

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 13th January 2020

REPORT OF THE BUSINESS MANAGER – DEVELOPMENT MANAGEMENT



WEST OXFORDSHIRE
DISTRICT COUNCIL

Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

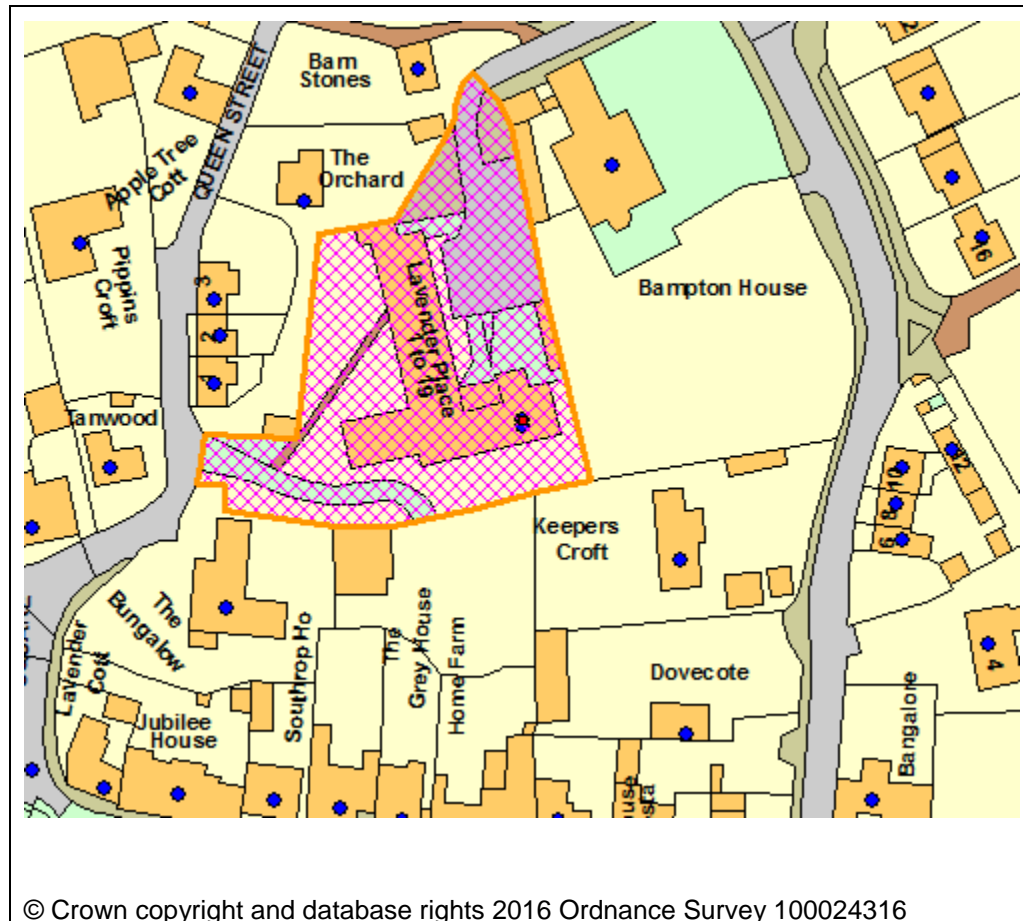
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

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Application Number	I9/02371/FUL
Site Address	Lavender Place Queen Street Bampton Oxfordshire OX18 2LB
Date	31st December 2019
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431605 E 203286 N
Committee Date	13th January 2020

Location Map



Application Details:

Erection of eighteen independent living units for the elderly and associated works.

Applicant Details:

Ms Marissa Yeoman, Cottsway House, Heynes Place, Avenue 2, Witney, OX28 4YG

I CONSULTATIONS

- I.1 Major Planning Applications Team
- Highways - No objection subject to S106 contributions towards public transport services and a Construction Traffic Management Plan condition.
- LLFA - No objection subject to conditions.
- Archaeological Officer - No objection.
- County Councillor Ted Fenton - Redevelopment of these flats for the benefit of elderly residents in Bampton and those with a connection to the village is welcome. The flats are located in a very constricted site which is surrounded by other residential property and the inevitable disruption to those residents must be kept to a minimum by carefully negotiated working conditions and times. Similarly the access roads are very narrow and really unsuitable for large vehicles. Very careful routing agreements will be required and arrangements made with contractors to use smaller delivery vehicles and plant than might be normal for a development of this size.
- I.2 Conservation Officer
- The existing building is of fairly innocuous form. The proposed replacement would sit in a generally similar position on the site, but it would be more voluminous, with a deeper plan, necessitating the use of a concealed flat roof and a long valley gutter - which they may regret, from the maintenance point of view. But the building remains two-storey (albeit fairly tall, due to the steeper pitches), the elevations are generally well proportioned, and there would arguably be a little more architectural interest than in the existing building. There are no obvious objections from our point of view.
- I.3 WODC - Arts
- No Comment Received.
- I.4 ERS Air Quality
- No Comment Received.
- I.5 ERS Env. Consultation Sites
- I have looked at the application in relation to contaminated land and human health. I have no objections to the proposed development.
- I.6 Oxford Clinical Commissioning Group NHS
- No Comment Received.
- I.7 Thames Water
- With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- With regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have

any objection to the above planning application, based on the information provided.

- I.8 WODC Housing Enabler Providing policy compliant affordable housing on this site in terms of numbers and a mix of tenures, sizes and types of homes will make an important contribution to meeting local housing need.
- I.9 Parish Council Bampton Parish Council object to this application in the current form and make the following comments and observations to the application.

We welcome the replacement of sheltered housing with more housing for over 55s. We feel we need to point out that 55 is significantly less than the current age of retirement which we believe is 66 rising to 67 soon. This factor has a bearing on a number of our points

1. The existing building to be demolished was built in the late 1960s and insufficient consideration was given at that time to the new building being constructed in the vernacular in Bampton. Almost without exception properties in this part of Bampton are constructed in natural or artificial stone and we would seek to have any new building constructed using these local materials and not bricks as Lavender Place is currently constructed in. The current building stands out as one not in keeping in anyway with the surrounding buildings.

2. The balconies will give rise to serious overlooking issues into the rear gardens of the small adjoining cottages in Queen Street and also into the garden of Bampton House, a grade 2 listed building. Whilst we accept there are windows in the current building facing those gardens, balconies are used differently as an outdoor living space and are therefore more intrusive to neighbours. Please note there does not appear to be a first-floor plan currently on the web page for this application.

3. We wish this new building to be ONLY for retirement age/post 55 housing. It would not be acceptable to the parish council for these flats to have the flexibility to be used for general needs housing. The layout and density of the current proposals would give insufficient external garden/amenity and parking space for general needs housing. We would ask the district council to condition any approval to over 55s and ideally over legal retirement age.

4. The parish council is seriously concerned about the under provision of on-site parking for this new development. We have read the points listed in the transport statement and would question a number of the points made.

Point 2.8 of the Transport statement says that Cottsway were not

aware that the current provision of 14 spaces for 18 bedsit flats caused any problem locally. These units were bedsits units and by Cottsway's own admission and the statements made by the WODC housing and development officer, they were difficult to let and the block provided substandard housing that does not meet current needs. Parking must fall within people's needs in a rural area. The property has not been at capacity for some time prior to the decision to decant and redevelop. However, the provision as is for bedsits is NOT RELEVANT with regard to this new development. Bampton Parish Council made it clear to Cottsway during a pre-application consultation that we believed that 20 no. parking spaces for 18 flats consisting of a mix of 1 and 2-bedroom units would fall well below the number needed. As the transport statement says, this is 1.1 spaces per unit yet acknowledges the requirement for open market over 55s housing or OCC standards being 1.2-1.4 spaces as a minimum. This means the absolute minimum provided should be between 22 and 25. Why is it considered acceptable in the Transport statement to discount these parking design standards for people that live in social housing?

The roadway accessing the site would not comply with current highway requirements for accessing 18 flats. The roadway is narrow, single carriage width and therefore it is not possible for 2 cars to pass side by side. There is no pavement.

Point 2.14 of the Transport Statement says

"The existing vehicular access would be retained in its current form given the broadly like-for like development proposed. The access benefits from carriageway visibility of 2 x 43m (Manual for Streets, 30mph) as demonstrated by the site access drawing provided at Appendix D. This is measured towards the centreline to the south, but this has not resulted in a highway safety concern and if anything results in drivers egressing the site more cautiously."

