

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 14th December 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***

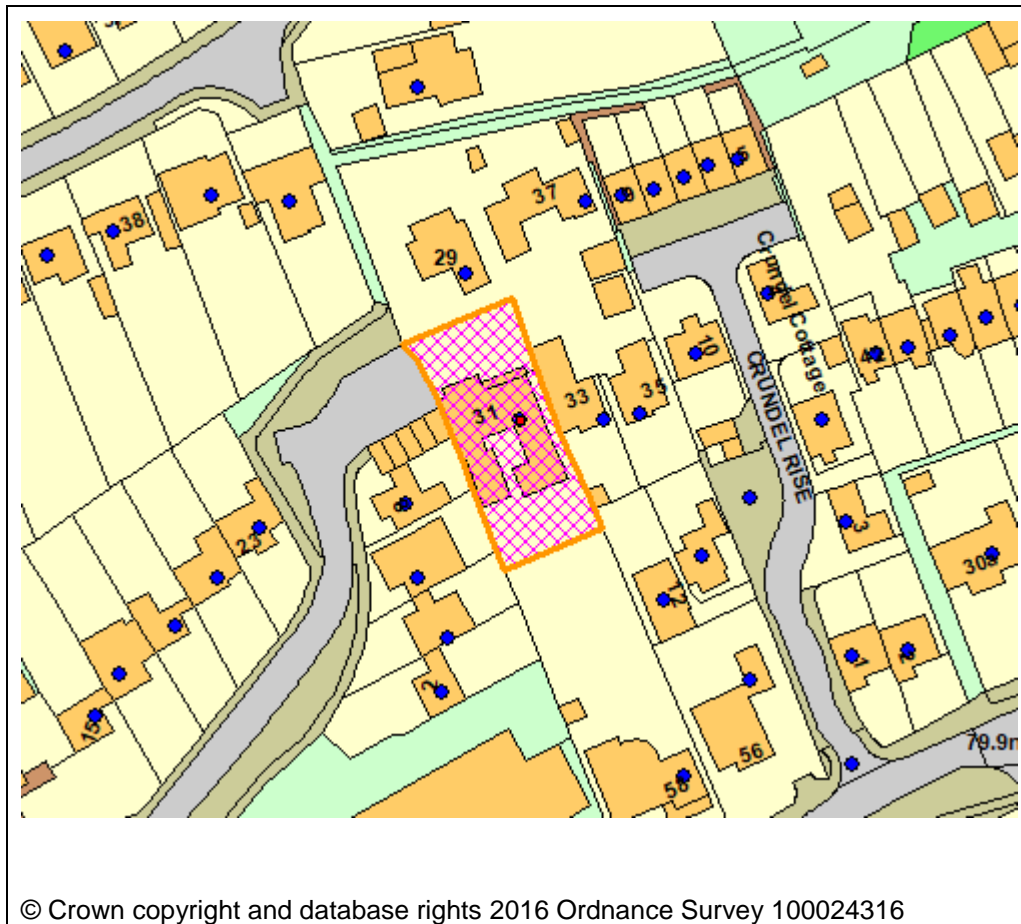
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that 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](http://www.westoxon.gov.uk/meetings)

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Application Number	20/01444/HHD
Site Address	Razzi House 31 Moorland Close Witney Oxfordshire OX28 6LN
Date	3rd December 2020
Officer	James Nelson
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	434947 E 210065 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Installation of raised patio, fencing and associated landscaping.

### Applicant Details:

Mr Mohammed

Razzi House, 31 Moorland Close, Witney, Oxfordshire, OX28 6LN

## **I CONSULTATIONS**

1. Parish Council                      Witney Town Council objects to this proposal as it results in a loss of privacy to the neighbours and also results in the loss of the ability to maintain the fence belonging to 31 Moorland Close.

## **2 REPRESENTATIONS**

- 2.1 Comments in opposition to the proposal have been received from Mr Robert Cocks of 12 Crundel Drive. Objection is raised on the grounds that the patio would, if approved, result in unacceptable levels of overlooking.

## **3 APPLICANT'S CASE**

- 3.1 No Design and Access Statement has been submitted as part of this application.

## **4 PLANNING POLICIES**

OS4NEW High quality design  
H6NEW Existing housing  
DESGUI West Oxfordshire Design Guide  
NPPF 2019

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

## **5. PLANNING ASSESSMENT**

### Background Information

- 5.1 This application seeks part-retrospective planning consent for the installation of a raised patio, fencing and associated landscaping at Razzi House, 31 Moorland Close, Witney. The application site does not lie within any areas of special designation.
- 5.2 The application is brought before members of the Lowlands Area Planning Sub-Committee following objection to the proposal having been raised by the Witney Town Council.
- 5.3 Relevant Planning History:
  - 16/03361/HHD- Two separate single storey rear extensions;
  - 18/00077/HHD- Amendment to 16/03361/HHD to increase size of single storey extension to lounge; and
  - 19/00039/PENF- Enforcement Investigation into unauthorised raised patio
- 5.4 The application follows an enforcement investigation and negotiations with the applicant have resulted in the proposed raised sections of the patio being set back from the Eastern and Western boundaries of the site by 1 meter. In addition, fencing and soft planting are proposed along both boundaries.

### Principle

- 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;
  - Residential Amenity; and
  - Visual Amenity
- 5.6 This application seeks permission for the installation of a raised patio, fencing and associated landscaping within the residential curtilage of an existing dwelling. 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.

### Residential Amenity

- 5.7 The site shares common boundaries with six neighbouring properties and sits on a significant slope running from the North of the site to the South. In terms of overlooking, the proposed raised patio will be screened on either side by close board fencing measuring 2 meters in height. This will ensure that neighbouring properties directly East and West of the rear garden of the site will be unaffected in terms of overlooking by the development. To the South, existing conifer trees screen the site meaning that no overlooking will occur in this direction. The South-Eastern and South-Western corners of the plot will be partially screened by the proposed fencing. Soft planting is proposed that will enclose the site, thereby mitigating the potential for any unacceptable levels of overlooking to occur into the gardens of both 4 Moorland Close and 12 Crundel Rise. As such, your officers consider that the proposal is acceptable in terms of overlooking.
- 5.8 With regard to overbearing, the proposed 2 meter fencing will be set back 1 meter from the site boundary and softened by planting. Therefore, your Officers consider that the proposal will not result in any negative impacts in relation to overbearing.

### Visual Amenity

- 5.9 The proposed development is sited within the rear garden of the property and is therefore not visible within the wider street scene. Therefore, your Officers consider that the proposed development would give rise to no adverse impacts with regard to the visual amenity of the street scene.

### Conclusion

- 5.10 In light of this assessment, the proposed is recommended for approval as your Officers consider it complies with West Oxfordshire Local Plan Policies OS4 and H6; the WODC Design Guide and the NPPF 2019.

## **6 CONDITIONS**

- I. 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. That a two metre high close boarded fence shall be erected in the location as annotated on drawing P3-B within 3 months of this grant of planning permission and shall be retained as such thereafter.

