

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 26th May 2020

REPORT OF THE BUSINESS MANAGER – DEVELOPMENT MANAGEMENT



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

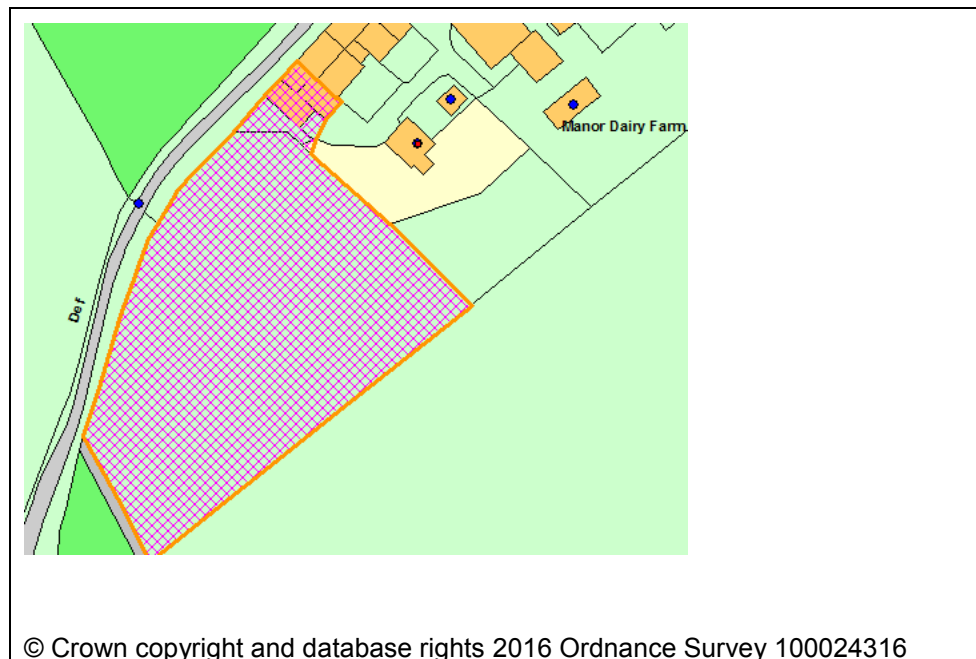
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
19/02616/FUL	Manor Dairy Farm, Shilton, Burford	3
20/00266/S73	Bournmead, Clanfield Road, Weald, Bampton	18
20/00382/FUL	Land South East Of Grayshott House, Bampton	23
20/00824/FUL	87 High Street, Standlake	32

Application Number	I9/02616/FUL
Site Address	Manor Dairy Farm Shilton Burford Oxfordshire OX18 4AP
Date	12th May 2020
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Shilton Parish Council
Grid Reference	425303 E 207591 N
Committee Date	26th May 2020

Location Map



Application Details:

Conversion of agricultural barn to model aviation clubhouse - reception and rest/tea room, model aircraft workshop and storage area. (Retrospective)

Change of use of adjacent paddock for the launching and landing of the model aircraft.

Applicant Details:

Mr Nicholas Blackwell
Manor Dairy Farm
Shilton
Burford
Oxfordshire
OX18 4AP

I CONSULTATIONS

- I.1 OCC Highways Access is taken from a sub standard single track lane. However given the scale of development, together with the existing low traffic speeds and flows along the lane I cannot demonstrate sufficient harm that would warrant the refusal of the application for reasons of highway safety and convenience.
- The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
- 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.
- I.2 Conservation Officer No Comment
- I.3 WODC Env Health - Lowlands Mr ERS Pollution Consultation I have No Objection in principle and no conditions to recommend.

Amended Consultation Response post Site Visit and Demonstration of model aircraft

Following a site visit and demonstration of the model aircraft, I remain to have No Objection in principle to this application, but would now suggest some conditions to minimise any noise nuisance.

- i) No model aircraft shall give rise to a noise level of greater than 82 dB(A) at 7 metres and measured according to the 'Code of Practice on Noise from Model Aircraft 1982'
- ii) The use of the adjacent paddock land for the flying of model aircraft shall be limited to:

12:00-15:00 between October 1st - March 31st (winter months)
12:00-20:00 between April 1st-September 30th (summer months)
- iii) The model aircraft flown from this site shall only be:
'Silent flight' Electric or glider; and
Fixed wing;
- iv) A temporary advisory sign/notice shall be erected at the entrance to the clubhouse identifying how and who to address noise complaints to.

I.4	WODC Planning Policy Manager	No Comment
I.5	Adjacent Parish Council	No Comment
I.6	Adjacent Parish Council	No Comment
I.7	British Horse Society	<p>Thank you for consulting the British Horse Society on this application. We note that there is no mention within the application or supporting documents of the site's close proximity to Shilton Bridleway no. 9 / Kencot Bridleway no. 4. It is merely stated in section 22 of the Application that the site cannot be seen from a public road, public footpath, bridleway or other public land. Our concern is for the safety of horses and the general public (pedestrians and cyclists, as well as equestrians) while exercising their legal rights to pass and re-pass along this path. Horses are prey animals and their usual response to any perceived danger is flight. They have a much greater range of hearing than humans and are easily startled by sudden and/or unfamiliar sounds. Variation in their temperament, the nature of the environments they have known and their confidence will affect how horses respond to a noise. Generally, sudden noises are likely to trigger flight responses with the severity of reaction increasing with proximity of the noise. The abrupt reaction could be dangerous to a rider or handler, and potentially to others in the vicinity if the horse cannot quickly be controlled. There are many horses kept in this part of the county and this bridleway provides an important link within the wider equestrian network.</p> <p>We therefore OBJECT to this application, on the grounds that there appear to be no procedures in place to ensure the safety of the public using the adjacent bridleway while model aircraft are being flown from the site.</p>
I.8	MOD MOD (Brize Norton)	<p>Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 09/10/19. I can confirm the MOD has no safeguarding objections to this proposal.</p> <p>I trust this is clear however should you have any questions please do not hesitate to contact me.</p>
I.9	Parish Council	<p>Objection</p> <p>We would question the suitability of this building to be a club house. In particular if there are sufficient fire precautions in place. The application gives no detail.</p> <p>We do not consider the proposed field to be a suitable area for taking off and landing model aircraft due to its proximity to the bridle path and the adjacent stud farm.</p>

Access to the property is via a single lane bridle path that is not suitable for additional traffic.

If the council were minded to grant the application we would suggest that a restriction be placed to ensure that it was not used as overnight accommodation for any reason.

If as suggested the facility was to be used by the public, local communities and schools, we would require significant reassurances that the organisation complied with all health and safety, guarding and other statutory obligations.

2 REPRESENTATIONS

2.1 Objections have been received from the following:

Marianne Key, Stephen Key, Stephen Hobbs, Wynne Hobbs, Ceyhan Halim, Jayne Lewington, Natasha Pollington, Duncan Hobbs and Louise Hobbs.