The parish council suggests that there is no option but to retain the access in the current form as Cottsway do not own any adjoining land to widen the single carriageway current access. It is NOT however, a like for like development as stated.

Pedestrians who do not live in the development use this roadway with no pavements as it forms part of the footpath network within Bampton. There are no pavements for any pedestrians to use in Queen Street so people on foot share the space with cars however they enter and leave the site.

Whilst we realise that ownership of adjoining land will make it impossible for the access roadway to be widened to meet current requirements, this adds further weight to our objection about there being insufficient parking within the curtilage of the site. The roadway is too narrow to be used for overspill parking and still allow vehicular access to the flats. This means that cars that are not accommodated within the site will try to park (as is human nature) as close as possible in surrounding streets. Queen Street is too narrow for

parking, Lavender Square and the Market Square are full at most times. This leaves overspill parking in Bushey Row, which the parish council consider to be unacceptable to existing residents and hazardous. Any new development as this is should be capable of sustaining the parking needs of the occupants within the curtilage of the site.

These units could be let to people of a working age, given that the age for retirement is, as we have said above, now 66 rising to 67 in 2023. Indeed, many people work beyond the legal retirement age. Despite the fact that planning guidance allows for less parking to be provided for this age range, experience teaches us that residents, particularly in the rural areas, do not go out and sell their cars once they reach 55 and many households still run 2 cars well into retirement and beyond! 12 no. 2 bedroom flats could in fact generate 2 cars per each of those households quite easily

Section 3 of the Transport statement looks at traffic impact. The parish council is surprised that in point 3.3 statistics used to model trip rates and traffic generation use suburban figures. Whilst we are not familiar with this database we can only assume that a suburban location gives rise to less traffic movements given that there is an increased access and use of public transport. Bampton is a village in a rural location and cannot be considered suburban.

Bampton has NO bus with a direct connection to Oxford now, as it used to up until the summer of 2016. Our local bus accessing Witney and Carterton (and beyond) now has only a 2-hourly service with NO connection in the evenings and NO service on a Sunday. Public transport options are therefore extremely limited.

The parish council suggests that in order to make the redevelopment of this site acceptable in terms of parking and to ensure there are no adverse impacts on the existing surrounding area and community, that the number of flats be reduced and that the parking be increased/extended.

5. We note with surprise in point 2.16 of the Transport statement that "Currently the refuse vehicle reverses into the private driveway to collect bins. This arrangement is to be retained given the constraints of the site, but a bin collection point is now proposed" The parish council is surprised that any proposal for the proper collection of refuse from 18 flats should rely on the ability of the bin lorry to turn around in a private drive. We believe historically the bin lorry reversed down the access road. The introduction of the turning head might aid the bin lorry accessing the site fully and perhaps therefore a turning head of sufficient size to properly accommodate a bin lorry and not a smaller grocery delivery van as suggested should be incorporated into the scheme. However, with regard to the proposed bin storage, we would object to the removal of the Indian Bean Tree which is stated in the tree survey as being in good condition with a life expectancy of 20 years. We are surprised that a

communal bin area is suggested in a new development for over 55s, but if one is necessary, the destruction of a tree should not take place in order to conveniently place the bin store near the narrow roadway. Given the amount of storage needed for single households to accommodate fortnightly recycling collections, fortnightly household rubbish collections, fortnightly glass collections and weekly food waste collections (not to mention a green waste bin) we would seriously question the proposed size of the planned bin store for 18 flats anywhere on the site.

6. Whilst the parish council supports the use of pedal power and reducing carbon emissions, we suggest that it is highly unlikely there is a need for storage for 11 bicycles although we appreciate this might be a requirement by OCC. We have racks in the Market Square and by the Old School Community Centre and they are very rarely used. Whilst the use of bicycles might be an 'ideal' to work towards, in reality this take up of cycling in a rural area with busy and dangerous, relatively narrow roads means that people might cycle for health and recreation but they generally do not cycle to work or to the shopping centres in Witney or Carterton. There are no designated cycle routes within the village nor on any of the roads leaving the village. People will not need to cycle to the Co-op store or Post Office in the Market Square from this new development. We think storage for additional buggies might be more appropriate or additional bin storage areas.

7. We would like the scheme to include at least 1 but ideally more electrical charging points for cars.

8. Having looked carefully at the plans the parish council can see no correlation between the uploaded document showing the view from Bushey Row (5177-TFP-ZZ-XX-DR-A-2034-SKETCHVIEWS-S1-PI) and reality. We attach a google maps download of the view of the entrance from Bushey Row at the moment - this clearly shows a single width roadway. Bampton House sits tight on the left hand side, The Chesnuts (3 Bushey Row) sits close to the right hand hedge and Barnstones sits to the rear. The garage belonging to The Orchard, Queen Street is also visible. Please note therefore that the roadway serving the development is the ONLY vehicular and principle pedestrian access to Barnstones and vehicular access for The Orchard.

In summary, Bampton Parish Council feel that this scheme to replace bedsits with the same number of flats - 12 x 2 bed and 6 x 1-bed has resulted in the site being overdeveloped with the subsequent loss of on-site amenity space and insufficient parking for the proposal and that the number of units proposed for the site should be significantly reduced to address these points. This proposal will cause harm and loss of amenity to residents in the local area with particular reference to overspill parking from the site.

2 REPRESENTATIONS

2.1 15 letters have been received objecting to the application on the following grounds:

- Inadequate parking provision
- Will cause severe congestion and hindrance to the highways
- New flats should be built using local materials and not bricks
- Loss of privacy
- Overdevelopment
- Bin store could be sited in a more suitable location
- Increased footprint and building bulk
- Risk to pedestrians using PROW and access road
- Loss of significant tree
- Occupation of development should be raised to 65

3 APPLICANT'S CASE

3.1 The proposed building looks at upgrading the architectural merit in the immediate context deriving influence from Cotswold vernacular style of building, along with providing a more contemporary facility for the comfort of the elderly residents.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

H2NEW Delivery of new homes

H4NEW Type and mix of new homes

H6NEW Existing housing

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

CA5 Carterton sub-area strategy

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

5.1 The application seeks planning permission for the removal of the existing building and erection of a two-storey building to provide 12 no 2 bed and 6 no 1 bed self-contained flats for independent living for the elderly (over 55's) with communal outdoor space, car parking and amenity space.

5.2 The current building contains 17 bed-sitting room type flats, 1 guest room and a 3 bed Warden's House so in effect 18 residential units. The existing building was constructed in 1968 as old

people's flats and is presently unoccupied. The proposal seeks to improve this facility by providing a mix of 1 and 2 bed self-contained flats in a more thermally efficient building.

- 5.3 The site lies within Bampton, identified as a rural service centre in the adopted Local Plan. The site lies within the Conservation Area and sits to the west of Bampton House, a grade II listed building.
- 5.4 The application was deferred for a Members site visit at the December meeting which will take place on the 9th January 2020.
- 5.5 Taking into account planning policy and other material considerations your officers are of the opinion that the key considerations of the application are:

Principle

Layout, design and scale
Impact on heritage assets
Highway/Parking Issues
Neighbouring amenity

Principle

- 5.5 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.
- 5.6 The National Planning Policy Framework (2018) advises that there is a presumption in favour of sustainable development. This is echoed within policy OS1 of the Local Plan. The site lies in Bampton, identified in the Local plan as a rural service centre, where modest levels of development are supported to help reinforce its existing role. Policy H2 of the Local plan supports development on previously developed land provided the loss of any existing use would not conflict with other plan policies and complies with the general principles set out in Policy OS2 and any other relevant policies in the plan.
- 5.8 The principle of this development is therefore acceptable and would provide additional housing accommodation for the elderly for which it is recognised there is an increased demand.

Layout, Design and Scale

- 5.9 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policy OS4 of the Local Plan reflects this advice and encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings. The recently published National Design Guide provides guidance on creating beautiful, enduring and successful places.

