BS 42021:2022.
- l) Requirement for a statement of compliance upon completion of planting and enhancement works.

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details."

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The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LBEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with paragraphs 174, 179 and 180 of the NPPF (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

24 No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 5m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.

REASON: To provide additional opportunities for roosting for bats, nesting birds and hedgehogs as a biodiversity enhancement, in accordance with paragraphs 174, 179 and 180 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

25. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This shall safeguard bat foraging and commuting habitat within the development site. It shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Depending on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

REASON: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 174, 179 and 180 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural

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Environment and Rural Communities Act 2006.

26. No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

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

27. Notwithstanding the information provided on the approved layout plan, details of all walls and fences around each plot and on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected before occupation of the associated dwellings hereby approved and thereafter be retained.

REASON: To ensure that in the interests of privacy and visual amenity a high standard of boundary treatment is provided.

E WTC/010/24	Approved	30 BUTTERCROSS LANE
E WTC/011/24	Approved	11 CURBRIDGE ROAD
C WTC/012/24	Approved	90 RALEGH CRESCENT
District COMMENT	1. That the development be carried out in	Local COMMENT Witney Town Council object to this application.
		The time limited consent refers to 'special circumstances' and 'particular circumstances', these circumstances are not put forward or justified within the application documents and therefore Members are not able to support this proposal on those grounds and object to consent being granted beyond the extant permission.
		Members raised objections around noise and disturbance caused by the operation of this commercial gym in a residential setting, including:
		- The noise of gym equipment (especially weights), music and cars/car doors.
		- Parking issues and noise disruption caused by clients visiting by car, including at unsociable hours.
		- The intensity is above and beyond what would be expected in a residential area, with neighbouring houses in such close proximity.
		The documents suggest that there have not been any complaints about the operation, however Witney Town Council Members state that this is not true and

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accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.

2. The personal training/gym use shall only be operated for commercial purposes by the occupants of 90 Raleigh Crescent, Witney, OX28 5F and shall not be operated by third party or commercial enterprises.

REASON: The application is approved on the particular circumstances of the case and to be used other than its approved use will require further assessment with regards to amenity and parking.

3. The premises shall not be open for clients outside the hours of:

Monday and Friday 07:00-18:00;
Tuesday and Wednesday 08:00 - 19:00;
Thursday 10:00 - 20:00;
Saturday 08:00 - 17:00

The premises shall not open for clients on Sundays or Bank Holidays. A schedule of appointments shall be kept and made available to the Local Planning Authority on request.

REASON: Control is required in the interests of protecting neighbouring amenity.

4. The premises shall not be open for clients for more than 35 hours per week. A schedule of appointments shall be kept and made available to the Local Planning Authority on request.

REASON: Control is required in the interests of protecting neighbouring amenity.

5. No more than 8 clients will be received per day, no more than 3 clients will be received in any one session and all clients shall be by appointment only.

REASON: Control is required in the interests of protecting neighbouring amenity.

6. The use hereby permitted shall be limited to the area outlined in green shown on submitted drawing 1620_203p01 (Plan and elevations).

REASON: For the avoidance of doubt as to what is permitted.

residents have contacted ward members on multiple occasions.

Witney Town Council object to the removal of Condition 1 and Condition 4. This application does not comply with Local Plan Policy - Policy OS2 requires that development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. Further, Policy OS4 requires that development not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties.

E WTC/013/24	Approved	12 HARVEST WAY
E WTC/014/24	Approved	MULBERRY HOUSE
E WTC/015/24	Approved	47 BRIDGE STREET
WTC/016/24	Approved	1 KINGSWALK COTTAGES
E WTC/022/24	Approved	2 STATION LANE
E WTC/024/24	Approved	50 HERON DRIVE

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E WTC/025/24	Approved	KINGSMEAD
E WTC/026/24	Approved	19 KINGSFIELD CRESCENT
E WTC/027/24	Approved	13 MARKET SQUARE
E WTC/028/ADV	Approved	13 MARKET SQUARE
E WTC/030/24	Approved	32 WINFIELD DRIVE
E WTC/037/24	Approved with Conditions	CAR PARK, REAR OF 58 WEST END
E WTC/114/23	Approved	COGGES MANOR FARM
E WTC/167/23	Approved	6 CHURCH GREEN
E WTC/168/23	Approved	9 WEST END
E WTC/169/23	Approved	9 WEST END
E WTC/182/23	Approved	MYSTORE SELF STORAGE
E WTC/185/23	Approved	10 FRENCH CLOSE
E WTC/186/23	Approved	2 GLOUCESTER PLACE
E WTC/187/23	Approved	50 NEWLAND
E WTC/188/23	Approved	50 NEWLAND

OTHER PLANNING DETAILS

WTC/072/23	Withdrawn	UNIT 32
WTC/084/23	Withdrawn	PRIORY HOUSE
WTC/085/23	Withdrawn	PRIORY HOUSE
WTC/171/23	Withdrawn	111 MANOR ROAD