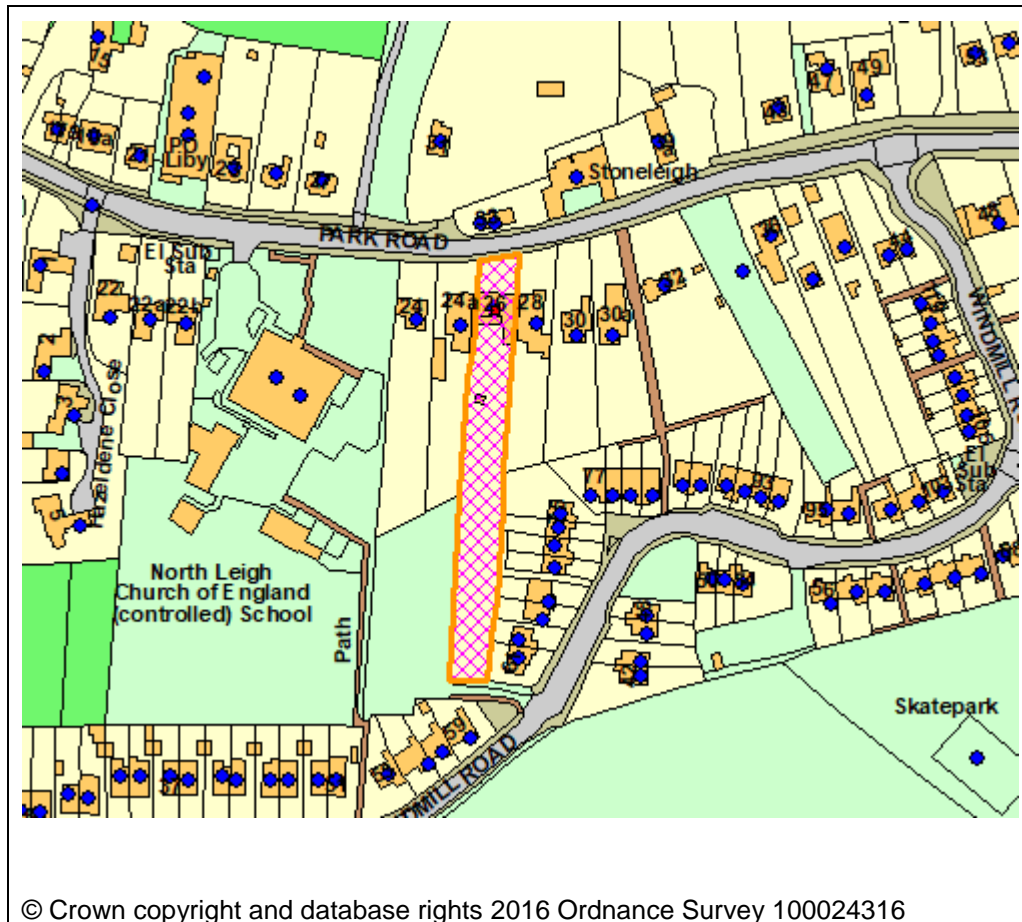
REASON: In the interests of the residential amenity of adjoining properties.

3. That details of the height and species of the soft planting to be installed along the Eastern and Western boundaries of the Plot be submitted to, and approved in writing by, the Local Planning Authority within 2 months of the date of this consent and implemented within 3 months and to be retained as agreed thereafter. 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: In the interests of the residential amenity of adjoining properties.

Application Number	20/01500/FUL
Site Address	26 Park Road North Leigh Witney Oxfordshire OX29 6RX
Date	3rd December 2020
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	438902 E 212876 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Installation of a vehicular access.

### Applicant Details:

Mr Robert Sutton  
75 Trelawney Ave  
Slough, SL3 8RG

## **I CONSULTATIONS**

- I.1 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they object to the granting of planning permission. Refuse that the red edged application area does not include access to the highway.
- NB should the application area be amended the applicant will need to demonstrate that the car park access road is suitable by way of visibility and geometry to serve the additional vehicular movements.
- I.2 WODC Legal And Estates We have now received legal advice and after a review of the Title Registers for 26 Park Road and the Council's Car Park off Windmill Road it has been concluded that no legal right of access exists across the Council owned land to the rear of 26 Park Road to where the proposed gates are to be installed. Furthermore we have not received any requests for a right of access across the Council's land from the owner of 26 Park Road.
- I.3 OCC Highways I note the 2.4 x 43m vision crosses 3rd party land not in the red edged area. Given the location, traffic flows etc I find the existing splay acceptable.
- The drawing now shows the red edged application area to include the access to the highway - I would not object to the formation of an access for the use as described.
- Please note that I do not find the proposed access suitable to serve further development.
- I.4 Parish Council North Leigh Parish Council objects to this application on the grounds that it has the potential to endanger the lives of primary school children when leaving and entering the school car park on foot or in cars.

## **2 REPRESENTATIONS**

- I.1 Two objection comments have been received. A summary of the comments is as follows:
- Potential increase in use of the road when new housing development is built and potential increase in footfall and pedestrian use
  - Belief that the proposal is the first step towards a permanent access for a new housing development application
  - Concern that the new access will be used by construction traffic
  - Size of gate is unnecessary
  - Concern that increased vehicle use would have a detrimental impact on surrounding boundary treatments
  - The additional parking is not required along Park Road
  - The additional vehicular access is not required
  - The planning statement states that the adjacent car park is not in regular use; however the car park is significantly used during school hours



- Affect local ecology
- Design and layout
- Highways
- Landscape
- Neighbourliness
- Policy / Principle

### **3 APPLICANT'S CASE**

- 3.1 A planning statement has been submitted with the proposal. A full version of this is available on the Council's website. The statement has been summarised and concluded as follows:
- 3.2 The proposed development is to install a vehicular access on the southern boundary of the application site, thereby allowing vehicular access from the site onto the access road serving the car park. The purpose of the access is to allow vehicles to enter and park at the southern end of the garden, to allow the collection and disposal of garden waste and cuttings and also to allow additional parking for the plot.
- 3.3 The new access will be cut through the existing privet hedgerow on the site's southern boundary with a five bar gate set back 5m from the access road in order to allow vehicles to park before entering the site. Only a section of the privet hedge will need to be removed for this. Mesh fencing on concrete posts will be provided from the gap in the privet hedge back to the five bar gate.
- 3.4 In 2012, there was an application to install an access from the southern car park entrance which was granted but not implemented. This application seeks to reinstate that approval for the same reasons on which the previous submission was granted.
- 3.5 In summary, the development is found to be acceptable when considered against both the local and national planning policy framework.

### **4 PLANNING POLICIES**

DESGUI West Oxfordshire Design Guide  
 OS2NEW Locating development in the right places  
 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 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 installation of a vehicular access.
- 5.3 The application relates to 26 Park Road, a detached bungalow located within close proximity to North Leigh Church of England Primary School.

5.4 Relevant planning history:

12/0715/P/FP - Formation of new vehicular access and new entrance gates - Approved  
20/00224/FUL - Demolition of existing bungalow. Erection of five dwellings - Refused

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
- Residential Amenity
- Highways

Principle

5.6 Third party representatives have raised concern regarding the motives behind the proposal given the previous refused application at the site for demolition of existing bungalow and erection of five dwellings. These comments are noted, however from a planning perspective, your officer's role is to assess the proposal on its merits and identify the harm that arises, as opposed to assessing other potential future proposals at the application site. A condition has been attached stipulating that any potential permission granted is only for the purposes specified in the application submission.

5.7 West Oxfordshire District Council Legal and Estates were consulted as part of the planning process and concluded that that no legal right of access exists across the Council owned land to the rear of 26 Park Road to where the proposed gates are to be installed, and that no request has been received for a right of access across the Council's land from the owner of 26 Park Road. Officers note that the applicant has not got a right of access across the Council owned land; however this is not a material planning consideration as the right of access is controlled under separate legal legislation. Members should be aware that any potential planning permission would not override this separate legal legislation.

5.8 Policy T4 of the Local Plan supports proposals for additional parking where parking is provided in accordance with the County Council's adopted parking standards and should be sufficient to meet increasing levels of car ownership. As such, your officers consider the principle of the proposed new vehicular access acceptable subject to consideration of the matters below.

Residential Amenity

5.9 Your officer's consider that the proposed installation of vehicular access will not lead to a significant increase in noise and disturbance, and as such, will not have a detrimental impact on the residential amenity of the surrounding neighbours.