- 5.10 The proposed building layout responds to the shape of the site and the proposed footprint to a large extent mirrors the existing to maintain a similar relationship with the boundaries and neighbouring buildings. The two story building has been designed with a double pitched roof, to minimise the bulk of the roof, and a flat roof above the communal corridors. This provides an opportunity for south facing PV array hidden from view. A combination of contextual façade treatments are proposed within a contemporary design which includes light buff brick and off-white render to walls, cladding panels, an artificial stone frame to the entrance and artificial slate to roofs. Similar to the immediate locality and the existing building the main facing material is a light buff brick. Render is proposed to the recessed and balcony area and the entrance elevation for articulation, emphasis and light reflection.
- 5.11 There are some mature trees scattered around the grounds of the building and aligning the eastern and western boundaries of the site of varying quality. The submitted Arboricultural Assessment identifies that most of the trees are low quality and one is of moderate quality. It is proposed to remove 5 trees but these are proposed to be replaced. Additional landscaping could be secured by condition.
- 5.12 The proposed development would be of a similar height to the existing building and many of the surrounding buildings with a deeper plan form. The contemporary design of the building using contextual materials would be an improvement to the existing building.

Impact on heritage assets

- 5.13 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. Policies EH9, EH10 and EH11 of the Local plan reflect these duties.
- 5.14 Paragraph 193 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. Where a proposal results in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196).
- 5.15 The site lies within Bampton Conservation Area and sits to the west of Bampton House, a Grade II listed building. The development maintains the amenity space around the built structure and the proposed two storey structure will reflect local massing and appearance. The revised layout seeks to maintain the current set back and relationship with Bampton House. The Conservation Officer considers the existing building to be of a fairly innocuous form, which will be replaced with a building that would be more voluminous, with a deeper plan, necessitating the use of a concealed flat roof and a long valley gutter. The elevations are considered to be generally well proportioned and would arguably be a little more architectural interesting than the existing building. The CO has no objection to the proposed redevelopment scheme and it is not considered that the proposed scheme would have a harmful impact on the conservation area or setting of the adjoining listed building. The public benefits of the proposal would in any case outweigh any less than substantial harm.

Highway/Parking Issues

- 5.16 The existing vehicular access is to be retained in its current form. Pedestrian access will be via both Bushley Row and Queen Street as per the existing layout. A secure cycle/buggy store is proposed which provides storage for 11 cycles and 5 buggies. There is additional visitor cycle parking in the form of 2 Sheffield stands with capacity for 3 cycles.
- 5.17 The existing parking provision on the site is equivalent to 0.8 spaces per unit (14 spaces for 18 units), reflecting the nature of the development and its occupiers. This redevelopment scheme seeks to provide 20 parking spaces (including 2 disabled spaces) for the proposed 18 units which increases provision, on average, to 1.1 per unit. There is no parking standard for sheltered/elderly residential accommodation schemes and although this proposed provision is marginally below OCC's maximum residential standard (1.2/1.4), the Transport Statement (TS) concludes that the level of parking is an improvement over the existing situation and is appropriate given the letting policy proposed. In terms of traffic impact the TS concludes that the associated increase in traffic would be extremely modest and the new turning head would be large enough to be able to turn a fire tender, as demonstrated by the swept path analysis. A waste collection point is to be provided near the entrance to the car park.
- 5.18 OCC has commented that the site lies within a sustainable location being close to the village amenities and the bus stop on Market Square. The TS is considered to be a suitable level of appraisal and OCC raises no objection to the application subject to appropriate highway conditions including the submission and approval of a Construction Traffic Management Plan.

Neighbouring amenity

- 5.19 The site is surrounded by residential properties including Bampton House to the east, properties fronting Queen Street to the north and west and residential units to the south. The new building will occupy a similar position on the site. The original scheme proposed balconies to all of the units which it was felt would result in potential overlooking issues. Similarly, new windows on the east elevation would overlook into the private amenity space of Bampton House. Following discussions with the agent, the scheme has been amended to omit most of the balconies and to add additional privacy screens to those to be retained to address the overlooking issues. The windows to serve flats 16 and 17 on the eastern elevation are to be obscure glazed with restricted openings. Where the balconies have been removed, Juliet balconies are now proposed. It is the officer view, that the amended plans address the amenity concerns initially raised and that the revised scheme would not have a significantly detrimental effect on the living conditions of neighbouring properties.

Conclusion

- 5.20 Taking into account the above matters the proposal is considered acceptable and is therefore recommended for approval. The application complies with Policies OS2, OS4, H2, T1 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 12th November 2019.
REASON: The application details have been amended by the submission of revised details.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The artificial stone, brick and render walls shall be constructed in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 5 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.
- 6 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 7 Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall be prepared with reference to the County's guidelines. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 8 Prior to first occupation a Residential Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The approved Travel Information Pack shall be issued to all first residents of the development.
REASON: To encourage residents to use sustainable modes of transport as much as possible in line with the NPPF.
- 9 No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved

drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. All development shall conform to submitted FRA and Drawings; 3329-LAVE-ICS-01-XX-DR-C-0001-P03-S2_Proposed Drainage Strategy, Soakaway A, Soakaway B and Soakaway C.

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

- 10 No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan 3329-LAVE-ICS-RP-C-07.001 - SUDS Maintenance Guide.
Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.
- 11 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained. All existing trees which are shown to be retained shall be protected in accordance with the submitted Arboricultural Assessment. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To safeguard the character and landscape of the area.
- 12 Before the development hereby authorised is brought into use, Rapid EV charging points shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of air quality and to reduce greenhouse gases
- 13 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.
REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.
- 14 No part of the development shall be occupied until the cycle/buggy store and cycle stands have been provided in accordance with details to be submitted to and approved in writing by the local planning authority.
REASON: In the interests of promoting sustainable transport.
- 15 No part of the development shall be occupied until details of the proposed fencing has been submitted to and approved in writing by the Local Planning Authority and the fencing erected shall accord with the details so approved.
REASON: To safeguard the character and appearance of the area.

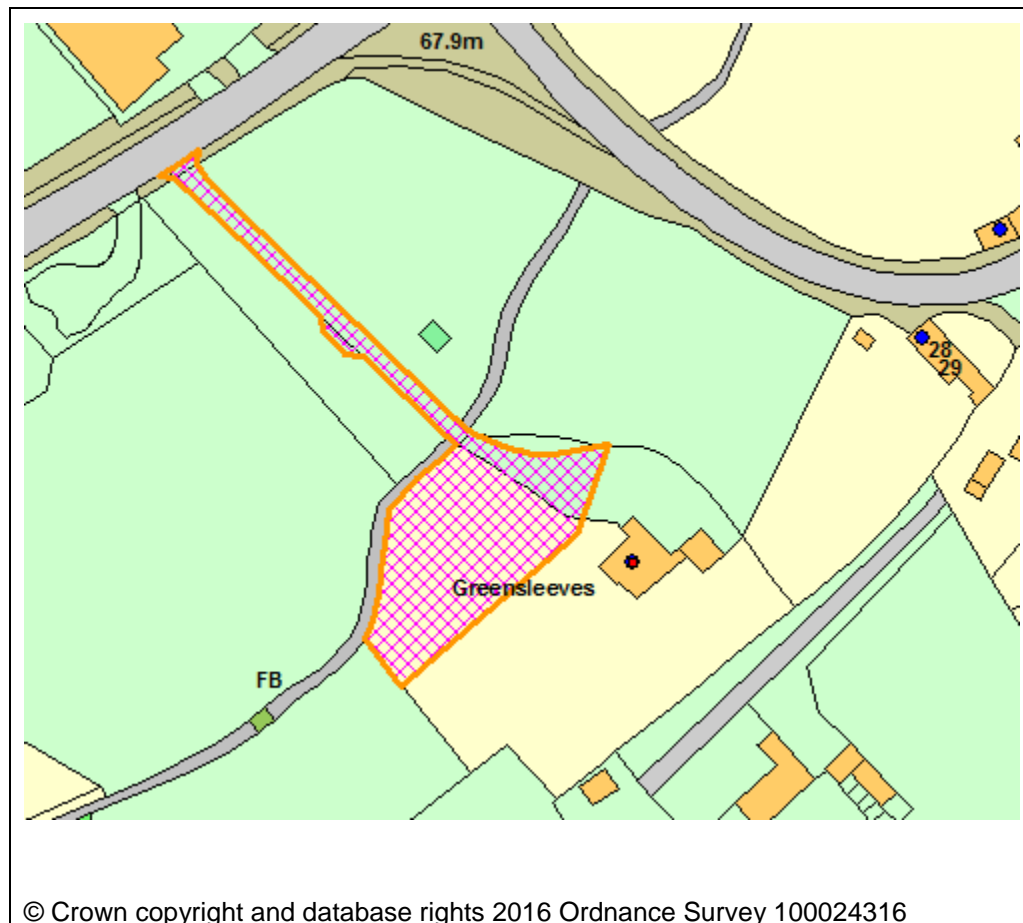
- 16 Dark coloured full height cladding panels shall be installed at the ends of the balconies as detailed in the submitted Design & Access with Heritage Statement.
REASON: To protect the residential amenity of both existing and future new residents.