2.2 The objections are summarised as follows:

Concerns regarding horse and human welfare and safety

- i) Model aircraft flying, taking off and landing can spook horses and potentially cause them injury as well as stopping them from grazing when aircraft are flying. The horses are our main source of income and are valuable. This is an animal welfare issue as well as financially a potential drain on our business from any horse injuries;
- ii) Myself and my young children regularly ride our horses along the bridleway that goes alongside of Manor Dairy Farm. Aircraft landing and taking off next to us would really frighten the horses and may cause a nasty accident for anybody riding along the bridleway;
- iii) I'd like you to note that the field which has been used in the past is a different one to the application site roughly 300 m away and the airstrip which was being used is about 250m from the bridleway and in the open so the use in that location would be much less likely to spook horses on the bridleway. The strip that has been mown in the planning application would take model aircraft over our fields of horses at low level;

The remote controlled aircraft can fall out of the sky and can cause injury and even death.

Inaccuracies in the application

- 2.3
- i) The application is so inaccurate as to be invalid;
 - ii) It states no land contamination but the building is an old tractor shed;
 - iii) It states no altered access but a section of drystone wall has been removed to create a new access from the bridleway for his vehicles;

- iv) The application states that there is parking for 2 vehicles yet there are 11 members so not enough parking for its purpose;
- v) States that there are no trees or hedges on site but this is untrue as two sides of the site have hedges and there are trees in the middle;
- vi) It states that foul drainage is to a septic tank, the one fitted is in no way suitable for the proposed application; It states there is no requirement for employment at S18 but later in S4. It states it will create employment;
- vii) It states that opening hours are not relevant, they are very relevant as to when he intends operating;
- viii) It states that the development cannot be seen from a public road, footpath or bridleway. It can clearly be seen from the bridleway;
- xi) We object as he says only family members live on the farm which is not the case;
- ix) As for the claim that is made about the profit going back into the farm, this is not a viable economic proposition as with 11 members this would equate to £550 per year which wouldn't cover the overheads of the building let alone put anything back into the farm.

Impact on residential amenity

- 2.4 We object to the noise and disturbance that will be caused by the development;
- i) I am a neighbour and with no formal opening hours, along with unmanned aircraft flying at any time barbeques and drinking into the hours of darkness we are aware of what constitutes a meeting;
 - ii) The skies are already busy with aircraft manoeuvres day and night from RAF Brize Norton;
 - iii) CAA regulations state that you cannot use unmanned aircraft within 50 metres of people and buildings not under your control. With the size of the site and positioning it is not possible for the applicant to fly his unmanned aircraft. Also the CAA would have to 'license' this as the applicant states that he will try to make money from it.

Impact on visual amenity

- 2.5 The clubhouse was built without permission not in keeping with the farm at all. There are cars parked in the field and a large yellow and blue porta loo;
- It states that the building is low impact. It isn't it's an eyesore thrown together in an amateurish manner and in no way meets any building regulations and is clearly not fit for purpose.

Impact on wildlife

- 2.6
- i) Flying model aircraft and the added traffic could cause disturbance to wildlife in neighbouring woodland areas;
 - ii) Wildlife that live in the woods surrounding the site could perhaps leave the area.

Other

- 2.7 It doesn't represent any form of diversification and should not be allowed to proceed.
- Privacy concerns from potential of flying drones photographing/videoing.

3 APPLICANT'S CASE

- 3.1 The applicants case is summarised as follows:

- i) The application site forms a small part of an existing farmyard and represents a diversification of part of that yard. The work has already been started and is almost entirely complete. The clubhouse is already used by the Shilton Model Flying Club, which has 11 members and (if approved) can then be affiliated with the BMFA.
- ii) The club permits only electric and glider aircraft, with the exception of two Vintage 'fly-in' events held each year, using the adjacent airfield. The noise impact is therefore very minor.
- iii) The conversion work is complete, but the barn was a timber-framed GP barn, too low and in too poor condition for modern agricultural use, so was used for general storage.
- iv) The proposed work has been largely completed and the building has been used informally as the clubhouse since substantial completion with timber cladding and internal improvements appropriate for a clubhouse, comprising tea and rest room, member wash/wc facilities, meeting area, model aircraft workshop, model aircraft storage and presentation area, with the adjacent paddock used as the model aircraft airfield.
- v) It is entirely understood that although the applicant had previously intended to convert the barn to a dwelling under Class Q, this is not possible and the continued use as a clubhouse is the intended ongoing and future use and a condition restricting the use to such would be entirely acceptable.

- 3.2 The application is policy compliant

- i) The proposal is a farm diversification enterprise, re-using an existing redundant agricultural building, that was and remains structurally sound and capable of conversion, for a low-key, community purpose, which will create indirect and potential direct employment.

- ii) The Council supports the re-use of existing buildings to provide new employment premises in accordance with Policy E3.
- iii) For obvious reasons, the need for a model aircraft aviation club cannot be met by the use of existing urban premises and the proposal does re-use an existing building.
- iv) The re-use of the building will safeguard the amenity of local residents, because it is low-key, restricted to electric and glider models (so little or no noise) and there are no local resident other than family members of this long established farm.
- v) The farm has been reduced and sub-divided amongst family members in a manner sadly typical throughout the history of farming, but this diversification enterprise seeks to contribute towards the farming income, to retain the viability of the main business, which continues to be run by the applicant's nephew and supported by family members. The diversification is vital to the continuing viability of the farming business, whilst having a minimal reductive impact on the core business. The building was not suitable for modern agricultural purposes and the land used as the airfield can still be both grazed and cut for grass.
- vi) With no conflict with either the agricultural operations or the dominant land use and a long-term approach to the already established club, the club profits will provide on-going additional income to the farm.
- vii) The conversion is no larger than the original building and is discrete and discreet within the farmyard, providing an economic need that cannot be met within the settlement.
- viii) The Clubhouse is modest in size, within and adjacent to the existing yard of buildings, integrating within the landscape and consistent in scale with the need of the club, both now and with the intended expansion, with no loss of amenity to local residents, or other users of the countryside. Indeed, the use of the area as a model aviation club is of interest to rural users, who enjoy the visual, technical, mechanical and historic aspects of the models and their flight. It is intended to provide educational and leisure support to the local community and schools.
- x) The enterprise will operate as part of the existing farm and add value to the core farm business and is compatible and consistent in scale to it.
- xi) Although not a building of particular architectural merit, the building was no longer suitable for modern agricultural purposes and the re-use reduces the need for new buildings in open countryside and provides unobtrusive economic and community facilities.
- xii) The re-use of the building for a community use with potential for employment in accordance with NPPF, with minimal alterations and making a valuable contribution to maintain the vibrancy of the rural economy. This club did not exist before and its retention is important to the local community.
- xiii) The conversion is minimal impact and the timber clad design is low-key and of the vernacular, not harmful to the surroundings.

- xiv) The proposal seeks to use the existing vehicular and pedestrian access, as shown and no alterations are required.
- xv) The proposal is a low-key conversion of a modest building that formed part of the existing agricultural yard, but was no longer suitable for modern farming function. The result is a similarly low-key conversion as a community facility that will contribute towards the farm income as a diversification enterprise, run and supported by the family which continues to run the farm.
- xvi) The existing use is similarly low-key and has no negative impacts on local residents or the host farm.