Highways

5.10 Third party representatives and the Parish Council have raised a concern regarding the proposed vehicular access and the impact it will have on the surrounding road network and highway safety.

Oxfordshire County Council Highways were consulted as part of the planning process and in their first response objected to the proposal as the red edged application area did not include access to the highway. However, the applicant has submitted amended plans including red edged application area illustrating access to the highway and details of vision splays for the proposal. Oxfordshire County Council Highways were re-consulted and raised no objection to the amended plans but stated that the proposed access would not be suitable to serve further development.

### Conclusion

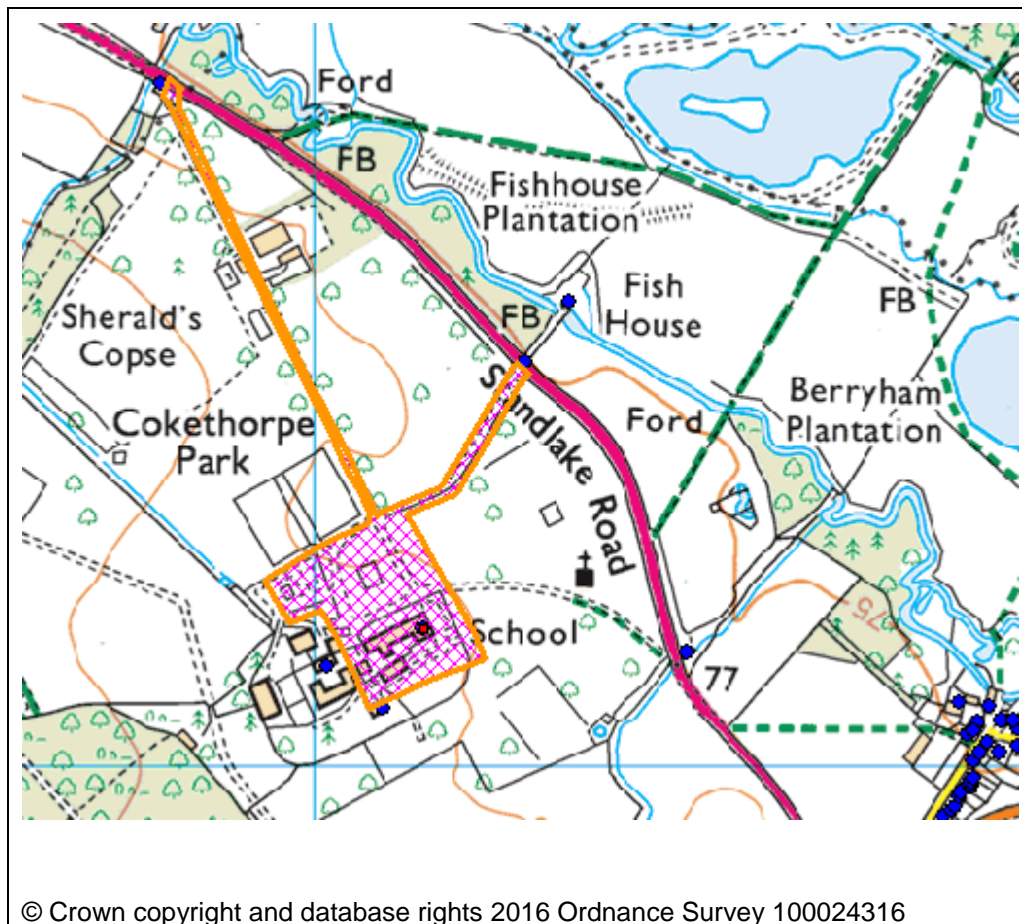
- 5.11 In light of the above assessment, the application is recommended for approval as your officers consider that it complies with the provisions of policies OS2, OS4 and T4 of the adopted Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

## **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. The land outlined in red shall be used for the purposes as stated in the applicant's supporting planning statement dated the 16th June 2020.  
REASON: The site is only suitable for the use specified because of the special circumstances of the site, and for the avoidance of doubt as to what has been submitted.

Application Number	20/01893/FUL
Site Address	Cokethorpe School Cokethorpe Park Ducklington Witney Oxfordshire, OX29 7PU
Date	3rd December 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Hardwick And Yelford Parish Council
Grid Reference	437144 E 206183 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Demolition of the existing changing room building and construction of a new science building (part two storey, part three storey). Erection of single storey changing room building together with associated hard and soft landscaping works.

### Applicant Details:

Mrs Harriet Stapleton, Cokethorpe School, Cokethorpe Park, Ducklington, Oxon, OX29 7PU

## I CONSULTATIONS

- I.1 Parish Council Hardwick-with-Yelford Parish Meeting-These two proposals are for alterations to school buildings in Cokethorpe School. They will not be visible from the road or to the general public. There are no grounds on which any member of this Parish could object to the proposals.
- I.2 Biodiversity Officer Precautionary working has been detailed for great crested newts, bats, nesting birds as well as badgers and other mammals (e.g. hedgehogs). These are considered mostly satisfactory. Although the ecology report states that there is no suitable reptile habitat on site, I still consider that the scrub on site (some of which is to be removed) could offer potential opportunities. Precautionary working should therefore be outlined for reptiles. Precautionary measures for great crested newts and reptiles should also include the storage of any building and demolition materials above the ground on pallets or in skips to prevent these species from using them as shelter.  
The PWMS should also now be combined into a more comprehensive statement for all relevant species.  
The final statement should be prepared and submitted to the LPA.  
The approved statement can then be implemented as a condition of planning consent.  
Biodiversity Net Gain  
The proposal includes the removal of 9 no. trees on site, a section of species-rich hedgerow and an area of scrub. Proposed enhancements include tree planting and the supplementary planting of hedgerows.  
As the proposal includes the loss of several habitat features, I recommend that further enhancements are included within the scheme so that a net gain in biodiversity is achieved. For example, I highly advise that management within parts of the amenity grassland is reduced and potentially sown with a wildflower or tussocky grassland seed mix. This will enhance the ecological value of the site. A wildlife pond could also be created on site and this will provide habitat for amphibians (including great crested newts, supporting the existing population on site), reptiles and invertebrates. Ideally, the pond should be planted with native marginal species, have gradual sloping sides and should not be stocked with fish.  
A biodiversity net gain metric would not be required in this case, however, the proposal should still ensure that there is a net gain and so the enhancement measures recommended above should be incorporated into the scheme. Confirmation of this is required before a positive determination of the application.
- I.3 Newt Officer No Comment Received.
- I.4 Thames Water No objection - informatives to be added.

- 1.5 WODC Landscape And Forestry Officer No Comment Received.
- 1.6 Adjacent Parish Council No Comment Received.
- 1.7 Adjacent Parish Council No Comment Received.
- 1.8 WODC Drainage Engineers No Comment Received.

## **2 REPRESENTATIONS**

- 2.1 No comments received at the time of writing.

## **3 APPLICANT'S CASE**

- 3.1 Various statements have been submitted with the application which can be viewed in full on line. The Planning Statement conclusions have been summarised as;

- Having regard in particular for the requirements of paragraph 126 of the NPPF, the new science and changing buildings will:
- Sustain and enhance the Cokethorpe site and parkland setting
- Bring about wider social, cultural, economic and environmental benefits
- Make a positive contribution to local character and distinctiveness; and
- Draw on the contribution made by the historic environment to the character of a place.

- 3.2 Furthermore, the detailed design of the proposals have been thoroughly developed through a rigorous consultation process both internally and externally. This has included balancing a high quality and appropriate design within the sensitive historic context.