NOTE TO APPLICANT

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Application Number	19/02406/FUL
Site Address	Greensleeves Blackditch Stanton Harcourt Witney Oxfordshire OX29 5SB
Date	31st December 2019
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Stanton Harcourt Parish Council
Grid Reference	441289 E 205709 N
Committee Date	13th January 2020

Location Map



Application Details:

Erection of a single detached dwelling and double garage with associated landscaping and alterations to existing vehicular access.

Applicant Details:

Mrs A James, Greensleeves, Blackditch, Stanton Harcourt, Oxon, OX29 5SB

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|--|
| 1.1 | Parish Council | No objections |
| 1.2 | OCC Highways | Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission. |
| 1.3 | WODC Drainage Engineers | No Comment Received. |
| 1.4 | Environment Agency | No Comment Received. |
| 1.5 | Biodiversity Officer | No Comment Received. |
| 1.6 | ERS Env. Consultation Sites | I have looked at the application in relation to contaminated land and human health. Review of the information submitted with the application indicates that the proposed development site has previously been developed with various buildings including a timber yard. Given the previous development of the site and the proposed residential use, please consider adding the condition. |
| 1.7 | Thames Water | No Comment Received. |
| 1.8 | Conservation Officer | No Comment Received. |
| 1.9 | WODC Landscape And Forestry Officer | No Comment Received. |

2 REPRESENTATIONS

- 2.1 Three letters of support have been received. One general comment has also been received. The comments have been summarised as;
- The design of this house, with its attractive construction in high quality sustainable and natural materials with energy and water efficiency features as well as solar gain, is the kind of development I believe we should be encouraging. It is well positioned on the plot.
 - This house, together with the complementary development of four houses [19/02407/FUL] will nestle well into the existing landscape and preserve the current ambience of this corner of Stanton Harcourt.
 - The style of the building and materials chosen are ideal.
 - We would like to add our support to this planning application, which is of a good design, and the materials and construction of the buildings will blend in well with the village setting.
 - As one of the owners of the adjacent Listed Building Smithy Cottage I agree that it is not affected by the proposals. I do strongly agree with the OCC Archaeology comment that the sites require a full evaluation excavation for the reasons stated and also because the nearer the sites are to the village centre the more likely they are to have Saxon and Early Norman evidence at present lacking despite the presence of the 12th century church and documentary sources. I am pleased that the development is confined to the southern part of

the site, but think clear proposals regarding future maintenance of the Black Ditch stream are required (as currently proposed reliance seems to be on the different future owners under the 'riverine rights' rules being separately responsible). There are real concerns about blockages caused by failure to maintain watercourses in the parish.

- In passing, I should like to point out that the neighbouring application for Butts Piece (16/03627) should not be cited as 'approved' as the WODC website shows it as 'awaits decision'.
- May I also mention as a matter of accuracy that the cottage on the corner of Blackditch Road was called 'Batts Cottage', not 'Butts Cottage' and has no connection with the naming of Butts Close.

3 APPLICANT'S CASE

3.1 A Planning Statement, heritage statement and sustainability statement have been submitted as part of the application, which can be viewed on line in full. The conclusion of the Planning Statement has been summarised as;

- This development has been designed to conserve and enhance the conservation area, landscape character and considers any impact on the nearby listed buildings. The scheme provides landscape and biodiversity enhancements and will provide a mix of five homes designed to a high quality with natural and traditional materials.
- This application satisfies both national and local planning policy and the local planning authority is respectfully asked to approve this proposal.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

EH9 Historic environment

H6NEW Existing housing

EH10 Conservation Areas

EH11 Listed Buildings

EH3 Biodiversity and Geodiversity

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

5.1 The application site is located within Stanton Harcourt village and the Conservation Area. The site sits adjacent to Listed Buildings. This application seeks consent for one additional dwelling within the curtilage of the existing property known as Greensleaves.

5.2 The application was deferred from last month's Committee meeting for Members to formally visit the application site.

04/1359/P/FP - Residential development of 11 dwellings - Refused and Appeal dismissed

05/1019/P/FP - 6 dwellings and one flat, garages and car ports - Refused and Appeal dismissed

15/03126/FUL - 3 dwellings and shop - Withdrawn

17/01245/FUL - Three new dwellings and new village shop with residential flat above - Refused.

17/01247/FUL - Erection of three new dwellings, including associated works related to boundary treatments, parking, vehicular and pedestrian access, landscaping and supplemental planting. - Refused

5.3 Members may remember that a formal site visit took place at the time of the 2017 applications.

5.4 The refusal reason for the 17/01247/FUL application states;

By reason of the location, layout and scale of the proposed development, it would have an unacceptable urbanising effect and harmful visual impact on an important and prominent area of open space within the Stanton Harcourt Conservation Area. It would not relate satisfactorily to its surroundings and would fail to respect or reinforce local distinctiveness. In addition, the setting of nearby Listed Buildings would be materially harmed by replacing open space with built form and associated development and visual clutter. As such the proposal fails to preserve or enhance the character of the Conservation Area and the setting of the Listed Buildings. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies BE2, BE4, BE5, BE8 and H2, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4, H2 and EH7, the West Oxfordshire Design Guide 2016, and the relevant provisions of the NPPF, in particular paragraphs 17, 58, 61, 64, 132 and 134.

5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

5.6 At the time of the 2017 planning applications, the adopted WOLP was still in the process of being adopted. In terms of the relevant housing policies of the now adopted WOLP your officers consider that Policies OS2 and H2 are the most relevant. Stanton Harcourt is considered in housing policy terms to be a Village. Policy OS2 states that 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. General principles of such development include'

General principles

5.7 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;
 - Conserve and enhance the natural, historic and built environment.
- 5.8 Policy H2 continues by stating; 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.
- 5.9 In view of the above, whilst the principle of new development in Villages such as Stanton Harcourt is acceptable, given the other criteria that new development is expected to meet, your officers consider that this proposal does not comply with Policies OS2 and Policy H2.
- 5.10 The reasons are set out below.

Siting, Design and Form

- 5.11 Given the proposed siting of the dwelling, your officers do not consider that the dwelling forms a logical complement to the existing pattern of development. In addition the overall scale of the proposed dwelling does not relate well to the existing character of the site, as the majority of the width of the site will be developed.
- 5.12 The overall massing, with the proposed height of the dwelling being approximately 8.5m will be a sizeable structure and would be prominent in views from Blackditch across the importance open field adjacent to the application site. As such your officers consider that the proposed dwelling would erode the visual appearance and character of the Conservation Area.
- 5.13 The proposed design has been assessed by your Conservation and Design officer and considers that it is of somewhat of a confused form, falling uneasily between house and poorly converted barn. This is due to the forms and number of openings, the traditional gables with a mix of barn like features such a "fake" threshing doors.
- 5.14 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.15 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the

location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.

- 5.16 In view of the above your officers do not consider that the proposed dwelling would preserve or enhance the special interest, character, appearance of setting of the area. Due to the proposed scale and design, the proposed development is not considered to be sympathetic to the surrounding context and will be detrimental to views within into the area.

Highways

- 5.17 OCC Highways have no objection to the proposal in terms of highway safety issues.

Residential Amenities

- 5.18 Whilst the proposed dwelling is set adjacent to the existing property known as Greensleeves, your officers do not consider that existing and proposed residential amenities will be adversely affected in terms of loss of light, privacy issues, or overbearing.