3.3 Additional information received from the applicant in respect of the consultation responses received and questions of clarification by Officers

- i) There are two areas of relevant land and the distinction (highlighted in fact by one of the objectors, which is helpful), is important. There is the land adjacent to the proposed clubhouse and the airfield which is some 300m away and has been used by the club since 1980.
- ii) The adjacent land is used (in general) between:
 - 12.00-15.00 in the winter
 - 12.00-20.00 in the summer
- iii) Frequency is weather dependent and at the moment for example, with Storm Brendan bringing gusts of 80mph and driving rain, there is no activity at all, but otherwise meets are 4 days a week, with around 10-15 flights per day from the adjacent land. The land is also waterlogged at the moment so although water-planes can be used, the club is keeping off it. Turbulent winds affect controls and rain can get damp in the electronics.
- iv) These models flown from the adjacent land are all 'Silent flight' electric planes, but when IC (internal combustions) planes are flown, they are always taken up to the airfield (300m away where 3 annual meetings are held a year - 2 vintage (some IC) and one electric soar meeting - June, July, September each year -). For each of these events, some practice flights are undertaken on Saturday (10-15 people, 2-3 machines each, 2-3 times flying), with the show on Sunday (25-30 people with corresponding numbers) and this is all carried out at the airfield, not the adjacent land and all by long-established landowner permission since 1980, but those IC planes are prepared and maintained, repaired and cleaned at the clubhouse, where refreshments and technical discussion also happens. As well as all the IC planes, all large models are flown from the airfield, with wingspans over 40 inches, except some gliders which can use the adjacent land.
- v) The clubhouse is used for meeting of members, club administration, refreshments during flying events, preparation, maintenance, repair and building of models and as a meeting point whenever there is flying either at the adjacent land or at the airfield (so during the times given above for both airfields). So, 4 days per week afternoons in association with the flying, together with repair and maintenance (these are miniature motors and models, so the tools and type of work is light-duty as one might expect) at other times, mainly late mornings before the flying and club administration.

- vi) The three annual meetings mentioned above - all held at the airfield - are the special occasions. The club wants to add one more electric (no noise) 'aerotow' event, with the flying up at the airfield, but all the preparations, repairs, refreshments etc held at the clubhouse. Normally, model gliders have a small electric motor on the front of gliders, used only for launch. With aerotow, there are two 'silent flight' electric-powered towing tugs, used in rotation to launch unmotorized gliders. One event is planned in the summer, linked to the existing electric soar July event, with hopefully around 10-15 people on the Saturday and 25-30 on the Sunday. All noise free - electric and run from the airfield, but with the same arrangement in terms of use of the clubhouse facilities.
- vii) The proposed clubhouse and adjacent land are part of a retained family farm, which extends to 25 acres of rented land and 5 acres owned by the family. There are currently 8 sheep, with complete re-stocking intended. Haylage is made on the remainder, cut, baled and stored wrapped on the edge of the airfield, some 300m from the farmyard. The farm offers contract work for three other farms - tractor driving, cultivation, stock keeping, forestry, fencing, combining, topping, baling, hedge trimming etc, but this is a small family farm, which used to be much bigger - 15 years ago there were 50 pedigree Aberdeen Angus cattle, with an additional 80 acres held. The intention is to build this back up again, using the farming income and the club income to help with that, as a farm diversification enterprise.

3.4 Applicants response to British Horse Society Objection

- i) The proximity to the bridleway is a matter of public record and is wholly accepted.
- ii) The safety of pedestrians, cyclists and equestrians is entirely accepted and has been carefully considered by the applicant.
- iii) Horses are indeed prey animals and humans are predators, but the horses using bridleways such as this are not wild horses in a herd. The relationship between rider and trained horse along a bridleway engenders a wholly more controlled behavioural environment.
- iv) This is entirely accepted and has been considered over the use of the site for many years.
- v) Detailed records have been kept on the daily use of this bridleway since November 2019 and a maximum of 2 riders per day have been using it, often by horses and riders that have become familiar with the route and the activities on the site, which is also an active farmyard. Since 1980, when the adjacent land was first used for flying model aircraft, not one such event has been witnessed. In all that time, some 40 years, there have been no complaints whatsoever of any shying or reactions to any use of the site and that is not surprising, because in amongst cattle and sheep, tractors and other farm vehicles, delivery trucks noisily reversing and other farm noises, the very low sound emitted by an electric model aircraft, not immediately adjacent to the bridleway at all, is extremely minor.

- 3.5 The British Horse Society therefore OBJECT to this application, on the grounds that there appear to be no procedures in place to ensure the safety of the public using the adjacent bridleway while model aircraft are being flown from the site
- 3.6 This point is noted and the applicant responds by proposing two measures:
- a. A temporary sign will be placed on the track by the main gate to the farm, whenever flying is taking place on the adjacent land.
 - b. For new riders and horses, controlled demonstration events can be organised, to ensure the horses become completely familiar with the low-level electric motor noise and the shape and flight pattern of the aircraft. This is not required of course, because as stated already, there have been absolutely no witnessed incidents in 40 years of use and any 'disturbance' just does not compare to that of a combine harvester driving into the yard, or the beeping of a lorry reversing.
- 3.7 A demonstration for you as officer (or any other statutory consultee) can be arranged very simply, so you can see just how low level the matter is in reality.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

E3NEW Reuse of non residential buildings

EH2 Landscape character

EH8 Environmental protection

E4NEW Sustainable tourism

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

5 PLANNING ASSESSMENT

- 5.1 This application was deferred consideration at the February Committee meeting in order for a noise assessment to be carried out by your Environmental Health Officer. Following the on site demonstration of model aircraft he has confirmed that he has no objection to the proposal subject to the imposition of a number of conditions. See the 'Representations' Section of this report for the recommended conditions.

Background Information

- 5.2 This application is part retrospective and seeks planning permission to regularise the extensive extension and remodelling of a former agricultural shed for use as a clubhouse in association with a model flying club that has been operating from land some 300m from the site for in excess of 10 years.
- 5.3 The application also proposes the use of the paddock land immediately adjacent to the proposed clubhouse for the flying of electric model aircraft.
- 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 The application has two key elements- the use of the land and the erection of the new clubhouse building on the site of the former agricultural building. Looking at the first of these elements the use of land for up to 28 days for the flying of model aircraft would not even require planning permission. As such it would not be possible to control the impacts of 28 days of use in terms of numbers, noise, types of aircraft etc through planning legislation -albeit there may be controls exercisable through other safety or environmental legislation. This permitted development allowance sets a benchmark in terms of a fall-back position for the levels of use that do not even trigger the need for planning consent. Uses that fall below that threshold, or where above the threshold where conditions can be imposed to limit the impacts such as to be equivalent/better, are thus considered acceptable in principle. That is the case here where officers consider that through the imposition of conditions the potential harms can be mitigated/ameliorated such that the use beyond the permitted development limits can be supported as it offers the opportunity to exercise controls to limit potential adverse impacts. The policies of the local plan seek in general terms to promote recreational activity. The use is in this context considered not unacceptable in principle.
- 5.6 The second element of the proposals is the building. It replaced a former agricultural shed of no merit and of itself is of no historic or architectural merit. It is essentially a new chalet style building albeit it incorporates a small part of a former barn. Officers have assessed it as if it were a new building and formed a judgement as to whether, in light of the permitted right to use the land, it is an appropriate building to support that use- in a similar way that a cricket pavilion is associated with a cricket pitch or a stable with horse riding activity. Its somewhat domestic appearance would not generally be considered acceptable in an isolated location such as this were it visually unrelated to an existing residential use, but when viewed from the adjoining bridleway it appears as an ancillary domestic structure to the extant farmhouse building and its associated curtilage and as such is not as incongruous as it might be were it located elsewhere despite its appearance- albeit it is of no merit. In these terms its use ancillary to the model flying use is considered acceptable as a means to provide toilet, coffee making, meeting and repair facilities for the principal use.