- 3.3 The proposals have been developed alongside technical assessments of the site, including heritage and conservation, flood risk and drainage, ecology, and arboriculture which have informed and support the design. A range of sustainability measures using be lean, be clean and be green principles have been incorporated into the design.

- 3.4 Overall, the proposals represent a highly sustainable development, aligning with the principles of economic, social and environmental sustainability in accordance with the golden thread of the NPPF, and local planning policies. There is therefore a planning presumption that the School's application should be approved.

## **4 PLANNING POLICIES**

OS1NEW Presumption in favour of sustainable development  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
E5NEW Local services and community facilities  
EH11 Listed Buildings  
EH13 Historic landscape character  
EH3 Biodiversity and Geodiversity

EH9 Historic environment

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 on the southern edge of Witney between Hardwick and Ducklington. The School site is bordered by Standlake Road (A415) to the east/north east and farmland to the south and west. The proposed development sites are situated to the south side of the school grounds, beside the main group of buildings. There are various Listed buildings within the school grounds and protected trees.
- 5.2 The application is seeking planning consent for a new science building, a changing rooms building, and changes to the parking on site as well as changes to landscaping, parking and traffic flows on site.
- 5.3 The application was deferred from last month's committee meeting due to an objection being received from Historic England. Since the last meeting both the agent and Historic England have been discussing the issues. It is anticipated that revised plans will be received prior to the meeting.
- 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 proposed development will create a new Science Building, to form an improved working environment for staff and a new science hub for the School community. The existing science labs will be used by the Junior School rather than the Mansion. The Mansion will then be used by senior pupils and the arts. The proposed changing rooms are to replace an existing building, to be located nearer the main sports facilities. Alterations to the existing car park to create additional parking, and additional crossings are also proposed.
- 5.6 Your officers consider that Policy E5 of the adopted West Oxfordshire Local Plan is of most relevance regarding the principle of development regarding local services and community facilities. This Policy states that the Council will support the development and retention of local services and community facilities to meet local needs and to promote social well being, interests, interaction and healthy inclusive communities.

### Siting, Design and Form

- 5.7 The proposed siting of the science building has taken into consideration the existing large trees and also the proximity of the Listed Mansion. The proposed science building is to be of a timber framed two storey and three storey block. A flat roof is proposed for additional learning purposes and will be concealed behind a brick parapet.

- 5.8 Access to the roof space of the new building is provided from the main stair core, where the lift also provides accessible access. At the corner of the stair core is a large glass lantern providing views of the surrounding buildings and parkland. The roof space has planters for growing plants and facilitates a hands on teaching environment. A frameless glass balustrade 1.3m high is proposed to ensure maximum safety when on the roof. In addition half of the roof will provide space for photovoltaic cells to maximise the opportunity for solar energy.
- 5.9 The building is proposed to be brick where it is used elsewhere in the existing garden wall. The composite windows and doors will be grey in colour and have corner feature windows located at key junctions, with the north elevation featuring a large glass lantern providing views over the parkland.
- 5.10 Your officers consider that the principle of the proposed design is acceptable. However at the time of writing, your officers are awaiting revised plans which are in response to Historic England's comments. Any revisions that are received are anticipated to be received prior to the meeting, where your officers will verbally update Members.
- 5.11 The siting for the new changing pavilion is to the north of the middle quad on the left corner of the existing cricket pitch. Set forward from the road and clear of existing trees, the location provides changing facilities within close proximity to the sports facilities. It is also in a location with ready access to existing vehicular and pedestrian routes as the building will also be used by visiting teams.
- 5.12 The building will be of timber cladding with a green roof, and one end of the building will be recessed into the ground 500mm to minimise the impact on the setting. Your officers consider that this proposed building is acceptable in terms of design, scale and siting.

#### Landscape and Ecology

- 5.13 In total there are eleven trees and five tree groups requiring removal across the site. Three additional trees have been recommended for removal by the arboriculturalist as although not required to facilitate the development removal would benefit better quality surrounding trees.
- 5.14 Sixteen new trees will be planted across the site as well as new areas of planting, to mitigate the loss of the existing trees / tree groups required to facilitate the development and to create a long-term contribution to the green infrastructure at Cokethorpe.
- 5.15 Your ecology officer had requested amendments including that precautionary working for reptiles was included and that further enhancements should be included within the scheme so that a net gain in biodiversity is achieved.
- 5.16 Additional enhancements have been made within the landscaping scheme such as the supplementary planting of hedgerows, provision of dead wood features, and an area of wildflower planting. Your ecology officer has no further comments and conditions have been advised.

#### Setting of Listed Building

- 5.17 The proposed building Science building is adjacent to existing Listed Buildings, including the Grade II star Mansion, and the Bell Tower. The development has been designed to be of a



scale sympathetic to the character of these adjacent buildings. The height is less than the Mansion, and the design is considered to be in keeping with the proportions of the brick bays and windows on the science building relating to the Georgian proportions of the Mansion.

- 5.18 As the proposed Science building is within close proximity to a number of listed buildings, in accordance with Section 66 (l) of the Planning (Listed Buildings and Conservation Areas) Act as amended, the local planning authority shall have special regard to the desirability of preserving the buildings setting or any features of special architectural or historic interest which it possesses. Given the location of the new science building, being set away from the main Grade II star Listed Mansion and other important Grade II Listed buildings, and that the proposed design incorporating some existing details from the Mansion your officers are of the opinion that the setting of the listed buildings will be preserved. However at the time of writing, your officers are still assessing the overall impact to the setting of the listed buildings in terms of the scale of the proposed Science building. Further advice from Historic England is also anticipated.
- 5.19 As the proposed changing room building is set further away, your officers consider that the setting of the Listed Buildings will not be adversely affected.

#### Highways

- 5.20 The proposed changes to the car parking on site include thirty additional parking spaces created in the existing car park, two new drop off points connected to safe pedestrian routes, a one way system entrance into and exit from the car park to reduce congestion, new crossing point to provide access to changing building, and a new passing lay by along the main entrance. As these works are located within the application site your officers do not consider that there will be adverse impacts to highway safety issues.

#### Residential Amenities

- 5.21 Given that there are no separate residential properties in close proximity of the proposed buildings, your officers are of the opinion that the development will not adversely affect residential amenity.

#### Conclusion

- 5.22 Your officers are of the opinion that whilst the proposed science building is of a large scale and set close to existing important heritage assets, and trees, that the siting of the building has been fully assessed and appraised. The proposed design is also considered supportable by your officers. In terms of the concerns of Historic England and your officers regarding the proposed scale of some parts of the building, it is anticipated that a full verbal update will be given to Members at the meeting.

## **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 development shall be completed in accordance with the recommendations in Section 5 of the Ecological Appraisal report, dated 20/10/2020 prepared by BSG Ecology, 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, badgers 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.
5. 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 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) either integrated into the external walls of the new buildings or mounted onto existing external walls and/or suitable mature trees, 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 as a biodiversity enhancement 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.
6. 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 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 and 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.
7. 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 be in accordance with the measures outlined within the Soft Landscaping Plan (drawing no.