Conclusion

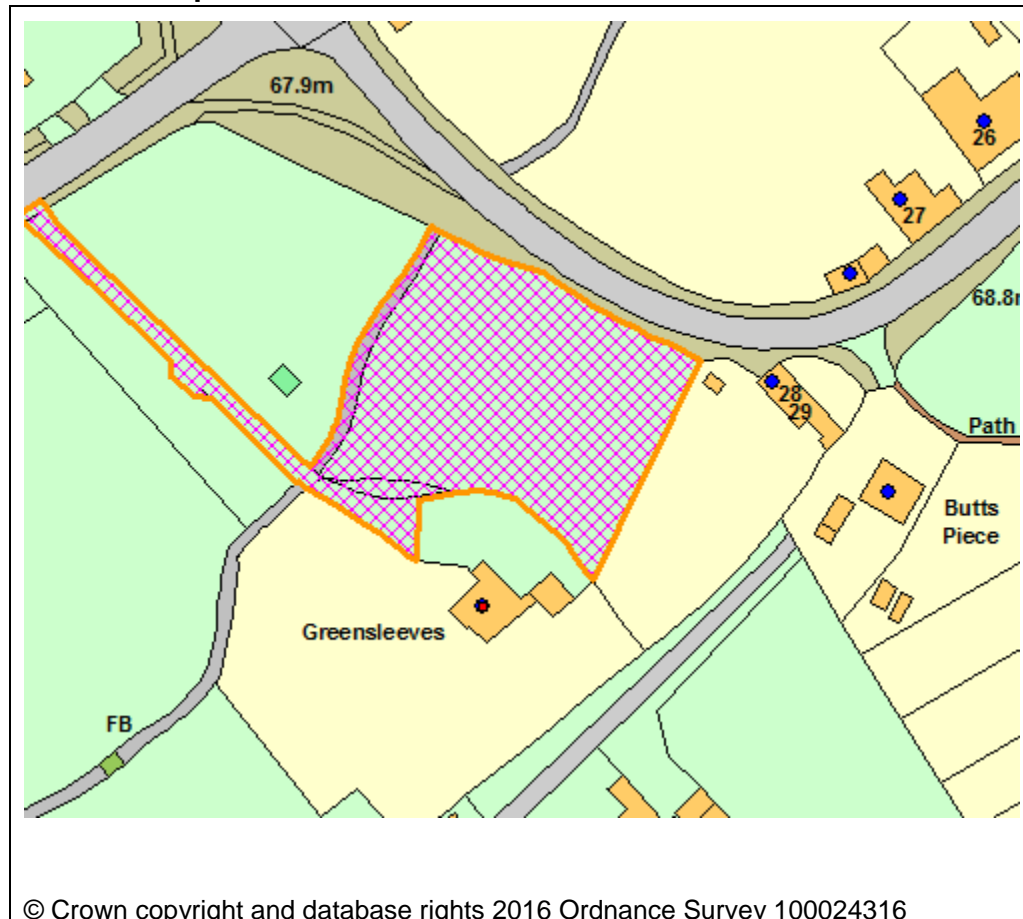
- 5.19 In view of the above your officers consider that the proposed dwelling by reason of its siting, positioning, scale, and design, will adversely affect the visual appearance and character of the Conservation Area. Your officers have noted that the proposed dwelling would be constructed of sustainable materials and use various sustainable feature, however this does not outweigh the harm that the proposed dwelling would result in.
- 5.20 The proposal is contrary to Policies OS2, H2, OS4, and EH10 of the WOLP, the West Oxfordshire Design Guide, the National Design Guide, and the NPPF.

6 REASON FOR REFUSAL

- I By reason of the location, siting, scale and design of the proposed dwelling, the development would not form a logical complement to the existing pattern of development and would have a harmful visual impact to this part of the Stanton Harcourt Conservation Area. The proposed design would not relate satisfactorily to its surroundings and would fail to respect or reinforce local distinctiveness. As such the proposal fails to preserve or enhance the character of the Conservation Area. The proposal is therefore contrary to West Oxfordshire Local Plan 2031 Policies OS2, OS4, H2, and EH10, the West Oxfordshire Design Guide 2016, the National Design Guide and the relevant provisions of the NPPF.

Application Number	I9/02407/FUL
Site Address	Greensleeves Blackditch Stanton Harcourt Witney Oxfordshire OX29 5SB
Date	31st December 2019
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Stanton Harcourt Parish Council
Grid Reference	441289 E 205709 N
Committee Date	13th January 2020

Location Map



Application Details:

Erection of four semi-detached dwellings with garages and associated landscaping to include alterations to existing vehicular access

Applicant Details:

Mrs A James, Greensleeves, Blackditch, Stanton Harcourt, Witney, Oxfordshire, OX29 5SB

I CONSULTATIONS

- | | | |
|-----|------------------------------|---|
| I.1 | Parish Council | No objections |
| I.2 | OCC Highways | Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to conditions. |
| I.3 | Biodiversity Officer | <p>Before determination - the applicant must submit a revised site layout plan to show the required ditch buffer zone in order to protect suitable water vole habitat (as recommended in the ecological report) and provide confirmation as to whether they are joining the great crested newt district licence scheme or not.</p> <p>The Ecological Appraisal Report, Prepared by Austin Foot Ecology, dated January 2019 is generally satisfactory in considering the habitats and protected species present on site. The results of a desk study and site walk over note the important habitat features on site and their suitability for particular species.</p> <p>However, surveys for particular species have not been carried out and need to be considered in more detail.</p> |
| I.4 | Conservation Officer | No Comment Received. |
| I.5 | WODC Planning Policy Manager | No Comment Received. |
| I.6 | WODC Drainage Engineers | No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full. |
| I.7 | OCC Archaeological Services | <p>In accordance with the Paragraph 189 of the NPPF (2019), we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation (trenching). This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.</p> |

The Stanton Harcourt area is rich in later prehistoric, Romano British and medieval archaeology. Virtually every archaeological intervention in the area has revealed the presence of archaeological features and the evidence suggests a well-preserved historic landscape with settlement spread widely across it. My original recommendation was that an archaeological evaluation was undertaken. This response was based on the results of the archaeological evaluation at Butts Piece to

the south. The agent suggests that the evaluation indicates that since the most important features identified by the evaluation were in the south and not abutting Greensleeves. The agent states that trenches 1, 2, 6, 7, 19, 21 and 22 "contained no remarkable finds for a village of this age". However, trenches 3, 4 and 22 contained medieval features and trenches 9 and 10 also contained archaeological features that were not excavated.

The work by John Moore Heritage Services in 2010 was in fact an evaluation and not an excavation. This found that the site had been quarried and that any earlier features would have been removed by this. However, there was no indication that earlier features had not been present prior to the quarrying.

The agent suggests that a watching brief would identify significant archaeological features and information about any truncation. A watching brief is normally used for very small, scale developments, for instance a single house or an extension. For anything larger it is wholly inadequate in that the monitoring is confined only to the ground disturbance involved with the development. If later prehistoric, Roman or Medieval features are revealed it is often impossible to ascertain what those features are or to fully examine them. Due to the constraints of the watching brief it is often impossible to identify whether the feature is part of an Iron Age round house, or a pit or a ditch or perhaps a post medieval furrow. It can also mean that a very large feature is not recognised as a feature and not recorded. The result is therefore a report that sheds little or no light on the archaeology that is present and provides no proper understanding of the past.

Further comments;

The evaluation is intended to identify the extent, character and state of preservation of archaeological features present in order that an appropriate mitigation strategy can be determined. The evaluation brief sent to the agent on the 23/09/2019 is for two trenches. The excavation of these should take no longer than a day and should provide all the information required to ensure This will provide a sufficient level of information to determine the planning application and ensure the most suitable mitigation is achieved. Should no significant archaeology be present then no further action will be required. The applicant suggests that a watching brief will inform upon truncation. Given that the watching brief will only take place when groundworks commence then this is unlikely. The evaluation will however provide the applicant with important information as to truncation, ground conditions and the state of the subsoils in advance of the development. It should also be borne in mind that the watching brief whilst being an inappropriate method for archaeological recording in a development of this type could prove costly with an archaeologist being present throughout the period of groundworks.

- 1.8 ERS Env. Consultation Sites Thank you for consulting our team. I have reviewed the application in relation to contaminated land and human health. Review of the information submitted with the application indicates that the proposed development site has previously been developed with various buildings including a timber yard. Given the previous development of the site and the proposed residential use, please consider adding conditions to any grant of permission.