Noise and Safety Impact

- 5.7 It will be noted that there is a strong objection to the application from the British Horse Society. Were this a green field site in a very quiet location Officers would be supporting that objection. That is not however the case. The club already operates internal combustion engine powered models from a field approx. 300m from this site and not the subject of this application where it is proposed to continue to use internal combustion powered models. There appears to have been no record of incidents being reported of horse/model aircraft causing issues. This may be because the site is located very close to the flight path of RAF Brize Norton where the noise impact of those aircraft far exceeds that of the model aircraft. Critically however the applicants have agreed to the imposition of a condition that the new field the subject of this application will be limited to use by electrically powered models such as to substantially reduce any potential noise harms. It is the assessment of your Environmental Health Officer, following a recent site visit to listen to a demonstration of model aircraft on the land, that subject to a series of conditions imposed on the grant of planning permission that noise levels can be controlled in the interests of the amenity of nearby occupiers and users of the bridleway. This would represent a significant advantage over the impacts were permitted development rights to be exercised and where no such controls could be levied.

Landscape Impact

- 5.8 The building is largely tucked away behind a wall/fence when seen close at hand and when the building and proposed 'runway' are viewed from further afield it is through the existing mature boundary hedge. The landscape is already somewhat compromised by the buildings and hardstandings associated with the former WW2 airfield and by the solar farm that covers half of that airfield. The aircraft noise from RAF Brize Norton similarly reinforces the impression that this is not virgin countryside but has been the subject of considerable intervention. In that context the creation of a mown area and building adjacent to the cluster of existing residential uses are not considered so alien that the landscape impact would justify a refusal

Highways

- 5.9 There will be some increased use of the access track but County Highways has raised no objection to the proposals for the site. Conditions limiting the numbers attending will again represent a benefit over and above what could occur with unconditioned permitted development useage

Residential Amenities

- 5.10 There are residential properties relatively close by. However with planning conditions being recommended to limit the number and extent of people attending, number and nature of events, noise levels etc it is considered that the conditional approval of the scheme offers the opportunity to levy some degree of control over hours of use, type of model aircraft etc such as to secure a better residential environment than would be the case with the unrestricted 28 day fall back allowed under permitted development rights. Thus notwithstanding the concerns raised in the representations received your Officers do not consider that there will be unacceptable levels of harm to the residential amenity of those living close to the site such as could justify refusal- particularly in the context of the fact that the site sits in very close proximity to the flight path of Brize Norton where the impacts of military aircraft far outweigh that of the models.

Ecological implications

- 5.11 The site is not an ecologically sensitive area and no protected species are recorded as being present in the vicinity of the site. No adverse comments have been received from ecology/nature conservation bodies or from the Councils own ecology team. As such the impact on wildlife does not constitute a refusal reason.

Other matters

- 5.12 Various other matters have been raised in the representations and the National Press. Members will be aware that planning applications can only be determined on planning grounds and in that regard that it is the land use and not the land user that must be considered if the decision making process is to be found sound. Planning law is clear that were non planning matters to be considered in the determination of the application that would be unlawful and that where matters fall under the control of other legislative regimes (criminal, liscensing, civil, Statutory Nuicence, aircraft protection, etc etc) then the planning system is not enabled to step into address those issues as those matters fall to those regimes to control and as such they are not relevant in determining a planning application.

- 5.13 In light of the above and the fact that they are not relevant in the determination of the application such matters would not normally be addressed as part of a planning committee report as they are irrelevant to the decision to be made. However given the public interest a commentary is provided below on some of the key ones raised - albeit that they cannot and must not be considered material in the decision making process for the reasons outlined above.
- 5.14 It has been asserted that the building is dangerous. Officers from Building Control have visited the site and have advised "the building in question appears to be constructed to a reasonable standard and there was no evidence of loose roofing material, therefore the building cannot, in my opinion, be considered potentially dangerous." They have separately advised that it has not however received approval under the Building Regulations and that this matter will be taken up separately.
- 5.15 It has been asserted that waste material has been deposited. If this is the case then it would be dealt with under fly tipping legislation or by the Environment Agency but in any event it is not clear how this assertion is related to the application under consideration
- 5.16 The final and most contentious matter relates to the criminal record of the applicant and allegations of continuing anti- social or criminal activity. Clearly these alleged activities fall to the police to consider and to make a valid/legal and sound planning decision we must in law confine ourselves to the application for the land use and not the alleged or real activities of the land user/applicant.

Conclusion

- 5.17 The application has proved contentious for largely non planning reasons. There has been an objection from the BHS but in the context that the site is for small electric powered aircraft for limited periods and where a sign advising of potential models flying will be displayed (and where the site sits almost under the flight path of RAF Brize Norton) these concerns are not considered to justify a refusal- especially given the potential for unregulated flying activity under permitted development rights. The recreational use of the site is generally supported by policy and whilst the building is of no architectural or historic merit its domestic/ancillary appearance and limited use mean that it is not considered so incongruous sitting adjacent to an existing dwelling as to justify refusal. With the conditions suggested it is considered that additional controls can be levied over the nature of the activities that balance out the lesser time but unregulated nature of what could occur under permitted development rights. In light of the above assessment the application is considered compliant with the locational, environmental and tourism and leisure policies of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF and is recommended for conditional approval.

6 CONDITIONS

1. 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.
2. No model aircraft shall give rise to a noise level of greater than 82 dB(A) at 7 metres and measured according to the 'Code of Practice on Noise from Model Aircraft 1982'.

REASON: In the interests of the amenity of adjoining occupiers and users of the nearby
bridleway.

3. The use of the adjacent paddock land within the site area for the flying of model aircraft shall be limited on any one day to:
12:00-15:00 between October 1st - March 31st (winter months)
12:00-20:00 between April 1st-September 30th (summer months)
REASON: In the interests of the residential amenity of nearby occupiers and the users of the nearby bridleway.
4. That prior to each and every use of the Paddock land the subject of this application for the flying of model aircraft a temporary sign shall be placed on the track by the main gate to Manor Dairy Farm advising that flying is taking place. Details of the design and location of the sign shall be first agreed in writing by the Local Planning Authority.
REASON: In the interests of the users of the adjoining bridleway.
5. The model aircraft flown from this site shall be restricted to only:
silent flight electric powered or glider aircraft ; and
fixed wing aircraft.
For the avoidance of doubt no drones, model aircraft powered by combustion engines and no rotary winged aircraft shall be flown from the site
REASON: In the interests of the residential amenity of adjoining occupiers and users of the nearby bridleway.
6. The clubhouse hereby approved shall be used for purposes ancillary and incidental to the use of the land for the flying of model aircraft and not for any other purpose including residential or commercial purposes.
REASON: In the interests of sustainable development given the isolated rural location, the lack of architectural merit of the structure, the access to the site and to protect the residential amenities of adjoining occupiers
7. Within one month of the date of this grant of planning permission a block plan at a scale of 1:500 shall be submitted to the LPA identifying parking provision within the site for 5 vehicles. Any subsequently approved parking provision shall be implemented prior to first use of the clubhouse or land and retained solely for parking purposes thereafter.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
8. The use of the clubhouse shall be limited to use during flight days only and during the following hours:
11.00-15.30 in the Winter Months
11.00- 20.30 in the Summer Months
REASON: In the interests of the residential amenity of the adjoining occupiers.
9. Flight days shall be restricted to a maximum of 4 days in any calendar week.
REASON: In the interests of the residential amenity of nearby occupiers and users of the nearby bridleway.
10. No more than 5 persons (fliers) shall use the clubhouse and adjacent paddock at any one time.
REASON: In the interests of the residential amenity of nearby occupiers.

