

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 10th August 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 Strategic Director. 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.

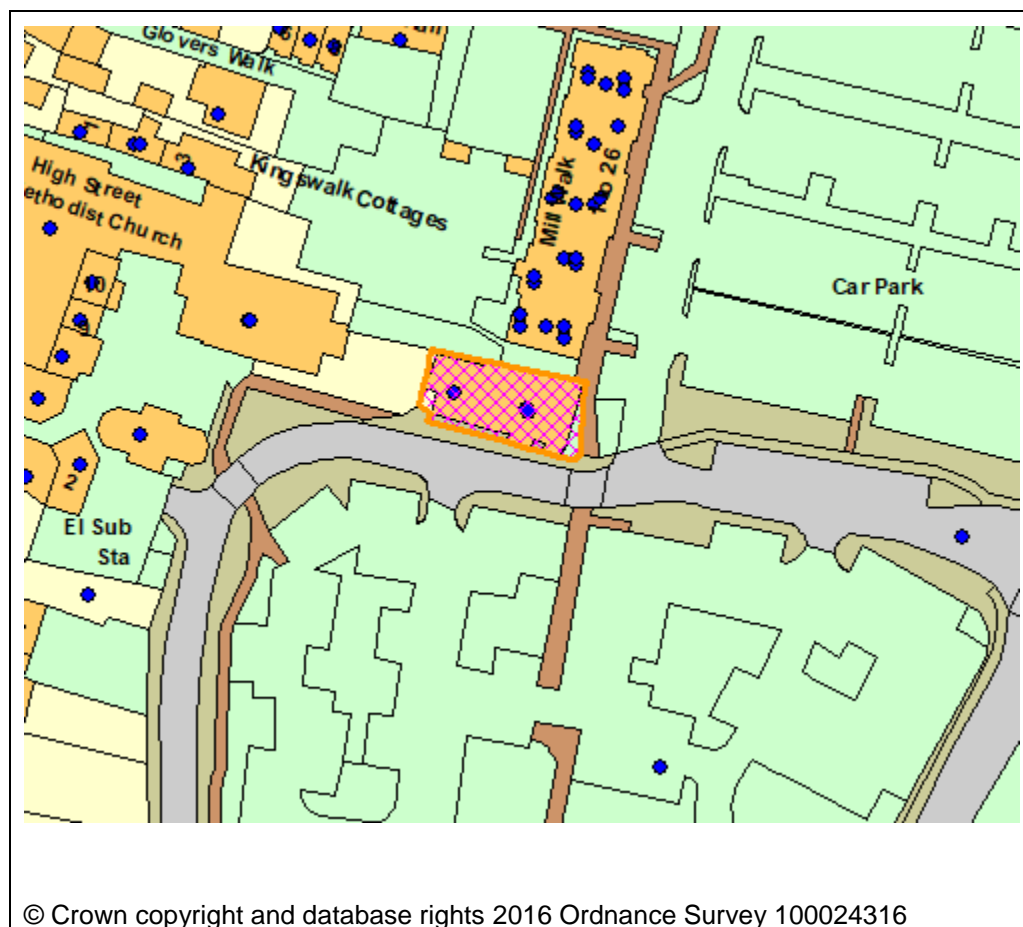
Please note that:

1. 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 and:
2. A "presentations pack" containing the slides which will be referenced during the meeting will also be published – follow the links from www.westoxon.gov.uk/meetings

Application Number	Address	Page
20/01083/FUL	<u>1 Wesley Walk, Witney</u>	3
20/01120/FUL	<u>Land East Of 90 High Street, Standlake</u>	9
20/01167/FUL	<u>Prospect Cottage, Filkins</u>	19
20/01508/FUL	<u>Manor Bungalow 41B High Street, Standlake</u>	26

Application Number	20/01083/FUL
Site Address	1 Wesley Walk Witney Oxfordshire OX28 6ZJ
Date	28th July 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	435691 E 209856 N
Committee Date	10th August 2020

Location Map



Application Details:

Alterations to include conversion of first and second floors to create six flats together with a two storey extension to replace single storey extensions

Applicant Details:

Mr Somaiya, 97 Cogges Hill Rd, Witney, OX283XU

I CONSULTATIONS

- I.1 Thames Valley Police Licensing Office Condition required
- I.2 Parish Council Witney Town Council objects to this application on the following grounds:-
- The proposal is an over development of the site. The application is proposing to put too many flats in too small a space- flats 4 and 6 as illustrated fall below the 61 sq m requirements for 3 bed spaces in 2 bedrooms and flats 2 and 4 fall below the 50sq m required for 2 bed spaces in 1 bedroom;
 - The Town Council has concerns about a lack of cycle storage for the proposed flats;
 - The Town Council objects to the loss of commercial space (the restaurant) and community space (the gym)
- I.3 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.4 WODC Planning Policy Manager Advice regarding relevant Policies
- I.5 Conservation Officer Amendments to the design required
- I.6 WODC Drainage Engineers Further information required
- I.7 WODC Env Health - Lowlands
- I am aware that there is currently a loud air inlet/extract louvre (pavement facade) to the commercial cafe kitchen. This does not appear to be ducted at high level and I for-see complaints of noise (flanking transmission) and odour from new residential occupiers.
- Can the applicant be pressed on how noise and commercial cooking odours from this existing extract louvre on the south facing facade/elevation will be appropriately addressed (filtered, silenced etc) in the design of the alterations and conversions?
- Further information from the applicant has confirmed that the extract will be removed.

2 REPRESENTATIONS

- 2.1 Two objections have been received. The comments have been summarised as;
- 2.2 For historic reasons, the Hacketts building shares a common sewer connection with Amadeus Software at 11 Wesley Walk and the Methodist Church. The drain passes under the Church premises and finishes in a manhole in the High Street. There have been frequent problems with blockages in this manhole, and the church is the first to suffer as it backs up in our WCs.

- 2.3 Any planning consent for this project should be conditional on the Hacketts building installing its own direct connection to the main sewer. We also endorse the concerns of Witney Town Council about the small size of the flats.
- 2.4 The drain passes under our building at Number 11 and then under the Methodist Church and ends up in a manhole in the High Street. There have been many problems with this drain blocking up and we are the first to suffer as our WCs start to back up. I strongly suggest that the new flats should have their own separate connection to the mains sewer.