2 REPRESENTATIONS

- 2.1 Four comments of support and one general comment has been received. They have been summarised as;
- The company has stated that it has "considered in detail with regard to improving sustainability and delivering exceptional, innovative and low impact properties". I understand that the company seeks to produce sustainable and ecological homes. This looks to be an attractive small development of the kind we should be encouraging in this historic village. I thoroughly support this kind of development within our Grade A listed village.
 - His choice of designs project great foresight in creating professional, traditionally built and aesthetically attractive homes, which would enhance the Stanton Harcourt environment. The first class NHBC approved hand made Oak frames are second to none, and achieve the optimum in efficiencies and sustainability, which is what we should all be trying to achieve.
 - This house, together with the complementary development of a single house [19/02406/FUL] will nestle well into the existing landscape and preserve the current ambience of this corner of Stanton Harcourt. The style of the buildings and materials chosen are ideal. Active occupation will remove the possibility that the site (that has evidently been of little use for any other purpose) could become an eyesore if it passed into less caring ownership.
 - We would like to support this well designed planning application that is very suitable for a rural village.
 - As one of the owners of the adjacent Listed Building Smithy Cottage I agree that it is not affected by the proposals. I do strongly agree with the OCC Archaeology comment that the sites require a full evaluation excavation for the reasons stated and also because the nearer the sites are to the village centre the more likely they are to have Saxon and Early Norman evidence at present lacking despite the presence of the 12th century church and documentary sources. I am pleased that the development is confined to the southern part of the site, but think clear proposals regarding future maintenance of the Black Ditch stream are required (as currently proposed reliance seems to be on the different future owners under the 'riverine rights' rules being separately responsible). There are real concerns about blockages caused by failure to maintain watercourses in the parish. In passing, I should like to point out that the neighbouring application for Butts Piece (16/03627) should not be cited as 'approved' as the WODC website shows it as 'awaits decision'. May I also mention as a matter of accuracy that the cottage on the corner of Blackditch Road was called 'Batts Cottage', not 'Butts Cottage' and has no connection with the naming of Butts Close.

3 APPLICANT'S CASE

- 3.1 A Planning Statement, heritage statement and sustainability statement have been submitted as part of the application, which can be viewed on line in full. The conclusion of the Planning Statement has been summarised as;

This development has been designed to conserve and enhance the conservation area, landscape character and considers any impact on the nearby listed buildings. The scheme provides landscape and biodiversity enhancements and will provide a mix of five homes designed to a high quality with natural and traditional materials.

- 3.2 This application satisfies both national and local planning policy and the local planning authority is respectfully asked to approve this proposal.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS1NEW Presumption in favour of sustainable development

OS4NEW High quality design

H6NEW Existing housing

H2NEW Delivery of new homes

T4NEW Parking provision

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application was deferred from last month's Committee meeting to allow Members to carry out a formal site visit.

The application site is located within Stanton Harcourt village and the Conservation Area. The site sits adjacent to Listed Buildings. This application seeks consent for four dwellings adjacent to the existing property known as Greensleeves. There have been previous applications for housing on the site;

04/1359/P/FP - Residential development of 11 dwellings - Refused and Appeal dismissed

05/1019/P/FP - 6 dwellings and one flat, garages and car ports - Refused and Appeal dismissed

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- 5.2 Members may remember that a formal site visit took place at the time of the 2017 applications.

- 5.3 The refusal reason for the 17/01247/FUL application states;

By reason of the location, layout and scale of the proposed development, it would have an unacceptable urbanising effect and harmful visual impact on an important and prominent area of open space within the Stanton Harcourt Conservation Area. It would not relate satisfactorily to its surroundings and would fail to respect or reinforce local distinctiveness. In addition, the

setting of nearby Listed Buildings would be materially harmed by replacing open space with built form and associated development and visual clutter. As such the proposal fails to preserve or enhance the character of the Conservation Area and the setting of the Listed Buildings. The proposal is therefore contrary to West Oxfordshire Local Plan 2011 Policies BE2, BE4, BE5, BE8 and H2, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4, H2 and EH7, the West Oxfordshire Design Guide 2016, and the relevant provisions of the NPPF, in particular paragraphs 17, 58, 61, 64, 132 and 134.

- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 At the time of the 2017 planning applications, the adopted WOLP was still in the process of being adopted. In terms of the relevant housing policies of the now adopted WOLP your officers consider that Policies OS2 and H2 are particularly relevant to this proposal.

- 5.6 Stanton Harcourt is considered in housing policy terms to be a Village. Policy OS2 states that 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. General principles of such development include:

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;
- Conserve and enhance the natural, historic and built environment

- 5.7 Policy H2 continues by stating "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."

5.8 In view of the above, whilst the principle of new development in villages such as Stanton Harcourt is acceptable, this proposal is not considered to meet the specific criteria that new development is expected to meet, and therefore your officers consider that this proposal does not comply with Policies OS2 and Policy H2. The detailed reasons for this are detailed below.

Siting, Design and Form

- 5.9 The proposed site is located within the Conservation Area and adjacent is a Listed Building. These two factors were key considerations to the previous application for 3 detached dwellings. The existing open space contributes significantly to this part of the Conservation Area and the historic landscape.
- 5.10 The previous application proposed 3 large detached dwellings which were positioned so that the rear gardens were facing onto the road. This proposed scheme indicates that the proposed 4 dwellings will be fronting the roadside. Whilst this addresses one of your officers concerns, this in turn results in further concerns.
- 5.11 Your Conservation and Design officer has the following comments;
- We note that these applications are on adjoining land, and we note that the site overall is in the Conservation Area, on a prominent nodal corner, where Blackditch meets Main Road - two important village routes. We also note that the site is green, wooded and riparian, and that it makes an important contribution to the rural quality of the settlement.
- 5.12 With respect to 19/02407, for four new houses, we note that these would have an 'E' plan, of connected ranges, set to the north of Greensleeves. The built form is spreading, and it would be very close to Main Road. Again, the proposed forms are somewhat confused - again being reminiscent of poorly converted agricultural buildings, with a rash of rooflights. In views from both Blackditch and Main Road, this development would be transformative.
- 5.13 Your officers consider that due to the proposed scale and layout of the dwellings, the current important open space would be detrimentally eroded by the proposed dwellings. The design of the proposed dwellings is a mix of traditional forms with steep pitches, however there is a mix of barn like details such as threshing doors and dormer windows which are not associated with barn conversions which officers consider will appear out of character and adversely affect the character of the Conservation Area.
- 5.14 The existing hedgerow is proposed to be enhanced with native species. Your officers are concerned that the hedgerow could result in a loss of light to the proposed occupiers, given the close proximity of the houses, which in turn would result in pressure for the hedgerow to be removed.

Conservation Area and Heritage Assets

- 5.15 Policy EH9 of the adopted WOLP states that within the 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. 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.
- 5.16 Policy EH10 of the adopted WOLP discusses development within Conservation areas. The criteria for allowing development within these areas include;
- 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.
- 5.17 Your officers are of the opinion that the proposed development fails several of the criteria above, especially that the proposed buildings are not considered sympathetic to the original curtilage and pattern of development and to important green spaces, such as paddocks, and other gaps or spaces between buildings and the historic street pattern which make a positive contribution to the character in the Conservation Area.
- 5.18 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.
- 5.19 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area. However in this instance, your officers

consider that due to the sprawling nature of the development, the scale, design and siting, that the proposed development will not be sympathetic to the surrounding context, or character of the settlement.

- 5.20 Policy EH11 of the WOLP discusses Listed buildings. One of the criteria for development which affects the setting of a Listed Building is for it to conserve or enhance the appearance or character and setting.
- 5.21 As the site is within close proximity to a number of listed buildings, in accordance with Section 66 (l) of the Planning (Listed Buildings and Conservation Areas) Act as amended, the local planning authority shall have special regard to the desirability of preserving the buildings setting or any features of special architectural or historic interest which it possesses. Given the location of the proposed dwellings to the proximity of the Listed Building, officers are of the opinion that the setting of the listed building will not be preserved.
- 5.22 With regards to the OCC Archaeological officer's comments, and the agent's response to those, your officers are anticipating that further comments will be received at the time of the meeting. Your officers will verbally update Members on this matter.

Highways

- 5.23 OCC Highways officers have no objection in terms of highway safety matters.

Residential Amenities

- 5.24 Due to the location of the proposed dwellings, your officers do not consider that the proposed development would have an adverse impact to nearby residential properties' amenities.