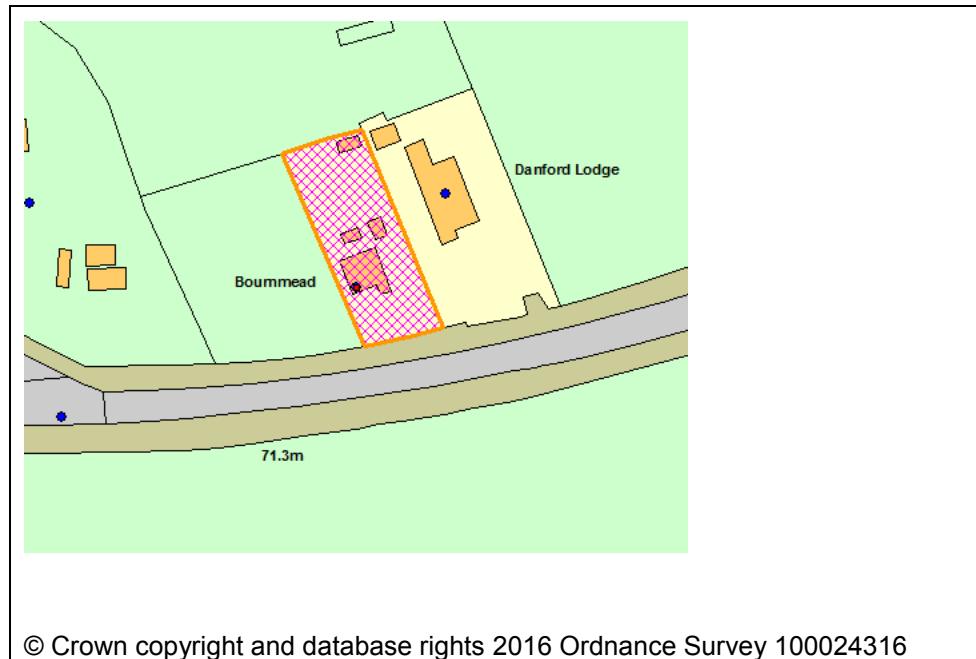
11. Other than as may be required to undertake a take off or landing manoeuvre no aircraft shall be flown to the NE of the NE boundary of the site area (or a projection of that boundary to the NW or SE of the confines of the red lined site area)
REASON To minimise potential impacts upon the occupiers of the dwellings located to the NE of the site boundary

NB

Nothing in this condition authorises or should be deemed to authorise the flying of aircraft over third party land and for which separate consent may be required in civil law

Application Number	20/00266/S73
Site Address	Bournmead Clanfield Road Weald Bampton Oxfordshire OX18 2HJ
Date	12th May 2020
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	430580 E 202816 N
Committee Date	26th May 2020

Location Map



Application Details:

Variation of condition 2 planning permission 16/02448/FUL to allow an increase in height of both rear gables thus creating a further bedroom, changes to rear rooflights, replace ground floor rear window with french doors to living room and alterations to first floor to reposition stairs (amended).

Applicant Details:

Mr Simon Edwards
1A Chichester Place
Brize Norton
Carterton
Oxon OX18 3PD

I CONSULTATIONS

- 1.1 Parish Council PROPOSAL: Variation of condition 2 planning permission 16/02448/FUL to allow the increase in height of one rear gable thus creating a further bedroom, changes to rear rooflights, replace ground floor rear window with french doors to living room and alterations to first floor to reposition stairs. Bournmead, Clanfield Road, Weald.
OBJECTION to the increase in height of the rear gable as this would change the whole aesthetics of the rear elevation. It is noted that this is in a highly visible location as it is the first house as you come into Bampton along the Clanfield Road, and is also next to Bampton Castle.
- 1.2 Conservation Officer I note that this is a relatively modest heightening of the rear wings, making them similar to those on the front elevation. There would, nonetheless, be a significant increase in the volume, although no great impact on the overall aesthetic.
- There are no serious objections from our point of view...

2 REPRESENTATIONS

No letters of representation have been received.

3 APPLICANT'S CASE

- 3.1 A design and access statement has been submitted. A full version of this is available on the Council's website. The statement has been summarised and concluded as follows:
- 3.2 The planning application is a resubmission, following a refusal of planning application ref: 18/00446/FUL, determined on 22nd May 2018 and a subsequent planning application ref: 18/03576/FUL, withdrawn on 11th February 2019.
- 3.3 The proposed dwelling has been designed to meet the family needs of the applicant and for them to remain living together within Aston. The proposal constitutes infill development and follows the existing pattern of development in Aston of houses fronting village lanes.
- 3.4 The proposal is in accordance with the relevant paragraphs of the NPPF.

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
EH2 Landscape character
EH9 Historic environment
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal seeks consent for variation of condition 2 of planning permission I6/02448/FUL to allow for an increase in height of both rear gables thus creating a further bedroom, changes to rear rooflights, replace ground floor rear window with french doors to living room and alterations to first floor to reposition stairs.
- 5.2 The application is to be heard before Members as the Parish Council have objected to the current proposal.
- 5.3 Relevant planning history:
- 16/02448/FUL - Erection of replacement dwelling (Amended Plans) - Approved
- 15/04526/FUL - Proposed demolition of existing uninhabited bungalow and erection of new two storey domestic dwelling - Refused.
- 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
 - Scale, Design and Layout
 - Visual Amenity
 - Residential Amenity

Principle

- 5.5 This application seeks permission for alterations within the residential curtilage of an approved detached dwelling that is currently under construction. The principle of development is therefore acceptable subject to design and amenity issues being carefully considered against the West Oxfordshire Local Plan, West Oxfordshire Design Guide and the relevant paragraphs of the NPPF.

Scale, Design and Layout

- 5.6 In terms of the scale, the proposed increase in height of the two rear gables will result in a moderate increase in built form at the site and as such an increase in volume of the proposed dwelling. However, it should be noted that the alterations would result in a proposed dwelling that is still smaller in scale and massing than previously refused scheme 15/04526/FUL. As such the proposed increase in built form is considered on balance as acceptable.
- 5.7 With regard to design, the Parish Council have objected to the proposal on the grounds that increasing the height of the rear gables will change the aesthetics of the rear elevation. However, your officers consider that the alterations will improve the balance of the proposed dwelling as the heightening of the rear gables will make them similar in height to the gables on the front elevation. The replacement of a ground floor rear window with French doors is not considered out of character.

Visual Amenity

- 5.8 With reference to visual amenity, the Parish Council have objected to the proposal due to its visibility from Clanfield Road. Whilst the application site is in a prominent location along Clanfield Road and an element of the scheme will be visible from the street, the alterations are to the rear of the proposed dwelling and as such will be predominantly screened from the street scene. The proposal is therefore not considered to have a negative impact on the visual appearance of the street scene.