3 APPLICANT'S CASE

- 3.1 A Design and Access Statement has been submitted with the application. The conclusion has been summarised as;
- The existing building is not listed but lies within the Witney TC Conservation area.
 - Witney has a vibrant commercial scene with a successful mixture of the main High St brands and independent retail units integrated with residential uses.
 - Adjacent properties are a mixture of commercial and residential.
 - The proposal is to retain the commercial use on the ground floor and introduce new residential flats into the mix.
 - The general appearance of the existing building will be maintained, and the materials used in the new side extension are sympathetic in their selection.
 - Following pre-application discussions, the proposal is considered acceptable in principle.
 - The building is not in a flood risk zone requiring any special measures to be taken.
- 3.2 Further comments were received in response to the Town Council's comments. These have been summarised as;
- 3.3 Town Council Comments:
- I think they have misread the plans as there are no 3 bed flats in the development.
 - We are not aware of area limits on flats that are being applied by WODC on conversion projects.
 - A combined locked Cycle & bin store is included in the application as I am sure you are aware.
 - There will only be a small loss of commercial space on the ground floor and the applicant informs me that the community space (gym) has been empty for some time due to a lack of anyone wanting to take over the space.
- 3.4 Environmental Health Comments.
- I can confirm that all the vents on the south elevation will be removed and the wall made good.
 - In addition, the a/c condenser units on the north elevation will also be removed. I trust this will mitigate the concerns raised in these comments.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
EH10 Conservation Areas

T4NEW Parking provision
H6NEW Existing housing
E3NEW Reuse of non residential buildings
E6NEW Town centres
EH8 Environmental protection

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Witney's Conservation Area, Witney Town Centre, and is part of the secondary shopping frontage of the town centre. The existing building is located within a prominent corner location within the Witan Way car park and sits within a small parade of existing commercial uses. The ground floor part of the building was a cafe/restaurant use until recently.
- 5.2 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

- 5.3 Witney falls into the Main Service Centre housing category within the adopted West Oxfordshire Local Plan. As such new residential development is considered acceptable subject to the relevant criteria. Therefore your officers consider that the principle of some form of residential development is acceptable.
- 5.4 The application site also falls within the boundary of Witney Town Centre and is considered to be within the Secondary Shopping Frontage. Policy E6 of the adopted West Oxfordshire Local Plan, states that;
- 5.5 In recognition of the importance of complementary uses in town centres, secondary shopping frontages have been designated to support shops and other uses which complement the shopping and leisure role of town centres including cafes, restaurants and other leisure and cultural uses including those that support the evening economy in appropriate locations.
- 5.6 The application proposal does not seek to change the use of the ground floor of the existing building. As such your officers consider that the retention of the commercial use will support the existing other uses in close proximity of the application site. In terms of the Town Council's comment regarding the loss of the gym/community space, your officers consider that there are other spaces within the town to facilitate and meet the needs of the local community.

Siting, Design and Form

- 5.7 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. 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.

- 5.8 Your officers consider that the details and design of the proposed conversion is generally acceptable. A modest scaled extension is proposed to the side of the existing building, which officers consider will not adversely affect the amenity of the neighbouring building.
- 5.9 However at the time of writing, your officers are continuing discussions with the applicant regarding specific fenestration details. It is considered that these will be received prior to the meeting and your officers will verbally update Members.
- 5.10 In terms of the Town Council comments regarding room size, the internal floorspace of the proposed flats would meet the national housing standards, and your officers of the opinion that any future occupiers of the development would be afforded sufficient levels of amenity. Other internal requirements would be dealt with via other regulations such as building control requirements.

Highways

- 5.11 OCC Highways have not raised objections to the proposal. As such your officers do not consider that the proposal will adversely affect highway safety issues. Cycle parking is included in the proposal.

Residential Amenities

- 5.12 Your officers do not consider that existing or proposed residential amenities will be adversely affected by the proposed development. The neighbouring commercial uses are not considered to result in noise and disturbance to adversely affect the residential amenities of the proposed occupiers of the flats. Whilst it is not clear within the application what use the ground floor area will be, it has been confirmed by the applicant's agent that the extractor and ventilation system previously installed will be removed. However if a cafe use were to accommodate this area in the future, then consideration as to how this use would impact upon residential amenities would be given by your Environmental Health officers.
- 5.13 Comments have been received by adjacent owners of properties regarding the drainage arrangements. At the time of writing the report your officers are awaiting a Flood Risk Assessment as the existing building falls within Flood Zone 2 and further details regarding surface water arrangements. Your officers will verbally update Members regarding this issue at the meeting.

Conclusion

- 5.14 Your officers consider that the proposed conversion of the upper floors of the existing building complies with the relevant housing policies of the adopted West Oxfordshire Local Plan. The application site is located within a sustainable town centre location.