Conclusion

- 5.25 Your officers are of the opinion that the proposed development does not fall within the criteria of either Policy OS2 or Policy H2 of the adopted West Oxfordshire Local Plan in terms of the principle.
- 5.26 The agent has quoted the development at Butts Piece as an example of development which has been accepted recently in Stanton Harcourt. This was supported by Members in 2016. However this was at the time where the saved Local Plan 2011 Policies for the supply of housing were time expired, and the emerging Local Plan was yet to complete examination and adoption, and the Council could not definitively demonstrate a 5 year supply of housing. As such at that time the policies for the supply of housing were out of date and paragraph 14 of the NPPF was engaged. It required that development was approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposed application for 40 dwellings had no technical objections to the scheme other than the withdrawal of the bus service and effect on travel choices. Significant weight was attached to the benefit of the provision of new housing (in general terms), and in particular the required 40% affordable housing. This application was in outline only and is still pending decision.
- 5.27 Your officers consider that the Local Plan now adopted, demonstrates a 5 year supply of housing and as such Paragraph 14 of the NPPF is not engaged. As such your officers are of the opinion that the proposal fails to enhance or preserve the visual character and appearance of

the Conservation Area and will transform adversely an open area of land which contributes to the setting the Listed Building, and the general character of the village itself. The proposal is considered to be contrary to Policies OS1, OS2, OS4, EH9, EH11, and Policy E10 of the WOLP, the West Oxfordshire Design Guide 2016, National Design Guide, and the relevant provisions of the NPPF.

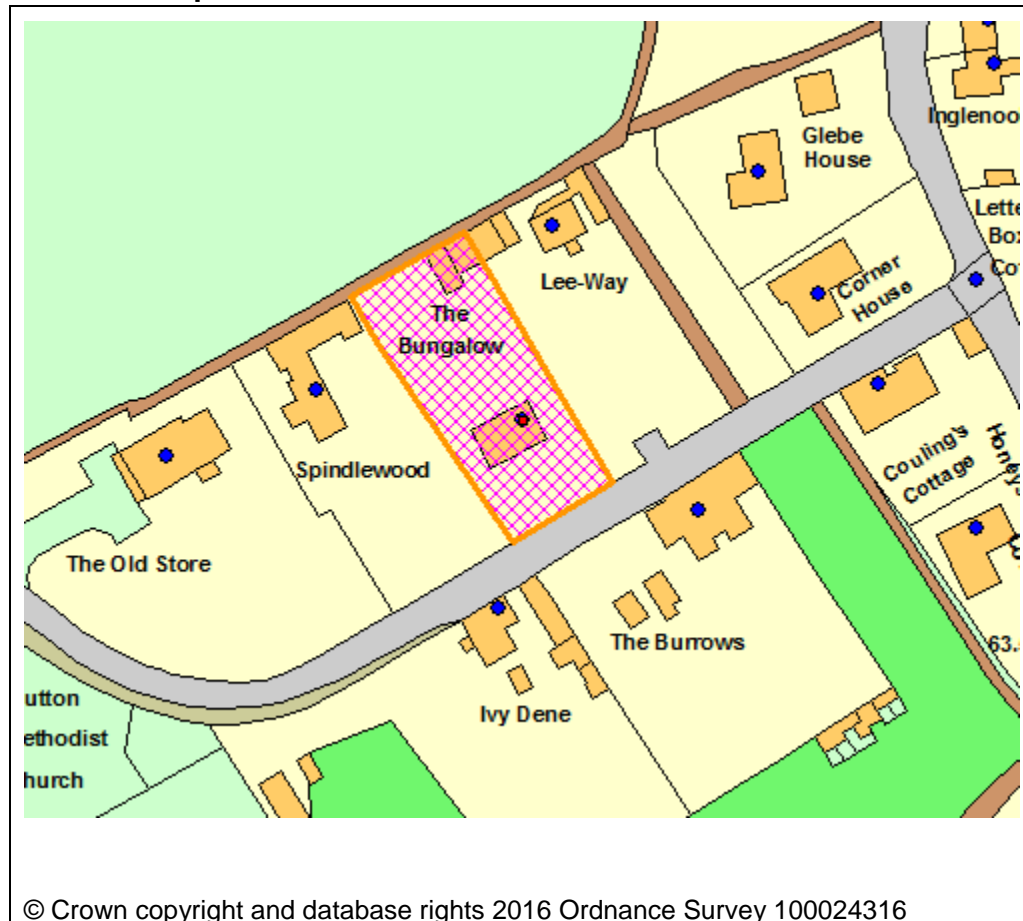
6 REASONS FOR REFUSAL

- 1 By reason of the location, layout and scale of the proposed development, it would have an unacceptable urbanising effect and harmful visual impact on an important and prominent area of open space within the Stanton Harcourt Conservation Area. It would not relate satisfactorily to its surroundings and would fail to respect or reinforce local distinctiveness. In addition, the setting of nearby Listed Buildings would be materially harmed by replacing open space with built form and associated development and visual clutter. As such the proposal fails to preserve or enhance the character of the Conservation Area and the setting of the Listed Buildings. The proposal is therefore contrary to West Oxfordshire Local Plan 2031 Policies OS2, OS4, H2, EH9, EH10, AND EH11, the West Oxfordshire Design Guide 2016, the National Design Guide and the relevant provisions of the NPPF.

- 2 It has not been demonstrated to the satisfaction of the Local Planning Authority that significant archaeological features from the later prehistoric, Romano British and medieval archaeology are not in evidence. As a result of the absence of an archaeological evaluation brief which is intended to identify the extent, character and state of preservation of archaeological features present, no appropriate mitigation strategy can be determined. As such the proposal is contrary to Policies OS2, OS4, EH9, EH15 of the adopted West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.

Application Number	I9/02904/FUL
Site Address	The Bungalow New Road Sutton Witney Oxfordshire OX29 5RT
Date	31st December 2019
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	441650 E 206290 N
Committee Date	13th January 2020

Location Map



Application Details:

Erection of replacement dwelling with detached garage and associated works.

Applicant Details:

Mr D Lancaster, The Bungalow, New Road, Sutton, Witney, Oxfordshire, OX29 5RT

I CONSULTATIONS

- | | | |
|-----|-----------------------------|---|
| I.1 | OCC Highways | No objection subject to the following conditions:
G28 parking as plan
G11 access specification |
| I.2 | Conservation Officer | No Comment Received. |
| I.3 | WODC Drainage Engineers | No Comment Received. |
| I.4 | ERS Env. Consultation Sites | The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions. |
| I.5 | Parish Council | I can confirm that the Parish Council have reviewed the above application, and have the following objections:
Proposed property is over-sized for the plot, it is important to keep some smaller houses in the hamlet of Sutton/ village of Stanton Harcourt.
As the garage has stairs it is assumed this area on the 1st floor is for storage - the property and associated building should be for the sole use of a single family, not as a separate residence.
Loss of garden and trees in a conservation zone (replacements are not specified).
The size of the property will cause a parking problem - New road is so narrow with no footpath that parking on the road is not possible either in Sutton or New Road. A possible solution to the parking would be to re-site the property much nearer, if not at, the back of the plot. |

2 REPRESENTATIONS

- 2.1 At the time of writing, two objections has been received from Mrs Stephenson of Ivydene, New Road, and Mr Tomlinson of Spindlewood, New Road. The comments have been summarised as;
- I am writing to object to the building being rebuilt as a house rather than a bungalow.
 - In the proposed plan a two storey building will mean that our property will be overlooked resulting in a loss of privacy.
 - In addition the proposed parking would appear to be inadequate. The width of New Road means that parking on the road is not feasible.
 - I would not object if the building was rebuilt as a two storey house to the rear of the site on an axis in line with Spindlewood and Leeway as this would mean that our property would not be overlooked and this would also provide for additional room for parking within the site. The rebuild further back on the site will also ensure that the attractive locale of New Road is retained as Sutton is within a conservation zone.