Residential Amenity

- 5.9 In terms of residential amenity, the raising in height of the rear gables will result in an increased height of the rear elevation first floor windows, however on balance, your officers do not consider that this will have a detrimental impact on the adjacent neighbour in terms of overbearing, loss of light, overlooking or loss of privacy.

Conclusion

- 5.10 In light of the above assessment, your officers consider that the proposal complies with the provisions of Policies OS2, OS4, H6, EH2 and EH9 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission ref: issued .
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. 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.
4. Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery details (including details of the rooflights) with elevations of each assembly at min 1:20 scale, sections of each component at min. 1:5 scale with details of the proposed timber and treatment; 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.
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 additional windows, rooflights or dormer windows shall be constructed in any elevations of the building.

REASON: To safeguard privacy in the adjacent property.

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 development permitted under Article 3 and described within Classes A-E of Part 1 Schedule 2 shall take place; other than those expressly authorised by this permission.

REASON: Control is needed to avoid potential impacts caused to neighbouring amenity and the surrounding area.

7. 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.

8. Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the building is occupied.

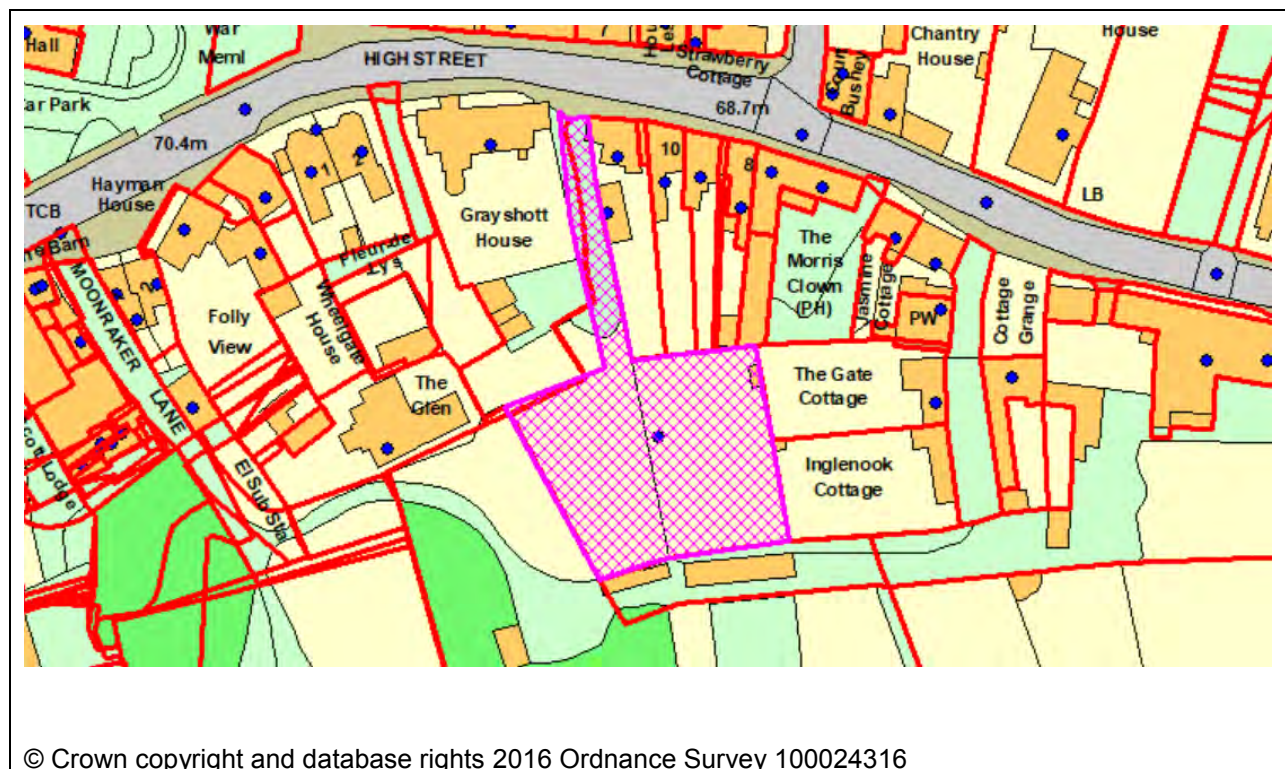
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

9. Before first occupation of the building hereby permitted all bathroom windows; shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

Application Number	20/00382/FUL
Site Address	Land South East Of Grayshott House High Street Bampton Oxfordshire
Date	4th May 2020
Officer	Stuart Mclver
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431624 E 203136 N
Committee Date	26th May 2020

Location Map



Application Details:

Erection of a detached dwelling.

Applicant Details:

Mr H Kumar
c/o Agent

I CONSULTATIONS

- 1.1 ERS Env. Consultation Sites No objection subject to condition.
- 1.2 WODC Landscape And Forestry Officer As permission has already been granted for a dwelling on a similar footprint I think we are stuck with the juxtaposition of the trees in the south-east corner, which is not ideal and doesn't comply with the British Standard relating to trees and development. Notwithstanding the information contained within the report I can foresee that there will be problems in the future relating to their close proximity to the dwelling and the impact they will have on that part of the garden. I'd recommend a planning condition requiring works on site to be carried out in accordance with the specifications included within the Arboricultural Report.
- 1.3 WODC Drainage Engineers No objection subject to condition.
- 1.4 Thames Water No response received to date.
- 1.5 WODC Env Health - Lowlands No objection to this proposal but I would ask for the following condition to be attached to any consent granted:
- Prior to the commencement of any works that applicant shall submit to and have approved by the Local Planning Authority a Construction Management Plan. The plan shall contain, but not be limited to, details of how noise, dust and odour are to be minimised during the site clearance and construction of the proposed dwelling. This shall include measures for the delivery of materials to the site and removal of waste from the site.
- Once approved all measures contained in the plan shall be implemented.
- Reason: To protect the amenity of the neighbourhood.
- 1.6 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- Recommendation:
- 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 the following condition
- G28 parking as plan
- 1.7 Conservation Officer The proposed house has a substantial footprint, but we note that it is single storey, and we note that it is generally lower than the building previously approved. We also note that the site is not prominent beyond the immediate vicinity.
- And in my view, the design is of good quality. They have gone for a refreshingly contemporary approach, with interesting forms, although

with some reassuringly traditional pitched-roof massing, and with traditional materials, including stone walling and slate roofing.

In summary, this is supportable from our point of view...

- 1.8 Parish Council
- The parish council OBJECT, following a vote of 7 to 1, for the following reasons:
the proposed dwelling is not in keeping sufficiently with vernacular architecture in that area, especially with regards the style of the dormer windows. Referring to the current planning permission granted on appeal in June 2015 (appeal reference: APP/D3125/W/15/3002288) the Inspector said that the proposed dwelling had been designed to be a subservient building and whilst clearly of contemporary design the building would appear as a not untypical ancillary outbuilding that might ordinarily be found in a back land location such as this. It would therefore not visually compete with the surrounding house and cottages (Para 7). However, in this new proposal, although the building could be seen as subservient it is extremely 'untypical' and at no other part of the conservation area would anything like it be found - even on a back land location.
Referring to this appeal again the relocation and extended footprint of the building no longer means that the separation distances from the neighbouring properties are ... 27m [from 8-11 High Street] so it does have more impact on this historical setting.
If planning permission is granted the Parish Council would stress the need for the Drainage and Construction Management Plans demanded by other consultees as well as suitable onsite parking to ensure that during the build there is not excessive or obstructive parking of contractor vehicles in the High Street and to protect the amenity of the neighbourhood.
Furthermore, to protect this historical setting for the future it is requested that a planning condition is imposed ad infinitum to prohibit any changes or vertical extension to the building.