ADP-00-ZZ-DR-L-1902, Rev S2 P3) and include, but not necessarily be limited to, the following biodiversity enhancements:

- i) The creation of a green roof;
  - ii) An area sown with a tussocky grass seed mix;
  - iii) Tree planting using native, locally sourced species;
  - iv) A wildflower meadow area;
  - v) The supplementary planting/infilling of hedgerows with native, locally sourced species;
  - vi) Enhancements to the pond to improve the suitability for great crested newts;
  - vii) The provision of dead wood habitat for invertebrates, reptiles and amphibians; and a 5-year aftercare maintenance plan for all landscaped areas.
- It 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 provide full details of all landscaping and to enhance the site for biodiversity 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 in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

8. If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure effective delivery of approved landscaping and to secure enhancements for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

#### NOTES TO APPLICANTS:-

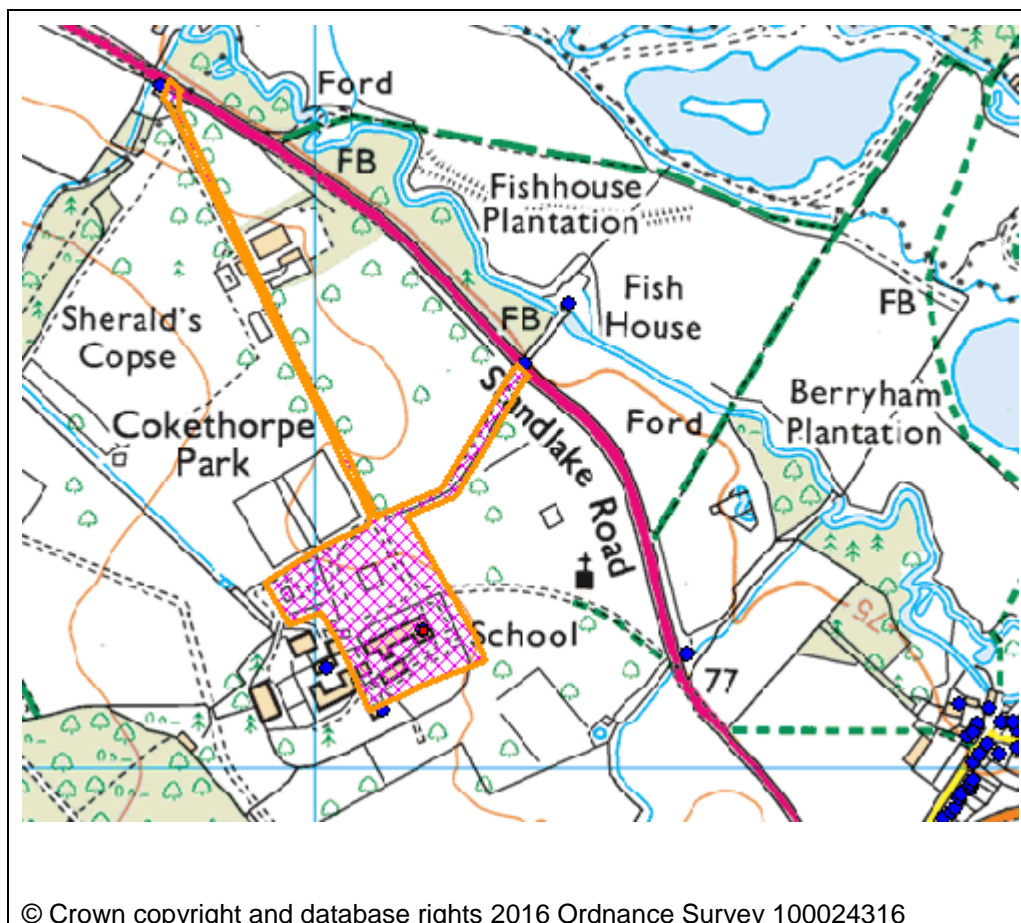
1. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
2. 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.
3. 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.

4. In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

Application Number	20/01894/LBC
Site Address	Cokethorpe School Cokethorpe Park Ducklington Witney Oxfordshire, OX29 7PU
Date	3rd December 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Hardwick And Yelford Parish Council
Grid Reference	437144 E 206183 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Alterations to include demolition of the existing changing room building and construction of a new science building (part two storey, part three storey) to include works to existing garden walling and new arched opening to provide access onto the field together with associated landscaping works.

## Applicant Details:

Mrs Harriet Stapleton, Cokethorpe School, Cokethorpe Park, Ducklington, Oxon, OX29 7PU

## I CONSULTATIONS

- I.1 Conservation Officer
- Firstly, I think that the general strategy and the proposed location are supportable. It would probably have been preferable for this to be set at the rear, near the large sports building, but I can see that there is some operational justification for the current site. And as we noted, a new building on the proposed site would tend to be read against the complex overall - unlike the new building that we approved on the north-west side, which is set somewhat away from the complex, and which tends to dominate the views from the main road.
- However, whilst I think that the predominantly two-storey approach is the correct one, this seems to have worked out more blocky and voluminous than I was expecting.
- Does the two storey main part have to be quite so tall - and does it need the raised section at the east end?
- Can the prominent three-storey part at the west end be omitted, preferably, or at least mitigated and lowered, perhaps with a pitched form to break the blockiness?
- Do they really need the roof terrace and all the associated clutter?
- I.2 Parish Council
- Hardwick-with-Yelford Parish Meeting - These two proposals are for alterations to school buildings in Cokethorpe School. They will not be visible from the road or to the general public. There are no grounds on which any member of this Parish could object to the proposals.
- I.3 Historic England
- We believe that the scheme, as currently designed, adversely impacts the significance of the designated mansion and bell tower, as well as their setting. The degree of heritage harm that the proposals would cause to that significance is not fully justified, as alternative, less contentious locations could be explored.
- Further comments after discussions with your officers and the agent;
- Additional information and visual materials have allowed us to appreciate the justification for the preferred sites of the new science building and the new changing rooms. However, in our view, the scale, mass and design of the new science building, as currently proposed, would still entail a high level of less than substantial harm to the character of a number of key listed buildings and their setting.
- As undeveloped discussions between your Local Authority and the applicant at preapplication stage have identified scope for alternative, less disrupting design strategies, the harm that the current scheme for the new science building would

cause to the significance of identified heritage assets and their setting is not fully justified. As such, the current proposals for the science block fail to meet the requirements of paragraph 194 of the NPPF.

## **2 REPRESENTATIONS**

2.1 No comments received at the time of writing.

## **3 APPLICANT'S CASE**

3.1 Various statements have been submitted with the application which can be viewed in full on line. The Planning Statement conclusions have been summarised as;

3.2 Having regard in particular for the requirements of paragraph 126 of the NPPF, the new science and changing buildings will:

- Sustain and enhance the cokethorpe site and parkland setting
- Bring about wider social, cultural, economic and environmental benefits
- Make a positive contribution to local character and distinctiveness; and
- Draw on the contribution made by the historic environment to the character of a place

3.3 Furthermore, the detailed design of the proposals have been thoroughly developed through a rigorous consultation process both internally and externally. This has included balancing a high quality and appropriate design within the sensitive historic landscape.

3.4 The proposals have been developed alongside technical assessments of the site, including heritage and conservation, flood risk and drainage, ecology, and arboriculture which have informed and support the design. A range of sustainability measures using be lean, be clean and be green principles have been incorporated into the design.

3.5 Overall, the proposals represent a highly sustainable development, aligning with the principles of economic, social and environmental sustainability in accordance with the golden thread of the NPPF, and local planning policies. There is therefore a planning presumption that the School's application should be approved.

## **4 PLANNING POLICIES**

OS4NEW High quality design

EH11 Listed Buildings

EH13 Historic landscape character

EH2 Landscape character

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

## **5 PLANNING ASSESSMENT**

### Background Information

5.1 The application site is located on the southern edge of Witney between Hardwick and Ducklington. The School site is bordered by Standlake Road (A415) to the east / north east and

farmland to the south and west. The proposed development sites are situated to the south side of the school grounds, beside the main group of buildings. There are various Listed buildings within the school grounds including a Grade II star Listed Building.