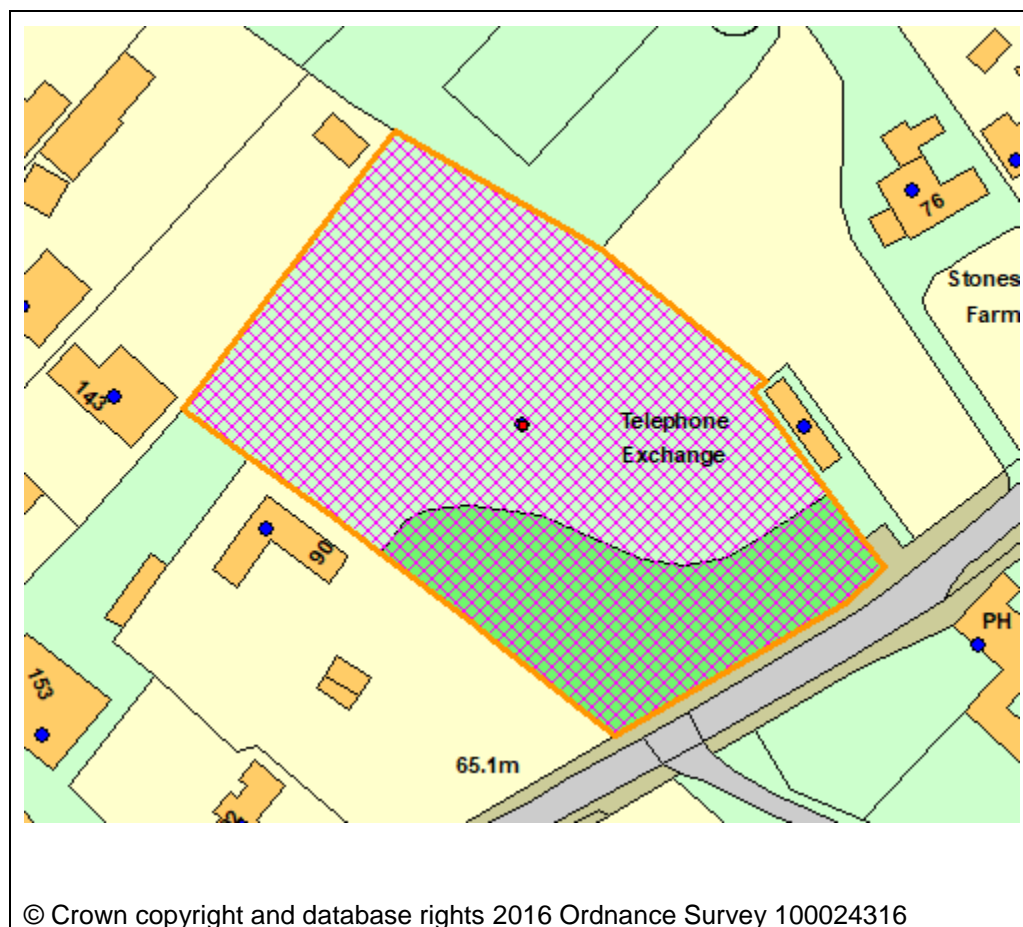
- 5.15 Whilst your officers are awaiting further information at the time of writing the report, your officers are expecting to recommend approval of the application, and as such officers have included suggested conditions. However your officers will verbally update Members at the meeting with any additional information and suggested conditions.

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. Prior to commencement of above ground works, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority.
REASON: To ensure an accessible and safe environment.

Application Number	20/01120/FUL
Site Address	Land East Of 90 High Street Standlake Oxfordshire
Date	28th July 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439362 E 202873 N
Committee Date	10th August 2020

Location Map



Application Details:

Erection of two detached dwellings and associated operations.

Applicant Details:

Mr Maximilian and Alexander Stephenson
C/o Agent

I CONSULTATIONS

I.1	OCC Highways	No objection subject to conditions
I.2	WODC Drainage Engineers	Additional information required
I.3	Biodiversity Officer	Conditions
I.4	Newt Officer	Conditions
I.5	ERS Env. Consultation Sites	I have looked at the application in relation to contaminated land and potential risk to human health. Review of the records we hold suggest that the site has remained undeveloped over time. There appears to be an area of unknown filled ground approximately 100 meters to the north west of the site. This appears to have been infilled prior to the 1980s. There also appears to be a garage located approximately 60m to the south west of the site. We have previously provided comment on a former application for the site which highlighted the use of the site for horse grazing and farming. Given the former agricultural use of the site please consider adding a condition to any grant of permission.
I.6	Thames Water	No Comment Received
I.7	Conservation Officer	No Comment Received
I.8	WODC Planning Policy Manager	No Comment Received
I.9	Parish Council	Standlake PC objects to the proposal on the following grounds: The proposal fails to provide a good balanced mix of property types and sizes needed to provide an appropriate balance of dwelling types and for the development to be of a character that is appropriate for its location, in the interests of creating sustainable communities. The proposal is therefore contrary to Policy H4 of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF.

2 REPRESENTATIONS

2.1 8 letters of objection have been received. The comments summarised as ;

- Too many large houses already.
- The drive out onto the High Street is dangerous as it is on a corner.
- Overlooking
- Flooding
- Effects on local ecology need to be evaluated more fully.
- Notably all the supporting comments on this application are either from immediate neighbours in similarly sized houses or from people who want to build or buy one of these 2 plots.

- Loss of green field
- Need green spaces for the wild and plant life. We also need green spaces to take up surface water. Green spaces are important in a village.
- The proposed development is out of character for the area.

2.2 8 letters of support. The comments summarised as;

- Would like to purchase one of the plots as a self build from the landowner.
- Issues raised by the planning officer on the last refuse application have now been addressed.
- I understand from the Parish Councils website it is not a problem with the number of houses on the system. It is a problem of the exiting drains leaking when the water table is high.
- Very keen to purchase Plot 1.
- The style of the houses and proposed materials are in keeping with the surrounding properties and would blend well into the local area.
- Having this house to build would give us the future work we really on to stay in business.
- Both houses already have potential purchasers even before the planning application had been submitted. This in itself demonstrates the need for this type of housing in Standlake.
- This land is currently wasteland, unkempt and an eyesore in the village.
- The proposed development compliments the recent redevelopment of the area known as 131 to 145 Abingdon Road.
- Pleased to see that ecology forms part of the development design.

3 APPLICANT'S CASE

3.1 The conclusion of the submitted Planning Statement has been summarised as;

- The proposed development is located within the village of Standlake and represents sustainable development, compliant with housing location policies H2 and OS2.
- The scheme will meet identified housing need and will boost the delivery of windfall sites in the sub-area; which is supported by both local and national policy.
- A need exists for larger family dwellings, evidenced both by the Council's SHMA and a desire locally to purchase the dwellings off plan. The application addresses Policy H4 by delivering part of the mix for the District, and should not be assessed in isolation.
- The application is submitted in a focused and direct response to the refusal of a scheme for 3 dwellings, removing one of the houses and loosening up the whole feel and character of the site.
- Development of the site will not result in the loss of important open space or land of amenity value. Views through the site are very limited but retained through the middle by the sensitive siting of the dwellings.
- The proposal represents a well-planned development that accords with the linear form of buildings in the locality.
- It is a landscape led scheme that seeks to retain and enhance the value of the trees on the site.
- An existing access will be utilised with existing visibility acceptable in both directions. No changes to frontage trees is required.
- There are no identified heritage impacts - any that are alleged to exist would be outweighed by the public benefits of the proposal.