- It would be located in a position that has not been occupied before. Its front elevation bedroom windows oversee the properties opposite, affecting their privacy, and the bottom of our garden, affecting our own privacy. In addition the rear elevation windows directly oversee our front door, affecting and undermining our privacy fundamentally.
- The side elevation windows facing our property are a concern. From the available drawings their height relative to the height of the existing fence suggests that our property would be readily overlooked.
- The size of the property in this location is a serious concern too. Its size, with its 5 bedrooms and 2 storeys is disproportionate: jarring, looming and intrusive and destroying the balance and ambience of the immediate neighbourhood as it currently exists.
- The proposed location also creates a very restricted area for parking at the front. We note that this might lead to the temptation to park vehicles on New Road itself, which, given the narrowness of the road, would not be acceptable.
- We would not object to a property located at the rear of the site. In this location it would naturally line up alongside the immediate neighbours and would be instantly more harmonious in what is a Conservation Zone. In addition it would not create the tight parking area that the current proposal creates. We do not object to the idea of a new property on the site of The Bungalow, but we believe the spirit of the idea of a Conservation Zone must be upheld, in which case the 'visual harmony' of the neighbourhood is a fundamental consideration. The current proposal pays no heed to that consideration.
- There is no validity to the argument that a back garden (which would be created by the current proposal) would be necessary for child safety. Young children have recently been brought up in all of the neighbouring properties (which don't have back gardens) without any problem at all.
- Can we be sure that the function of the space over the garage will not alter to potentially generate more car use on the site?
- We are concerned about the safety of the overhead electrical supply to our property, which crosses the site of The Bungalow. We require assurance via a job specific, non-generic Method Statement and Risk Assessment that this will not be affected during or after the construction process.
- The site itself is restricted, and access from New Road is tight. We require details of how the site will be managed during the construction process, particularly with regard to control of noise, dust, cleanliness, access for vehicles, use of skips, deliveries of materials and removal of waste.
- There is no room for parking on New Road. We require assurance and explanation on these matters via job specific, non-generic Method Statements and Risk Assessments

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted as part of the submission. It has been summarised as;

- The original application was withdrawn, despite having received no adverse comments or objections from the neighbours, Parish council or Highways Department and was based on comments received from the Conservation Architect and Planning officer on the form and scale of the proposed dwelling.
- Given the reasons for withdrawing the original application the applicant entered into a 'pre-app' with the local authority planning department with a revised scheme amending the original proposals to alleviate the issues raised. During the meeting 3 further minor amendments were required to finalise the new scheme. Including reduction of overall width

of the new dwelling, reducing the front dormer windows from 3 casement to 2 casement windows and increasing slightly the chimney breast. These drawings are submitted as part of the re-submission.

3.2 Surrounding Area

New Rd and Sutton in general has a variety of property types & styles built through the years including some recent new builds and extensive extensions & remodelling. The most recent new build being to 'The Old Store' planning ref: 17/03906/FUL for 'Erection of replacement dwelling and relocation of access', which is currently under construction.

3.3 The proposal is to demolish the existing property and replace with a new build property that befits the location of the site with associated garaging and external works including the demolition of the existing dilapidated sheds and outbuilding.

3.4 The existing property has not been maintained or updated for many years and it is evident it is in much need of improvement. However, upon closer inspection it is clear to see these issues are not just cosmetic and much more superficial so much so that it is now considered uneconomically viable to retain and improve. The property is suffering from a level of potential subsidence with the two current gables now detaching from the property (see below). It is felt that there is an opportunity to replace the existing property with a new property which can be positioned better on the site and to bring in line with modern standards whilst improving the visual aspect of the site and therefore to New Road

3.5 It is proposed that the new dwelling will be constructed in materials similar to those along New Road and around Sutton Village - namely facing brick and slate roofs - with the proposed carport being either 'Oak framed'. Again, there are a few examples of 'oak Framed' carports in Sutton with the closest being the next-door property 'Lee Way'

3.6 The property itself will incorporate renewable and sustainable energy sources such as Solar Hot Water and a Wood-burning Stove with Water-Butts used for water recycling.

3.7 The property has been designed in such a way as to avoid any overlooking of the two neighbouring properties 'Spindlewood' & 'Lee Way' whose front gardens are their main gardens with first floor windows to principle rooms positioned to the front and rear with only high level rooflights to bathrooms and en-suites located on side elevations.

3.8 It is proposed that the existing vehicular access which be retained though will be improved by widening and forming a new gated entrance set further into the site.

3.9 To conclude, we consider that the proposal is a successful design, that not only compliments the existing surrounding properties but is suitably sized to fit comfortably on the site creating a sympathetic improvement to the surrounding area. The proposals can also be considered to be in compliance with policies H2 replacement dwellings in the adopted Local Plan.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

EH10 Conservation Areas
T4NEW Parking provision
EH3 Biodiversity and Geodiversity
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is seeking planning consent for a replacement dwelling. The application site is located within Sutton's Conservation Area. This application has been submitted after a previous planning application reference, 19/01826/FUL, was withdrawn after your officers had concerns with the proposed scale and form of the replacement dwelling.
- 5.2 The application is to be heard before the Committee, as the Parish Council has objected to the scheme.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, design and form
Highway/Parking Issues
Residential Amenity

Principle

- 5.4 Sutton is categorised as a small village within the adopted West Oxfordshire Local Plan. Policy H2 states that replacement dwellings are permitted subject to them complying with the general principles set out in Policy OS2. The general principles include that all development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants and conserve and enhance the natural, historic and built environment. In view of the above your officers consider that the principle of a replacement dwelling is acceptable.

Siting, Design and Form

- 5.5 The previous planning application was withdrawn after your officers, including the Conservation and Design officer, had concerns with the proposed scale and form of the replacement dwelling. The current proposal now shows a much reduced footprint and scale for the replacement dwelling. The siting of the proposed replacement dwelling is within the same siting as the previous application, which is further back into the site than the existing bungalow. The proposed design has been simplified and your officers consider that the proposal accords with Policy OS4 of the adopted West Oxfordshire Local Plan. The proposed materials that are to be used are brick with a slate roof. Your officers consider that the proposed materials are acceptable in this part of the Conservation Area. The proposed carport, which is positioned to the front of the site, is to be of an oak framed design.
- 5.6 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended

which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.

- 5.7 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.

Given that the proposed scale and design has been modified since the previous application, your officers consider that the proposal will not harm the visual appearance or character of the rural nature of this part of the Conservation Area.

Highways

- 5.8 OCC Highways have been notified of the proposal, and have no objections to make subject to conditions relating to the provision of parking, as shown on the approved plan and a specification requirement for the access. Whilst a construction traffic management plan has not been specifically requested by OCC Highways, your officers consider that given the location of the site, this type of management plan is required.

Residential Amenity

- 5.9 At the time of writing this report, two neighbouring properties have objected to the scheme. Given the proposed distance between the proposed replacement dwelling and the property at Ivydene of over 25m your officers consider that this distance is acceptable and will not result in an adverse impact in terms of loss of privacy. With regards to the planting, a condition has been suggested to request details of landscaping. In terms of the comments raised by the occupiers at Spindlewood, your officers are of the view that no direct overlooking will result from the siting of the proposed dwelling. There are limited windows at first floor to the side elevations, those that are proposed, with the inclusion of a roof light, serve en suites. Officers have suggested conditions, to restrict new windows to the side of the proposed dwelling, and for the en suite windows to be obscurely glazed.
- 5.10 Your Conservation and Design officer considers that the proposed revised scheme will not harm the visual appearance and character of the Conservation Area.
- 5.11 The proposed room above the car port has been conditioned for it to remain ancillary to the main dwelling.

Conclusion

- 5.12 Your officers consider that the proposed replacement dwelling, given its revised design, and reduction in overall scale, is acceptable in principle. The proposed dwelling has been sited within the site to ensure on site parking can be achieved with the proposed car port. It is noted that OCC Highways have not objected to the scheme.

- 5.13 Whilst your officers appreciate that the replacement dwelling is of a larger scale than the existing bungalow on site, there are other examples recently of larger replacement dwellings. Your officers have suggested a list of conditions to help mitigate the impact of the development on neighbouring properties including construction traffic details, and others to include samples of materials to ensure that the proposed dwelling will enhance this part of the Conservation Area.
- 5.14 In view of the above your officers consider that the proposal complies with the relevant policies of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide, and the relevant paragraphs of the NPPF.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 5 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, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the existing adjacent residential properties in terms of loss of light and overlooking.
- 6 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 additional windows/rooflights shall be constructed in the side elevations of the proposed dwelling.

REASON: To safeguard privacy in the adjacent properties

- 7 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.
REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 8 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before the first trench is dug. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 9 The first floor area above the hereby approved carport shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.
REASON: A separate dwelling in this location would be detrimental to the existing and proposed occupiers.
- 10 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 11 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.