- 5.2 The proposed development will create a new Science Building, to form an improved working environment for staff and a new science hub for the School community. The existing science labs will be used by the Junior School rather than the Mansion. The Mansion will then be used by senior pupils and the arts. The proposed changing rooms are to replace an existing building, to be located nearer the main sports facilities. Alterations to the existing car park to create additional parking, and additional crossings are also proposed.
- 5.3 The application was deferred from last month's Committee meeting due to an objection being received from Historic England. Since the last meeting both the agent and Historic England have been discussing the issues. It is anticipated that revised plans will be received prior to the meeting.
- 5.4 This application is seeking Listed Building consent for the alterations to the assumed listed garden wall to provide access into the proposed science building and create a new arched opening to provide access onto the field.
- 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 consideration of this application is the impact to the Listed Buildings.

#### Principle

- 5.6 Your officers consider that the principle of forming new openings into the existing garden wall is acceptable. The garden wall encloses the site and has already several openings and breaks which provide key connections into different parts of the site.

#### Siting and Design

- 5.7 The proposed siting of the science building has taken into consideration the existing large trees and also the proximity of the Listed Mansion. The proposed science building is to be of a timber framed two storey and three storey block. A flat roof is proposed for additional learning purposes and will be concealed behind a brick parapet.
- 5.8 Access to the roof space of the new building is provided from the main stair core, where the lift also provides accessible access. At the corner of the stair core is a large glass lantern providing views of the surrounding buildings and parkland. The roof space has planters for growing plants and facilitates a hands on teaching environment. A frameless glass balustrade 1.3m high is proposed to ensure maximum safety when on the roof. In addition half of the roof will provide space for photovoltaic cells to maximise the opportunity for solar energy.
- 5.9 The building is proposed to be brick where it is used elsewhere in the existing garden wall. The composite windows and doors will be grey in colour and have corner feature windows located at key junctions, with the north elevation featuring a large glass lantern providing views over the parkland.



- 5.10 Your officers consider that the principle of the proposed design is acceptable. However at the time of writing, your officers are awaiting revised plans which are in response to Historic England's comments. Any revisions that are received are anticipated to be received prior to the meeting, where your officers will verbally update Members.
- 5.11 With regards to the proposed new openings within the Listed garden wall, officers have no objection due to their modest scale and design. As such your officers do not consider that the historic fabric of the existing garden wall will be adversely affected.

#### Heritage Assets

- 5.12 Two proposed door ways are to be provided within the existing wall which your officers consider are acceptable in scale and appearance.
- 5.13 As the site is within the curtilage of a listed building, your officers are required to take account of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Given that the proposed openings are of a modest scale and discreet in form, your officers consider that the character and appearance of the Listed wall will not be adversely affected.

#### Conclusion

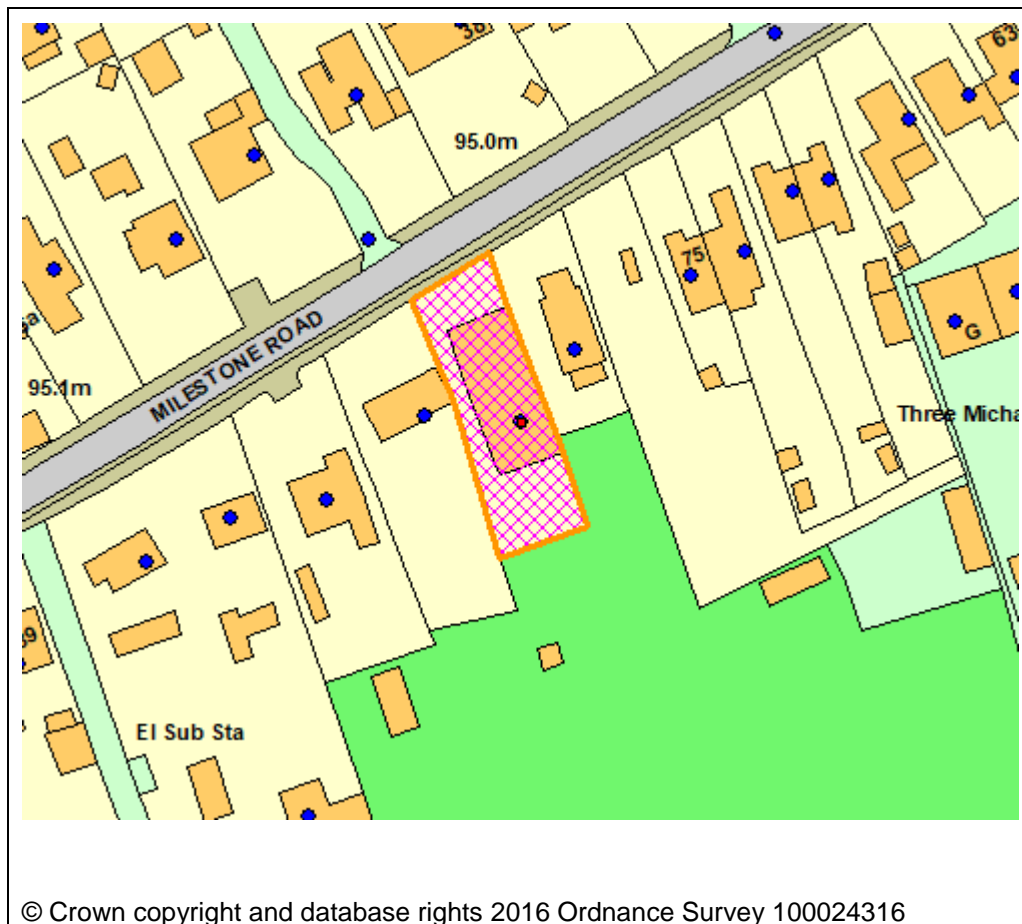
- 5.14 Your officers consider that the proposed changes to the Listed garden wall will not harm the existing visual character and appearance and as such is compliant with the relevant policies of the adopted West Oxfordshire Local Plan stated above, and the relevant paragraphs of the NPPF. However further discussions are taking place between your officers and the applicants regarding the proposed scale of the Science Building and how it relates to the setting of the surrounding Listed Buildings. A verbal update will be given to Members at the meeting.

## **6 CONDITIONS**

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.  
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
3. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.  
REASON: To safeguard the character and appearance of the area.
4. No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.  
REASON: To preserve internal features of the Listed Building.
5. All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.  
REASON: To preserve the architectural integrity of the Listed Building.

Application Number	20/02416/FUL
Site Address	79 Milestone Road Carterton Oxfordshire OX18 3RL
Date	3rd December 2020
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Carterton Town Council
Grid Reference	427815 E 206111 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Construction of 8 no. one bed flats together with associated works and formation of new vehicular access.

### Applicant Details:

Balliol Homes Ltd  
College Mead, Little Blenheim, Yarnton, Oxon, OX5 1LX

## I CONSULTATIONS

- |     |                                |  |
|-----|--------------------------------|--|
| I.1 | Parish Council                 | The Town Council made comments in support of the Planning Application. Officers asked to check regarding possible lack of privacy for neighbouring properties.   |
| I.2 | Thames Water                   | No objection - notes and conditions advised.   |
| I.3 | WODC Drainage Engineers        | Condition advised.   |
| I.4 | OCC Highways                   | No objection subject to conditions.  |
| I.5 | WODC Env Health - Lowlands     | <p>I have no objection in principle to this proposal but given the proximity of Brize Norton airfield I must recommend refusal until a noise survey is carried out and submitted for approval. The noise survey should address the issue of aircraft and traffic noise and detail any additional acoustic insulation measures that may be required to ensure that internal noise levels comply with those specified in BS8233:2014.</p> <p>These may include further insulation to the roof structure as well as windows and doors. Attention should be paid to any additional ventilation measure that may may be required.</p> <p>The proposed dwellings show an open plan living/kitchen area. The applicant should be aware that this gives an increased risk of problems from condensation and mould and should carefully address the balance between heating, ventilation and insulation to minimise this increased risk. This point is raised for information only.</p> |
| I.6 | MOD - Landowner - Safeguarding | No Comment Received.   |
| I.7 | MOD MOD (Brize Norton)         | No objection.  |
| I.8 | Oqema Ltd                      | No Comment Received.   |

## 2 REPRESENTATIONS

- 2.1 One letter received from 75 Milestone Road Carterton. The comments have been summarised as;
- I will be a neighbouring property of this development. The first floor windows and balconies will be overlooking my garden/property. Resulting in the loss of privacy in my much loved private garden, I have spent a lot of time, effort and money making our garden a summer living space to enjoy the weather, entertaining our family in a private, not overlooked garden.

- My garden is also south facing, enjoying the sun all day, the evening sun will be blocked by your property, so not only a loss in privacy, but a loss of natural light, enjoyable sunsets!!
- I purchased my property 7 years, the main reason being the neighbour properties were bungalows, with no one overlooking it.
- Why would you build flats on a road predominantly made up of bungalows? I would have no objections to bungalows erected on this site.

2.2 Mr H Watts has also submitted comments, which have been summarised as;

- I would respectfully ask that this development at this moment in time not be supported as such it would be piecemeal development eroding the Local Plan allocated site at Milestone Road.
- Whilst I think that the design of the 8 flats are indeed modern and will serve the need for housing for single or young couple without children, this type of development can easily be built further into the large site under planning application 19/02809/FUL to which Abby Fettes is responsible as the case Officer.
- It would in no way put the new owner of 79 Milestone Rd nose out of place, as flats are not in keeping with the existing street scene, and should your Officers collectively negotiate with Diane Howcroft of Partner Construction/Partner Homes, then it would make a fair compromise for both parties to agree a way forwards, because the Master Plan must not be damaged by ignorance of these landowners the whole benefit must directly be given to the emerging community with safety and quality housing as a result.
- So again to say, 79/81 forms part of the allocated site, and must not be diluted just for 8 possibly leading to 16 flats on the frontage of Milestone Road, when a Gateway Entrance could be provided with 79/81 Milestone Road serving the larger development and a safer one than the previous attempt?
- Would you kindly provide a copy of my letter to all the members of the Lowlands Planning Committee.

### 3 APPLICANT'S CASE

3.1 A Planning Statement has been summarised as;

3.2 The style of the properties on Milestone Road is varied with some being brick, or stone, or render or recon stone and further along the road on the same side is a mobile home park development.

3.3 The site area is 0.1ha and is a broadly rectangular shape with its narrow (north western) boundary fronting onto Milestone Road 500m to the West of its junction with Black Bourton Road. There is extensive residential development to the North, and Milestone Road is characterised by detached and semi-detached properties, many set well back behind front gardens and parking areas.

3.4 There will be eleven on site car parking spaces. One of which will be for disabled use. We note from application 14/01971/FUL that OCC Highways accepted that a number of visitor spaces could be provided on street parking on Milestone Road. We have shown the full requirement of OCC with one space per new dwelling and visitor spaces at 0.4 per new dwelling, so if OCC still accept the 2014 arrangement two spaces could be omitted?

3.5 The proposed design is all two storeys with a mix of recon stone, render and horizontal cladding under pitched and hipped roofs. Gable dimensions and ridge heights respect nearby

buildings. The ridge height is only 100mm higher than the existing derelict structure. All side windows at first floor level will be obscure glazed so there will be no significant overlooking of No 77 nor 81 Milestone Road.

- 3.6 On the basis of the above we believe that the proposal is appropriate for the site and location, has due regard to the amenity of neighbouring properties and will not have an undue visual impact in relation to its surroundings. It is sympathetic to the established character of the area, the form, setting and scale of adjoining and nearby buildings. Removal of the derelict and dangerous building will improve the character and appearance of the area.
- 3.7 As part of the email received accompanying the revised plans, the agent's comments have been summarised as;
- 3.8 The application site is adjacent to other two storey & "chalet" style dwellings & our proposed ridge height is actually lower than many of the "one & a half" storey dwellings along Milestone Road & certainly lower than many of the two storey houses - No.83 for example . As pointed out in our Statement, the proposed ridge height is a mere 98mm higher than the derelict structure that is to be demolished. The scheme for residential development, on the large site to the south of the application site, includes 3 Storey Flats close to Milestone Road.
- 3.9 We are prepared to change the hips to low-pitch gables, & also to remove the cladding from the rear block so that it is all render - as are a significant number of other dwellings in Milestone Road - but the applicant wishes to keep the proposal for 8 flats.
- 3.10 We have also rearranged the parking so as to permit more dense screen planting (as per your request) and also enabling moving the proposed footprint 2 metres towards the front of the site. This also gives greater amenity space to the rear - also as per your request.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

H2NEW Delivery of new homes

OS4NEW High quality design

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

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 part of the former Doris Watts Residential Home which is in a derelict state. To the rear of the site is the allocated housing site which planning application reference 19/02809/FUL for the erection of 214 dwellings with associated landscaping, surface water attenuation and parking was refused. 79-81 Milestone Road was included within this site allocate in the Local Plan 2031 under Policy CA2.
- 5.2 The site area is 0.1ha.

- 5.3 The application is seeking planning consent for eight one bed flats and new access. The application is to be heard before the Lowlands Area Planning Sub-Committee as the Town Council are in support of the application but asked officers to check regarding possible lack of privacy for neighbouring properties.
- 5.4 Previous planning history  
14/01971/FUL Proposed residential development of the site to provide 14 apartments and associated access, parking and landscaping.  
Withdrawn.
- 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 Carterton is a Main Service Centre as defined in the adopted West Oxfordshire Local Plan Policy OS2. As such your officers consider that on previously developed land within a mature residential area that the principle of such development is acceptable. However your officers had concerns with the position, the scale, design, and materials of the proposed building. Revised plans which alleviated some of your officers concerns have been received. However the overall massing and scale of the proposed building, with the dominant parking feature to the front of the site remains a concern.

Siting, Design and Form

- 5.7 The proposed building is of a two storey form. Following your officers' advice the proposed use of cladding has been removed from the rear block and replaced with the use of render. The hipped roof form omitted and the use of gables introduced. Whilst this contributes to the concerns of your officers, it is the number of the proposed flats within the building itself which results in the proposed building of a large scale, which will be overly dominating in its immediate setting.
- 5.8 The existing character of this part of Milestone Road is predominantly of bungalows. Your officers note that the existing site is in a derelict state and a new building will improve the overall site and the visual character of the area. However your officers are of the view that the proposed scale of this building will significantly dominate the existing streetscene.
- 5.9 The General principles of Policy OS2 of the adopted West Oxfordshire Local Plan states that 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
- 5.10 Policy OS4 of the adopted West Oxfordshire Local Plan states that; New development should respect the historic, architectural and landscape character of the locality, contribute to local

distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

- demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting
- environment where the quality of the public realm is enhanced.

5.11 Your officers advised the applicant to reduce the scale of the scheme from eight flats to six flats. This reduction would then have allowed the form, scale and massing of the proposed building to be less intrusive and dominant to the visual context of the streetscene. However this has not been agreed.

#### Highways

5.12 OCC Highways have not objected to the scheme but have recommended conditions. Whilst comments have been received regarding piecemeal development and creating one main access from the allocation site to the rear, this is not before your officers. As such your officers have to assess the planning merits of this current proposal.

5.13 The amended plans illustrate some adjustment to the siting of the proposed building. However your officers consider that the car parking area to the front of the site will still be dominant within this part of Milestone Road.

#### Residential Amenities

5.14 Policy OS4 of the adopted West Oxfordshire Local Plan states that new development should not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties.

5.15 The Town Council made comments in support of the application but asked officers to check regarding possible lack of privacy for neighbouring properties. Given that the immediate building is that of 81 Milestone Road which in itself is of a derelict state, your officers do not consider that the neighbouring properties to the application site will be adversely affected. The proposed balconies are positioned to the rear elevation. The proposed windows to the side elevations, are to be a mix of obscure glazing and high level windows.

5.16 With regards to the objection received from your Environmental Health officer, further information regarding the type of windows was received from the applicant. Need to fill in.

#### Conclusion

5.17 Whilst some revisions have been made to the current scheme, your officers consider that due to the number of flats not being reduced, that the scale and massing of the building remains. As such the proposed building, due to its scale, together with the parking to the front, results in an overly dominant and incongruous addition to the visual appearance and character of this part of Milestone Road.

5.18 As such your officers consider that the proposal is contrary to the relevant policies of the adopted West Oxfordshire Local Plan and the relevant paragraphs of the NPPF.

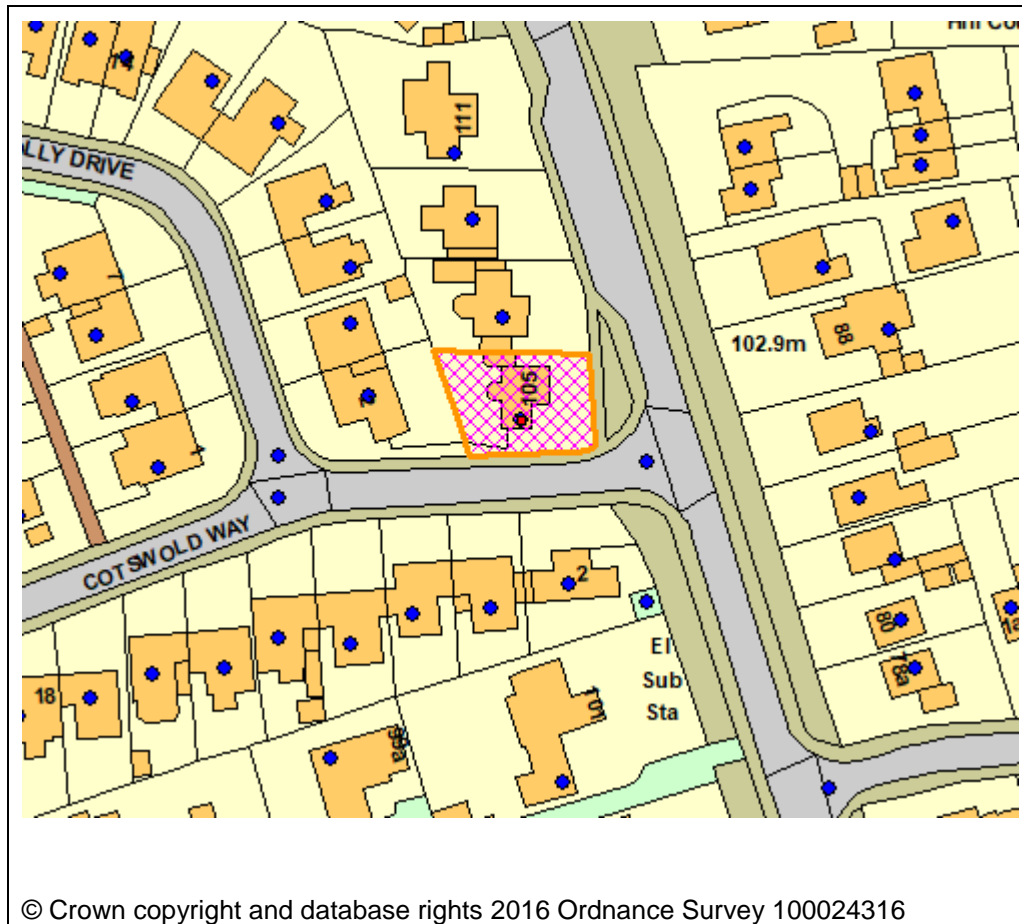
## **6 REASON FOR REFUSAL**

- I. By the reason of the proposed scale, form and massing, the proposed building will appear significantly incongruous and overly dominant with the immediate locality. The proposed building will adversely affect the character and visual appearance of the streetscene. As such the proposal is contrary to Policies OS2 and OS4 of the West Oxfordshire Local Plan, the West Oxfordshire Design Guide, the National Design Guide and the relevant paragraphs of the NPPF.



Application Number	20/02650/HHD
Site Address	105 Burford Road Carterton Oxfordshire OX18 1AJ
Date	3rd December 2020
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Town Council
Grid Reference	427817 E 207611 N
Committee Date	14th December 2020

### Location Map



### Application Details:

Render rear extension and move a fence in garden.

### Applicant Details:

Mr Dylan Bartle  
105 Burford Road  
Carterton  
Oxfordshire, OX18 1AJ

## **I CONSULTATIONS**

- 1.1 Parish Council Carterton Town Council would ask officers to check whether the fence would obscure the driver's view on leaving the property.
- 1.2 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.
- 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.

## **2 REPRESENTATIONS**

- 2.1 No third party comments have been received to date.

## **3 APPLICANT'S CASE**

- 3.1 No supporting statement submitted with the application.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places  
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 relates to a detached dwelling located within a residential area of Carterton. The property is located on a corner plot, set back from Burford Road and the junction with Cotswold Way. The application is seeking planning consent to clad a new extension and to reposition a garden fence.
- 5.2 The application is to be heard before the Members of the Lowlands Area Planning Sub-Committee by the request of Cllr Mrs Crossland.
- 5.3 The planning reasons have been summarised as;
- 5.4 Re-siting the fence right upto the public footpath would be damaging to the visual amenity of the entrance to a housing development of over 100 properties, highway safety issues, and would set a precedent for the future.
- 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 Previously the extension was deemed permitted development. However as the applicant now wishes to change the materials to that which does not match the host dwelling, the extension now comes under planning control.
- 5.7 The proposed repositioning of the fence requires planning permission due to the proposed height of the fence adjacent to a public highway.
- 5.8 Your officers consider that the principle of such proposals is acceptable.

### Siting, Design and Form

- 5.9 The exterior finish of the extension is to be white render, whilst the host dwelling is constructed of brickwork. Given that render is considered to be a vernacular material, and the extension is to be located to the rear of the dwelling, your officers do not consider that the proposal will result in a detrimental impact to the visual appearance of the streetscene.
- 5.10 The proposed fence is to be of a close board wooden fence. It is proposed to be positioned further forward of the existing fence adjacent to Cotswold Way. It is only on this boundary and will not extend up to the junction with Burford Road.
- 5.11 Your officers consider that given the limited length of the proposed fence, that the visual appearance and open aspect of the existing streetscene will not be adversely affected by the proposal.

### Highways

- 5.12 OCC Highways were consulted on the application and have no objections to the proposal.

### Residential Amenities

- 5.13 Your officers consider that the proposal will not harm residential amenities in terms of loss of light, given the location of the proposed fence.

### Conclusion

- 5.14 Your officers consider that the proposed extension is acceptable in terms of the impact to neighbouring properties' residential amenities, the visual appearance of the streetscene, and how it relates to the host dwelling. Whilst the proposed fence will project adjacent to the footpath, given the distance that the proposed fence will be sited along the boundary with Cotswold Way, your officers do not consider that such a detrimental visual impact will result to the character and appearance of the streetscene. In terms of highway safety issues, OCC Highways have raised no objection to the proposed development.
- 5.15 As such in view of the above your officers consider that the proposal complies with the relevant policies of the West Oxfordshire Local Plan and the NPPF.

## **6 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
3. 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.