3.2 The conclusion of the submitted Design and Access Statement has been summarised as;

- The proposed application for two detached dwellings presents an exciting opportunity to provide two modest family homes in a sustainable location. This proposal demonstrates the intention of using extremely high quality vernacular materials, coherent design philosophy and sustainable design methodologies throughout.
- The size, scale and bulk of the scheme are entirely appropriate and akin to its context while in keeping and respecting the neighboring properties. It is believed that the retention of the existing planting belt to the front of the site and the dwellings being well set back from the road present the opportunity for the dwellings to go unnoticed, creating an attractive, verdant and spacious feel.
- Furthermore, the proposed remedial works to the existing trees and hedging present an opportunity to increase their longevity and also supplementing these with additional planting increasing the site's ecological value.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

H4NEW Type and mix of new homes

EH11 Listed Buildings

OS4NEW High quality design

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application site is located within Standlake. The site is not within a Conservation Area, but is adjacent to Listed Buildings, the nearest at 90 High Street. The current use of the application site is paddock land and forms an open area of land between the Listed dwelling and the start of the more mature dwellings to the East of the application site. Opposite the site are more modern dwellings, set back from High Street, and a Listed public house, The Black Horse and its associated car park.

5.2 PLANNING HISTORY

20/00214/FUL - Erection of three detached dwellings - Refused

5.3 REASON

- By reason of the proposed scale, positioning, layout, design and siting, the proposed development would not form a logical complement to the existing pattern of development and would result in an adverse urbanising impact to the loosely developed character of this part of High Street which contributes to the general layout of the streetscene. The proposed layout will result in a cramped form of development.
- The proposed development is therefore considered to be contrary to Policies OS2, OS4 and EH4 of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide, the National Design Guide and relevant paragraphs of the NPPF.

5.4 This revised application is seeking planning consent for two detached dwellings.

- 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 Standlake is categorised as a Village within the relevant housing policies of the adopted West Oxfordshire Local Plan. The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. As part of this policy, Policy OS2 of the adopted West Oxfordshire Local Plan, there are general principles which 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;
 - Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
 - As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
 - Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
 - Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
 - Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- 5.7 Given the built form character of this part of the High Street, adjacent to the application site, where there sits detached dwellings in large plots, and the reduction in the number of the proposed dwellings, your officers consider that on balance the proposed development forms a logical complement to the existing scale and pattern of development and to the character of the area.

Siting, Design and Form

- 5.8 Whilst the proposed design of the dwellings do not follow the existing appearance of the dwellings along this part of High Street, officers do not have any significant objection to the proposed appearance or the use of materials proposed for the dwellings and associated garages.
- 5.9 However whilst the applicant has reduced the scheme from the three originally proposed dwellings to two dwellings, (one 4 bedroom dwelling, and the other 5 bedroom) both dwellings are still considered to be sizeable in terms of massing and how they are sited using the whole width of the site. As such your officers are, at the time of writing, discussing ways to reduce the massing with the applicant. It is anticipated that revised plans will be received prior to the meeting, where your officers will verbally update Members.

Heritage Assets

- 5.10 As the site is within close proximity to a number of listed buildings, in accordance with Section 66 (1) 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. It is considered that there would be less than substantial harm to heritage assets arising from the proposed works. This less than substantial harm would be outweighed by the public benefits of the proposal through the provision of two new dwellings with economic benefits from both the construction phase and through bringing new residents to the village.

Highways

- 5.11 In terms of highway safety issues and parking provision, OCC Highways has not raised objections, but has advised conditions.

Residential Amenities

- 5.12 Given the site location, your officers do not consider that residential amenities of existing properties will be adversely affected. In terms of the objections relating to sewage issues, there has been no comments received from Thames Water who were consulted as part of the application process. Whilst officers are aware of the sewage issue, your officers cannot include this within the reason for refusal, without an objection from this statutory consultee.

Ecology

- 5.13 Great Crested Newts have been identified as in the red target area. However the agents have applied for a District wide license. The WODC Ecologist has recommended various conditions to address habitats and so forth and for the element of woodland to be retained. As such your officers consider that the local ecology will be protected.

Conclusion

- 5.14 Your officers consider that the principle of development is acceptable, given that the scheme has been reduced from three dwellings to two dwellings. The proposed development will be set back within the site, which will still retain its rural appearance, given the existing screening to be retained. Revised plans are anticipated to be received prior to the meeting, where your officers will verbally update Members.

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. 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 retain the visual open character of the site, and to protect the residential amenities of the proposed occupiers.
5. 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.
6. 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.
7. No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
8. No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.
REASON: In the interest of road safety.
9. Prior to first occupation of the dwellings the removal of vegetation along the site frontage to provide and maintain a vision splay measuring 2.4 x 43m shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure.
REASON: In the interests of road safety.
10. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR46-2019-1) and with the proposals detailed on Ecology by Design Limited plan 'Impact Map High Street Standlake', dated 7th July 2020.
REASON: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR462019-1.
11. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR46-2019-1), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The

Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development.

REASON: In order to adequately compensate for negative impacts to great crested newts.

12. No development hereby permitted shall take place except in accordance with Part I of the GCN Mitigation Principles, as set out in the District Licence WML-OR46-2019-1 and in addition in compliance with the following:
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
 - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
 - Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.
 - The recommendations in report '90 High Street, Standlake District Licence HMMP 01/07/2020, Version 1' must be complied with.

REASON: In order to adequately mitigate impacts on great crested newts.

13. The development shall be completed in accordance with the recommendations in Section 6 of the Preliminary Ecological Appraisal, dated 5th December 2019, prepared by Ecology by Design as well as in sections 4 and 5 of the Reptile Mitigation Strategy, prepared by Ecology by Design and dated 19th June 2020, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the bats, birds, reptiles, amphibians and hedgehogs are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

14. Before the erection of any external walls, details of the provision of bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and bird nesting features (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) both integrated within the external walls of the new buildings and erected onto a mature trees on site, as well as hedgehog gaps/holes through the 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 additional roosting for 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 Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

15. Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where

external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors (including the north-western buffer and the south-eastern woodland) will be minimised as much as possible. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

16. Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not necessarily be limited to, the following biodiversity enhancements:

The creation of tussocky grassland within the north-western buffer;

The planting of trees using native, locally characteristic species;

The planting of a woodland understorey using a shade tolerant wildflower seed mix;

The creation of hibernacula;

A 5-year maintenance plan.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

REASON: To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

17. 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.

NOTES TO APPLICANT :-

1. Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the

APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team by email roadagreements@oxfordshire.gov.uk.

Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

2. It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

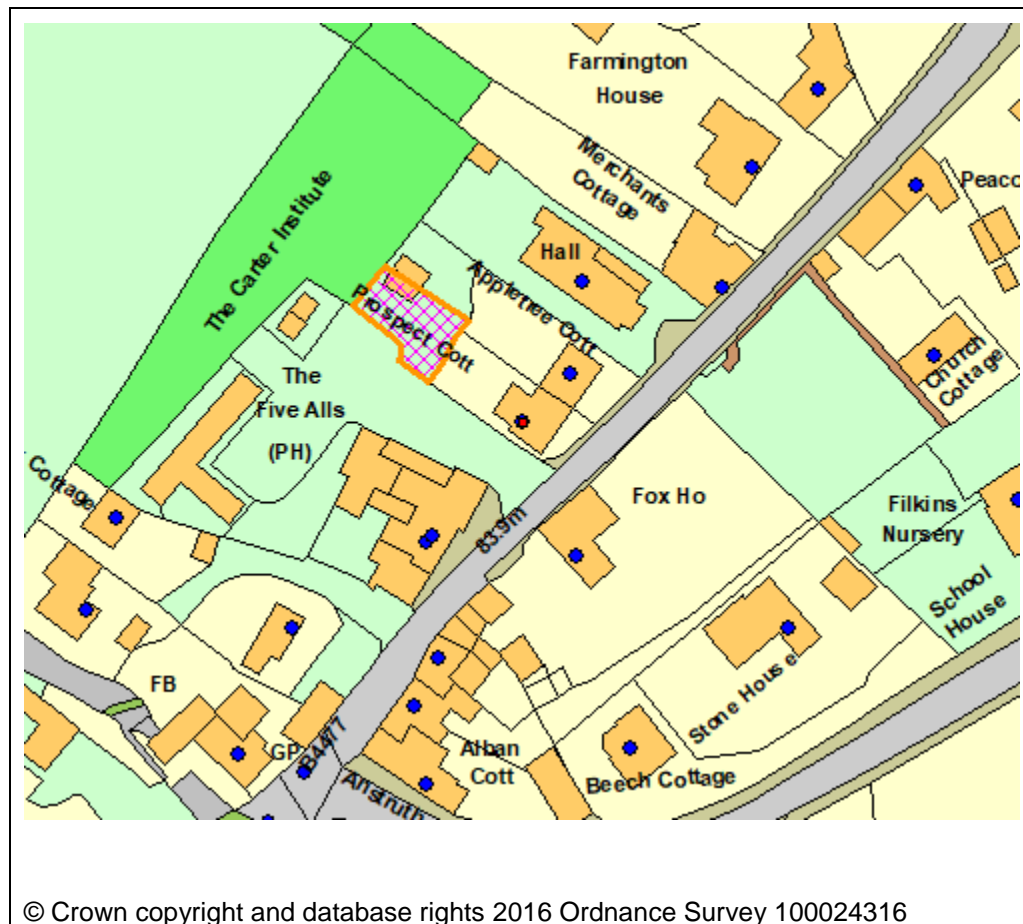
It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR46-2019-1) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 9 (requiring authorised developers to comply with the District Licence) and condition 21 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

3. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out. All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

Application Number	20/01167/FUL
Site Address	Prospect Cottage Filkins Lechlade Oxfordshire GL7 3JQ
Date	28th July 2020
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Filkins And Broughton Poggs Parish Council
Grid Reference	423578 E 204041 N
Committee Date	10th August 2020

Location Map



Application Details:

Conversion of existing detached garage to provide ancillary/tourist accommodation, to include the erection of a single storey side extension.

Applicant Details:

Mr And Mrs Heath, Prospect Cottage. Filkins, Lechlade, GL7 3JQ

I CONSULTATIONS

I.1 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

I.2 ERS Env. Consultation Sites No objection subject to condition

I.3 WODC Env Health - Lowlands I have No Objection in principle to this conversion and I have no conditions to recommend

I.4 WODC Drainage Engineers No objection subject to condition

I.5 Newt Officer No objection subject to informative

I.6 Parish Council Parish Council objects to the Planning Application

Comment Reasons:

- Highways
Comment: It does have the potential to impact on vehicle access and parking to surrounding properties as the existing parking will be reduced by the erecting of the extension to the garage and loss of use of the garage, whilst potentially increasing vehicles if let as holiday accommodation.
- Increase in vehicle access to the property will also impact on difficult access on to the village 'Through Road'.
- Precedent for the neighbouring property to do the same adding to the above issues.

I.7 Conservation Officer No objections from Conservation - subject to usual conditions for materials / detailing

2 REPRESENTATIONS

2.1 One letter of objection has been received from a Dr Adele Lewis of Appletree Cottage, Filkins. The comments are as follows:

2.2 My garage is the other half of this garage. My main concern is the size of the extension and how it will affect the view from my house and therefore the value of my house. Unless I also build an extension on the other side it will look very strange and completely ruin the look of the detached garage in a small Cotswold village. Also there must be a concern about parking as the

neighbours currently park 2 cars in the proposed extension place and one in front of the garage. The proposed double windows to the front for the living area will also almost in their entirety look completely in to my garden. As much as the garage is situated in the middle of the parking area the current garage doors sit almost directly opposite my back gate. The proposed planning will have a much more significant impact on my view than it would my neighbours. I will walk out of my back gate and have a direct view into the planned living accommodation. The planning application states for ancillary accommodation and tourism. I have a young family so would not want the disruption of having unknown people come to stay especially when it is a shared driveway/parking area if it were to be rented out/air b&b.

3 APPLICANT'S CASE

- 3.1 Design and Access and Planning Statements have been submitted with the application. A full version of these is available on the Council's website. The Planning Statement has been summarised and concluded as follows:
- 3.2 The proposed development comprises the creation of an additional garage bay with conversion to provide an en-suite bedroom and amenity space together with a small external storage space to the rear of the garage block.
- 3.3 The application proposal can be permitted in accordance with the Development Plan unless material considerations indicate otherwise. Overall, the application proposals represent a carefully designed scheme which makes effective use of the land, in line with the principles of sustainable development, as set out in the West Oxfordshire Local Plan, NPPF and Design Guide.

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
T4NEW Parking provision
E4NEW Sustainable tourism
EH10 Conservation Areas
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application is to be heard before the Lowlands Planning Sub-Committee as the Parish Council have objected to the proposal.
- 5.2 The proposal seeks consent for the conversion of existing detached garage to provide ancillary/tourist accommodation, to include the erection of a single storey side extension.
- 5.3 The application relates to Prospect Cottage, a semi-detached dwelling sited in a prominent location in Filkins. The dwelling is within the Filkins and Broughton Poggs Conservation Area.