2 REPRESENTATIONS

- 2.1 One letter of objection has been received from a Mr Ray Jackson of Hermitage House, Bampton. The comments are as follows:
- 2.2 Re. Landscaping - we note that a 2000mm fence is to be erected at the end of our gardens (the four dwellings between Grayshott House and the Morris Clown). We understand that the existing stone wall belongs to the land on which the proposed house is to be built. If a fence is erected in front of this wall how will the new owner of the land repair the wall in future and indeed in our case (No. 9) remove the constantly growing ivy which encroaches on our side of the wall?
- 2.3 We have made our concerns known on the previous planning application so far as the risk of flooding is concerned.

3 APPLICANT'S CASE

- 3.1 A design and access statement has been submitted. A full version of this is available on the Council's website. The statement has been summarised and concluded as follows:

- 3.2 The principle of a detached dwelling at the application site is established by way of extant permission 17/02698/FUL and prior permission 14/1036/P/FP (permitted at appeal). As such, the proposal is considered to accord with relevant housing policies (H2) of West Oxfordshire Local Plan 2031.
- 3.3 In conclusion the proposed development has been conceived having particular regard to its context and is considered to accord with the relevant policies of the development plan.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH10 Conservation Areas

EH13 Historic landscape character

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal is a resubmission of approved application 17/02698/FUL. The proposal seeks consent for the erection of a detached dwelling on a parcel of land south of Grayshott House. The application site is located within the Bampton Conservation Area and is within proximity to numerous listed buildings.
- 5.2 The application is to be heard before members as the Parish Council have objected to the proposal and a new development plan (West Oxfordshire Local Plan 2031) has been adopted since the previous extant permission was approved (17/02698/FUL).
- 5.3 Relevant planning history:
- 17/02698/FUL - Erection of detached dwelling - Approved.
- 14/1036/P/FP - Erection of detached dwelling - Permitted at appeal.
- 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
 - Conservation Area/Heritage Assets
 - Visual Amenity
 - Residential Amenity
 - Drainage
 - Boundary Treatment

Principle

- 5.5 With regard to the principle of development, a previous application for the erection of a detached dwelling at the application site has been approved (17/02698/FUL) and the permission is still extant. As such the principle of a dwelling in this location has been established.

Conservation Area/Heritage Assets

- 5.6 The Parish Council have raised concern with the design of the proposed dwelling and the impact it would have on the Conservation Area and surrounding Heritage Assets.
- 5.7 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. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.
- 5.8 The WODC Conservation Design Architect was consulted as part of the planning process and raised no concern with the proposal. They stated:

“The proposed house has a substantial footprint, but we note that it is single storey, and we note that it is generally lower than the building previously approved. We also note that the site is not prominent beyond the immediate vicinity.

And in my view, the design is of good quality. They have gone for a refreshingly contemporary approach, with interesting forms, although with some reassuringly traditional pitched-roof massing, and with traditional materials, including stone walling and slate roofing.

In summary, this is supportable from our point of view”

- 5.9 Your officers consider that the proposed contemporary form is complimented by traditional aspects including the pitched-roof design and use of local materials including natural stone and slate roofing. Whilst the footprint of the proposed dwelling is larger than that of the previously approved scheme and as such it will be in closer proximity to some of the surrounding Listed Buildings; its lower lying form ensures that it will not have a negative impact on the surrounding Heritage Assets.
- 5.10 In regard to the above, the proposed alterations are not considered to have a detrimental impact to the character and appearance of the Conservation Area, given the nature of what is proposed and its location. As such, the character of the Conservation Area is preserved.

Visual Amenity

- 5.11 The dwelling is proposed to be sited in a back land location to the rear of Grayshott House and other buildings which front the High Street and as such it is not visually prominent within the street scene or other public views. The proposal is therefore not considered to have a negative impact on the visual appearance of the street scene.

Residential Amenity

- 5.12 In terms of residential amenity, whilst the footprint of the proposed dwelling is larger than that of the previously approved scheme and as such it will be in closer proximity to some of the surrounding neighbours, particularly the rear of The Morris Clown Public House. However, there are no windows proposed on the north elevation facing The Morris Clown and as such your officers consider that the proposed dwelling will not have a detrimental impact on overlooking or loss of privacy for this neighbour. The dwelling is also proposed to be lower in height than the previously approved dwelling and in light of this lower form it is not considered to have an adverse impact on the surrounding neighbours in terms of overbearing or loss of light.

Drainage

- 5.13 A third party representative has raised a concern with the proposal and the impact it would have on flooding for the surrounding area. WODC Drainage Engineers were consulted as part of the planning application and raised no objection to the proposed scheme subject to a pre-commencement condition being placed on any prospective planning permission for a full surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority.

Boundary Treatment

- 5.14 A third party representative has raised a concern with the erection of the proposed 2000mm boundary fencing in front of an existing stone wall and the impact this will have on the maintenance of the stone wall. However, the maintenance of the existing stone wall is not considered a material planning issue.

Conclusion

- 5.15 In light of the above assessment, the application is recommended for approval as your officers consider it complies with the provisions of policies OS2, OS4, H2, EH2, EH10 and EH13 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

6 RECOMMENDATION

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. The external walls shall be constructed of natural local stone in accordance with a sample panel, a minimum of 2.4 metres long by 1.2 metres high, 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.

4. 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.
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. 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 include shall include hard surfacing materials; details of existing trees and shrubs to be retained along with the planting of additional trees and shrubs. Soft landscape works shall include planting plans; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and 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 safeguard the character and landscape of the area.
7. That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework, The West Oxfordshire Strategic Flood Risk Assessment and Planning Practice Guidance). If the surface water design is not agreed before works commence it could result in abortive works being carried out on site or additional works being required to ensure flooding does not result, which may result in changes to the approved site layout being required.
8. No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The applicants, or their agents or successors in title, shall be responsible for organising and implementing an archaeological

watching brief, to be maintained during the period of any below ground works taking place on site. The watching brief shall be carried out by a professional archaeological organisation in accordance with the approved written scheme of investigation.

REASON: To safeguard the recording of archaeological matters within the site in accordance with paragraph 199 of the NPPF (2018).

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.
REASON: To ensure a high quality development and in the interests of protecting the setting of neighbouring listed buildings and the character and appearance of the Conservation Area
10. 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 extension or outbuildings shall be constructed.
REASON: To ensure a high quality development and in the interests of protecting the setting of neighbouring listed buildings and the character and appearance of the Conservation Area
11. Development works on site shall be carried out in accordance with the specifications included within the submitted Arboricultural Report (Ref: 20003, Issued: 6th February 2020).
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.
12. Prior to the commencement of any works that applicant shall submit to and have approved by the Local Planning Authority a Construction Management Plan. The plan shall contain, but not be limited to, details of how noise, dust and odour are to be minimised during the site clearance and construction of the proposed dwelling. This shall include measures for the delivery of materials to the site and removal of waste from the site. Once approved all measures contained in the plan shall be implemented.
REASON: To protect the amenity of the neighbourhood.
13. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
REASON: To prevent pollution of the environment in the interests of the amenity.
14. 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.