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
- Proposed use of accommodation
- Conservation Area
- Siting, Design and Form
- Residential amenity
- Highways

Principle

5.5 In terms of the principle of development, Policy E4 of the adopted West Oxfordshire Local Plan specifies that new tourist and visitor buildings should be located within or close to service centres and villages and reuse existing appropriate buildings where possible. The garage is located within Filkins, which is identified as a village within the adopted West Oxfordshire Local Plan and as such the site is considered by your officers to be a sustainable location for a tourist accommodation use.

Proposed use of accommodation

5.6 The proposal states that the converted garage is to be used as ancillary/tourist accommodation. As the application site is not suitable to accommodate a new residential dwelling your officers have suggested a condition on the planning permission stating that the proposed converted garage permitted shall be used as ancillary/tourist accommodation to the existing dwelling on site (Prospect Cottage) and shall not be occupied as a separate dwelling.

Conservation Area

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 Officer was consulted as part of the planning process and has raised no objection to the proposal. 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.

Scale, Design and Visual Amenity

5.9 The proposed garage conversion includes the erection of a single storey side extension resulting in a modest increase in built form at the site. A third party representative has raised concerns with the proposal and the impact it may have on the appearance of the garage block. However, the proposed materials are to match the existing and the proposed dual pitched roof design of the extension will continue the simple form of the existing garages. The proposed development

is to the rear of the existing host dwelling and is set back from the road. It is screened by the existing host dwelling, vegetation and surrounding built form and as such, your officers consider that it would not have a detrimental impact on the street scene or wider public views within the Conservation Area.

Residential Amenity

- 5.10 With regard to residential amenity, a third party representative has raised concerns regarding the proposed windows to the front elevation and the impact they may have on overlooking to the adjacent neighbour's garden. Your officers have suggested a planning condition on the planning permission stating that before first occupation of the accommodation the lower section of the windows to the front elevation; shall be fitted with obscure glazing and shall be retained in that condition thereafter in order to safeguard privacy in the adjacent property. There is also existing boundary fencing and vegetation between the proposed development and the neighbour's garden. Therefore, your officers consider that the proposal will not have a significantly adverse impact on overlooking or loss of privacy.
- 5.11 A third party representative has raised concerns with regard to a loss of view and impact on property value; however a loss of view and impact on property value are not deemed material planning considerations.

Highways

- 5.12 In terms of highways, a third party representative and the Parish Council have raised concern with the proposal and the impact it may have on parking provision and increased vehicle access. However, the Oxfordshire County Council's Highways Officer was consulted as part of the planning process and has raised no objection to the proposal or the amended site plan illustrating parking details.

Conclusion

- 5.13 In light of the above assessment, the application is recommended for approval as your officers consider that it complies with the provisions of policies OS2, OS4 H6, T4, E4 and EH10 of the adopted 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 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 development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4. 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 details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
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.
5. In order to protect residential amenity trickle vents should be installed in the windows of every room of the proposed dwelling, or a similar system that aids air changes within the building . Evidence that these measures have been installed should be provided to the Local Authority prior to occupation.
REASON: To protect residential amenity and to ensure a safe environment for the future occupiers of the site.
6. Before first occupation of the building/extension hereby permitted the window in the en-suite; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy.
7. Before first occupation of the building/extension hereby permitted the lower section of the window(s) to the front elevation; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
8. 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/dormer windows shall be constructed in any of the elevations of the of the building.
REASON: To safeguard privacy in the adjacent properties.
9. The proposed converted garage permitted shall be used as ancillary/tourist accommodation to the existing dwelling on site (Prospect Cottage) and shall not be occupied as a separate dwelling.
REASON: A separate dwelling in this location would not provide sufficient private amenity areas for the existing and proposed occupiers and would adversely affect the residential amenities of adjacent occupiers.
10. The occupation of the accommodation shall be limited to holiday tenancies not to exceed 8 weeks (in each case) and no person shall occupy the accommodation in consecutive tenancy periods.
REASON: To protect the amenity of the adjacent dwelling and the building has no independent amenity space.

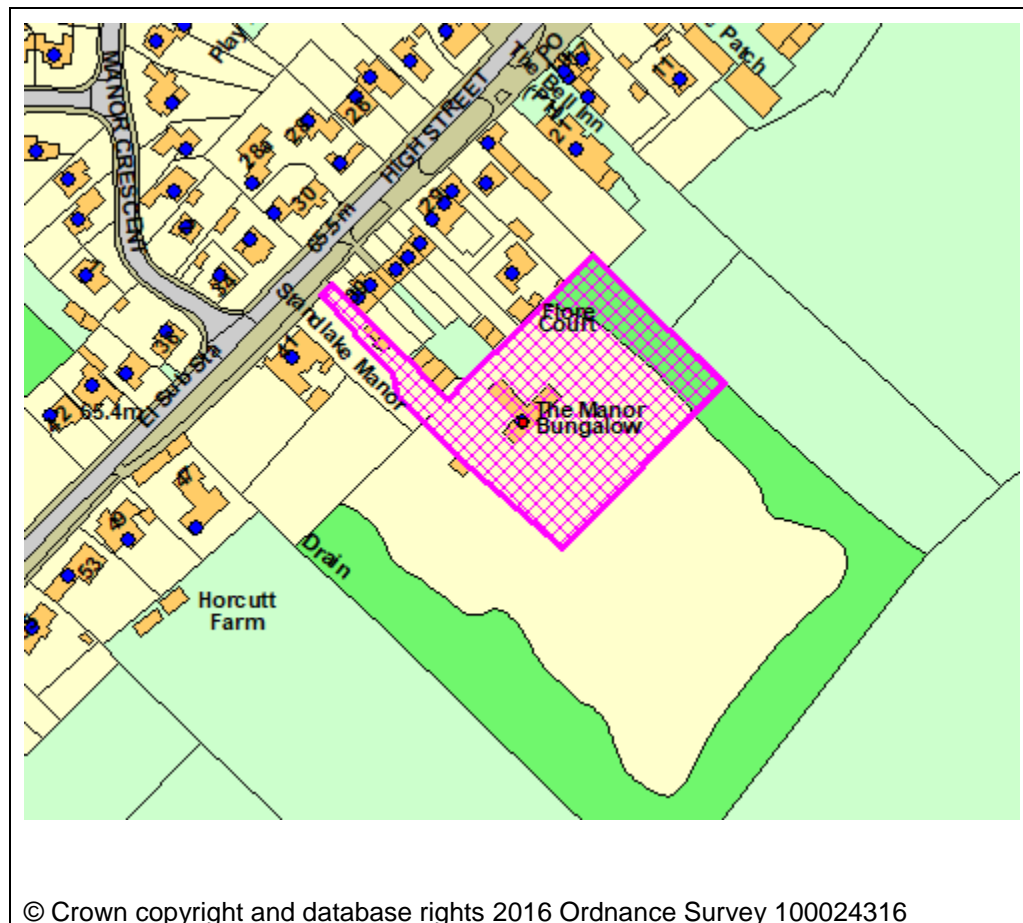
11. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
12. Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

NOTES TO APPLICANT :-

1. 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
2. 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 a red impact zone as per the modelled district licence map, which indicates that there is highly 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.
3. There is often only a single skin wall with minimal insulation between garages such as those detailed in the proposed development, as such fumes from one garage can enter the other. The inclusion of vents, such as trickle vents, into the building design will help to ventilate the dwelling.

Application Number	20/01508/FUL
Site Address	Manor Bungalow 41B High Street Standlake Witney Oxfordshire OX29 7RH
Date	28th July 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439774 E 203054 N
Committee Date	10th August 2020

Location Map



Application Details:

Demolish existing bungalow and erection of four dwellings with associated garaging and works.

Applicant Details:

Mr Nicholas Blakemore, C/O Agent, 62 Broadmarsh Lane, Freeland, Witney, OX29 8QR

I CONSULTATIONS

I.1 Parish Council	<p>The council has seen this before (19/00684/FUL); the application was refused, appealed and the appeal dismissed. The council sees no material difference, except for minor changes in design, and our objections then still apply as follows:</p> <ul style="list-style-type: none">• Standlake Parish Council objects to this development on the following grounds:• The proposal is contrary to the Local Plan 2031 Policy H2; specifically:• There is no essential operational or specific local need for this development• It is not of demonstrable benefit to the community• It does not form a logical component to the existing scale and pattern of development and character of the area. In particular, it impinges on the immediate surroundings of a much valued listed historic building - Standlake Manor• The vehicular access, while adequate for a single dwelling, is neither safe nor of sufficient width for the proposed number of dwellings and predicted traffic volume. The fact that it crosses a busy pedestrian path and emerges onto a road, which is frequently blocked by parked vehicles, should be taken into consideration; adherence to standard sight lines does not address these concerns.• The proposal will set a precedent for yet more development behind the current building line of dwellings on the High St.
	<p>In addition to the above objections, the council wishes the sewage/flooding situation in Standlake to be taken into consideration. While Thames Water is engaged in remedial action, there is no way of knowing the impact of this until the next heavy, sustained, rainfall.</p>
I.2 OCC Highways	No objection subject to conditions
I.3 Conservation Officer	No Comment Received
I.4 ERS Env. Consultation Sites	<p>Thank you for consulting our team. I have looked at the application in relation to contaminated land and potential risk to human health.</p> <p>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.</p>
I.5 WODC Env Health - Lowlands	I have No Objection in principle to the application
I.6 Biodiversity Officer	Additional information requested

1.7 Newt Officer Informative requested

2 REPRESENTATIONS

One letter has been received from Mrs Miles of 46 High Street Standlake. The comments have been summarised as;

- Too large an area to be developed & yet again is not 'infilling' but 'back building' leaving endless possibilities for others to do the same all along the rear of the High Street
- Loss of green fields for birds & animals
- Light/noise pollution
- Very dangerous entry/exit straight onto foot path
- Yet more flooding problems.
- This is not appropriate for the village - far too big a development in already overdeveloped village!

3 APPLICANT'S CASE

3.1 A Planning Design and Access Statement has been submitted as part of the application. The conclusion has been summarised as;

3.2 The proposed development of four high quality and distinctive dwellings will make effective use of this previously developed site close to the centre of Standlake. It will enhance the vitality of the rural community as the occupants of the new dwellings will contribute to the continued viability of the existing services and facilities within the village. The proposal, therefore, complies with the enabling provisions of the National Planning Policy Framework, Policy H2 of the Local Plan 2031, and the general principles set out in Policy OS2 of the new Local Plan.

3.3 The Heritage Statement addresses the reason why the previous scheme was dismissed on appeal and also confirms that the proposed development will have a negligible impact on the setting of Manor Farm. The proposal, therefore, also complies with Policies OS4, EH9 and EH11 of the Local Plan 2031.

3.4 The detailed Heritage Statement's conclusion has been summarised as;

3.5 The building is first given a name in the Magdalen manuscripts as Yate Farm in the late 16th century and Yates' Farm in 1615. On the Bryant Map of 1824 it is called Tomkins Farm. This would imply that originally the building was named in accordance with its occupants. This normally occurs with vernacular buildings of a low status that do not have claim of grander title. By 1860 the place was apparently called Standlake Manor, and by 1896 the sales catalogue had named it Manor Farm, a name also used by the Hermitage, and still used on later Ordnance Survey maps of 1898 and 1921. The renaming of the building in the later part of the 19th century probably has more to do with the appearance of the building as an old and impressive structure rather than necessarily having the history to back this perception up.

3.6 It is the conclusion of this report that the Manor Farm Bungalow was not on the garden curtilage of the Manor Farm, but was on an attached paddock called Home Close. This Home Close was formerly part of a small area of ridge and furrow, to the south of the High Street tofts. The only part of the development that will sit on the former part of the Manor Farm curtilage is the driveway across the former curtilage, an arrangement that has formerly been agreed with the planning authority in an earlier application.

- 3.7 The setting of Manor Farm House, as a listed building, was considered a key point, but the assessment of this data in the planning process and, therefore, the outcome of this was flawed at it appears to have relied on a fake perception of the past. Part of the problem here is the lack of supporting heritage data that was introduced to the planning process. This lack of data associated with the late 19th century fictional views of Standlake and its buildings thus had an impact on this decision making for the local planning authority and the inspector. As this building can be shown not to be the manor of the village, but was a toft of a well to do family, the level of harm as given in the appeal decision should be reduced from less than substantial to minimal.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

H6NEW Existing housing

OS1NEW Presumption in favour of sustainable development

EH11 Listed Buildings

EH3 Biodiversity and Geodiversity

OS4NEW High quality design

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Standlake. The proposal is to demolish the existing bungalow and replace it with four dwellings at The Manor Bungalow, which is set back from the road. The land has an area of 0.60 hectare. A Listed Building is located adjacent to the existing access.
- 5.2 Planning History
18/03379/FUL - Erection of five dwellings - Withdrawn
19/00684/FUL - Erection of four dwellings. This application was recommended by your officers to approve the application. However at the time of the Committee Members overturned officers recommendation to refuse the application. Whilst your officers were preparing a refusal reason, the applicants submitted an appeal based on the non determination of the application.
- 5.3 In terms of the 2019 planning application, this was dismissed at the appeal stage. The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the area, and the effect on the setting of Standlake Manor. These issues are considered in more detail below.
- 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/Impact on character and appearance of the area

- 5.5 Standlake is categorised as a Village within the adopted West Oxfordshire Local Plan. As such the principle of new development is considered acceptable subject to any proposals meeting the

required criteria. Whilst officers note the objections received to the proposal including those of the Parish Council, in terms of the character of the area, your officers consider that it is important to note the comments the Appeal Inspector stated about the principle of development. He concluded that 'Although the development would result in the obstruction of some views from High Street to the open countryside, in the context of other backland development, the dwellings would not appear out of place.' In terms of the impact on the character and appearance of the area he stated:

- 5.6 'The development may also be visible within the surrounding landscape, being more prominent than the existing bungalow, at the edge of the settlement. However, given the distances to nearby roads and footpaths and the fairly flat nature of the surrounding countryside, it would not intrude into the wider landscape or undermine the overall landscape character of the area. There is no substantive evidence that any trees lost could not be adequately replaced as part of a landscaping scheme associated with any development.
- 5.7 With regard to the above, I find that the proposal would not harm the character and appearance of the area. Therefore, it would not conflict with those parts of LP Policies OS2 and EH2 that seek to conserve landscape character and respect the intrinsic character of the area, including that development should complement the existing pattern of development.'
- 5.8 As such your officers consider that on this basis that the principle of development, whilst to the rear of the main street frontage is acceptable.

Impact on Heritage Assets

- 5.9 The site lies within close proximity of the Listed Standlake Manor. The Inspector stated that:
- 5.10 'I have found that no harm would arise to the character and appearance of the area, there would be less than substantial harm to the setting of Standlake Manor. Framework Paragraph 196 indicates that in such scenarios the harm should be weighed against the public benefits of the proposal. I must have special regard to the desirability of preserving the setting of the listed building. Moreover, in accordance with LP Policy EH9 and Framework Paragraph 193 the harm to the significance of the asset, whilst relatively low-level, must receive great weight.'
- 5.11 As part of this application, a substantial Heritage Statement has been submitted. The Heritage Statement has examined historical documents and is a detailed report assessing the significance of the listed Standlake Manor and its relationship with the existing bungalow. The conclusion of the assessment is that there is no historical relationship between the two buildings.
- 5.12 In addition to the historical data, the application now illustrates more landscaping between the siting of the proposed dwellings and the existing Listed Building. This is to further reduce any potential inter-visibility between the two sites.
- 5.13 The proposed materials for the development includes natural stone, render, clay plain tiles, and stained timber window surrounds. Since the previous application revisions have been made to the design and layout. These include that the ridge heights have been reduced, plot 1 has been moved 5 metres further to the north-west, (i.e. away from Standlake Manor). Buildings have been repositioned out of public views and further planting is proposed to the rear of the application site.

- 5.14 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 above your officers consider that the setting of the adjacent Listed Building will not be adversely affected, given the historical background, and to the various revisions that have taken place to the proposed scheme since the appeal decision. In addition, the appeal Inspector attributed limited weight to the benefits associated with the provision of additional housing whereas in this case, along with the provision of 4 new dwellings, there is an improvement to the relationship with Standlake Manor and greater benefits are proposed in the form of additional landscaping belts and enhanced ecological value.
- 5.15 The revisions to the landscaping which includes substantial woodland belts between the proposed dwellings and the Manor, and to the rear of the site would also limit any further development within and to the rear of the application site.

Highways

- 5.16 With regards to highway safety issues, OCC Highways has not objected to the proposal subject to conditions.

Residential Amenities

- 5.17 Your officers consider that given the distance set between the proposed development and existing adjacent neighbouring properties, that no undue loss of residential amenity will occur.

Ecology

- 5.18 With regards to the response from your Ecologist officer, your officers are awaiting the additional information required at the time of writing. It is anticipated that the information will be received prior to the meeting, where officers will verbally update Members.

Conclusion

- 5.19 Given the above, your officers consider that the principle of development is acceptable, due to the previous Inspector's comments. The accompanying Heritage Statement has given substantial evidence regarding the relationship between the adjacent Listed Building and the existing bungalow on site. In addition due to the revisions to the proposed site layout and the proposed areas of tree planting your officers consider that the proposed development will not adversely affect the setting of the Listed Building. Notwithstanding, this view there are additional public benefits arising from the proposal.
- 5.20 Further information regarding ecology is expected to be received prior to the meeting, and your officers will update Members regarding this matter and any additional conditions.

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. The external walls shall be constructed of natural local stone 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.
4. The external walls of the development proposed to be rendered shall be rendered, in accordance with a specification which shall be submitted to and approved in writing by the Local Planning Authority before any rendering commences.
REASON: To safeguard the character and appearance of the area.
5. The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
6. 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.
7. 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 residential amenities of the existing and proposed occupiers.
8. 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.
9. No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

10. 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.
The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
11. No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.
REASON: In the interest of road safety.
12. Prior to the first occupation of the development, the provision of pedestrian awareness vision in accordance with para 5.7 and photo 4 of HVJ's Access Appraisal shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained as such thereafter.
REASON: For the avoidance of doubt.
13. No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.
14. Prior to any development above slab level, a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and hedge enhancements, shall be submitted to and approved in writing by the Local Planning Authority. 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.

NOTES TO APPLICANT :-

- Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council.
- Access across the highway verge must not damage the roots of the adjacent tree - the developer must make contact with OCC's Tree Officer

- There is a low risk that great crested newts (GCN) may be present at the application site. 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.