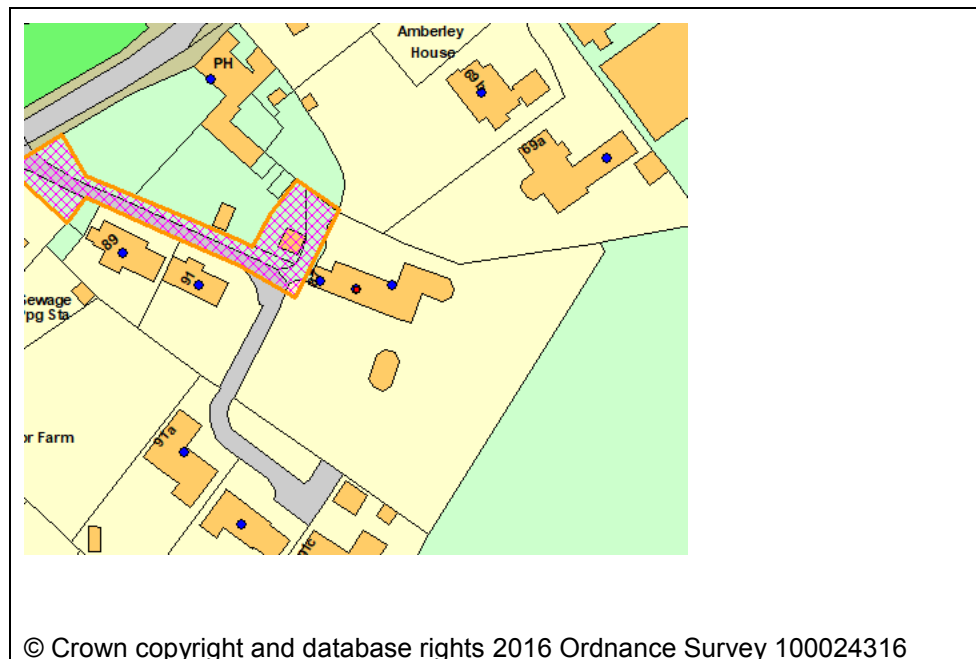
NOTE TO APPLICANT:

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Oxfordshire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
- CIRIA C753 SuDS Manual 2015

Application Number	20/00824/FUL
Site Address	87 High Street Standlake Witney Oxfordshire OX29 7RH
Date	12th May 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439474 E 202785 N
Committee Date	26th May 2020

Location Map



Application Details:

Erection of annex

Applicant Details:

Mrs S Graham-Jones
11 St Margaret's Road
Oxford
OX2 6RU

I CONSULTATIONS

- I.1 Parish Council Standlake Parish Council objects to this application on the grounds of overdevelopment of this site, in that the proposal appears too large for the stated purpose. If permission was to be granted, a condition should be attached that the annexe must remain as an annexe of the main property and not sold as a separate dwelling. The council also wishes to make clear its continued objection to any further development in Standlake unless and until Thames Water can demonstrate that they've solved the problem of the sewage system being overloaded at times of high rainfall.
- 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
- I.3 WODC Drainage Engineers No objection subject to condition
- I.4 Newt Officer No objection subject to an informative.
- I.5 Conservation Officer This appears to be a renewal of a previous approval (17/00535/FUL), with no obvious changes. In short, the building would be of low traditional form, somewhat barn-like, and fairly inoffensive. It would also be of 'L' plan, and it would be tucked into a corner of the site.
I note that the proposed structure would make no significant impact on the listed buildings along High Street, being set well to the south of them, and I note that in views from the north and east it would be seen against the larger existing structures.

2 REPRESENTATIONS

- 2.1 No comments received

3 APPLICANT'S CASE

- 3.1 The conclusion of the submitted Design and Access Statement has been summarised as;
- Careful consideration has been given to the impact of the proposed development on the character and appearance of the local area, and the neighbouring properties. The design, scale and use of materials in the building are in keeping with the character and appearance of the surrounding development, ensuring that the development does not look out of place. In this regard the proposal complies with the requirements of Local Plan policies.

4 PLANNING POLICIES

OS3NEW Prudent use of natural resources
EH3 Biodiversity and Geodiversity
OS2NEW Locating development in the right places
OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

T4NEW Parking provision

EH11 Listed Buildings

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application is seeking the renewal of the 2017 approval for a new building to be used as an annexe for a carer to an occupier of the main dwelling at 87 High Street Standlake.

5.2 The application is brought before the Members of the Lowlands Area Planning Sub-Committee as the Parish Council has objected to the proposal.

5.3 The planning history of the application site is set out below;

04/1497/P/FP Removal of residential caravan and replacement with ancillary building to provide staff accommodation and garaging, single storey extension to main house to provide self-contained living accommodation and construction of detached music room pavilion. Approved

07/1622/P/FP Alterations and erection of single storey extension to provide self contained annexe. Approved

16/02433/FUL Erection of 2 storey annex - Withdrawn

17/00535/FUL Erection of a single storey annex - Approved

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 As the application in 2017 was originally approved for the single storey annexe, your officers consider that the principle of such a building and its use, has been established.

Siting, Design and Form

5.6 The location of the proposed building is to the side of the existing dwelling, in an area used for parking. To the rear of the application site is the garden of The Black Horse Public House, which is a Listed Building.

5.7 The proposed scale and form of the building is modest, being of a single storey scale. The proposed materials to be used for the building are natural stone, natural blue slate with timber windows.

- 5.8 In view of the low lying form, appropriate materials and its modest scale, your officers consider that the proposed building will not harm the setting to the adjacent Listed Building, or adversely affect the visual appearance and character of this part of High Street.

Highways

- 5.9 OCC Highways has not objected to the proposal in terms of traffic movements, or highway safety issues.

Residential Amenities

- 5.10 The proposed development is not located in close proximity to any neighbouring properties to result in undue adverse affects with regards to loss of light or loss of privacy.
- 5.11 In terms of the Parish Council's comments, this proposal has already been approved in 2017. That application was submitted after officers had concerns previously with a much larger scaled annexe. In view of this, your officers consider that the principle of the current scheme has already been established. A condition has been included to limit the occupancy of the annexe for ancillary accommodation.
- 5.12 Furthermore your officers note the comments made by the Parish Council in terms of Thames Water and officers consulted with WODC Drainage officers. A condition has been suggested as part of officers recommendation.
- 5.13 A water efficiency condition has been added to comply with the requirements of policy OS3.

Conclusion

- 6.14 In view of the above, your officers consider that the proposed building and use will not adversely affect the visual appearance of this part of High Street, or adversely affect adjacent neighbouring properties' residential amenities. As such your officers consider that the proposal complies with the relevant Policies of the Adopted West Oxfordshire Local Plan as stated above.

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. The living accommodation hereby permitted shall only be occupied by members of the family or staff employed at the dwelling house known as The Limes, 87 High Street.
REASON: In the interest of the residential amenities of both existing and future occupiers.
5. Prior to the first trench being dug, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
6. 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.
7. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

NOTES TO APPLICANT:

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)

- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

Great crested newts (European Protected Species):

There is a low risk that great crested newts (GCN) may be present at the application site. West Oxfordshire District Council considers it would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within an amber impact zone as per the modelled district licence map, which indicates that there is suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence.