

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 6th July 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.

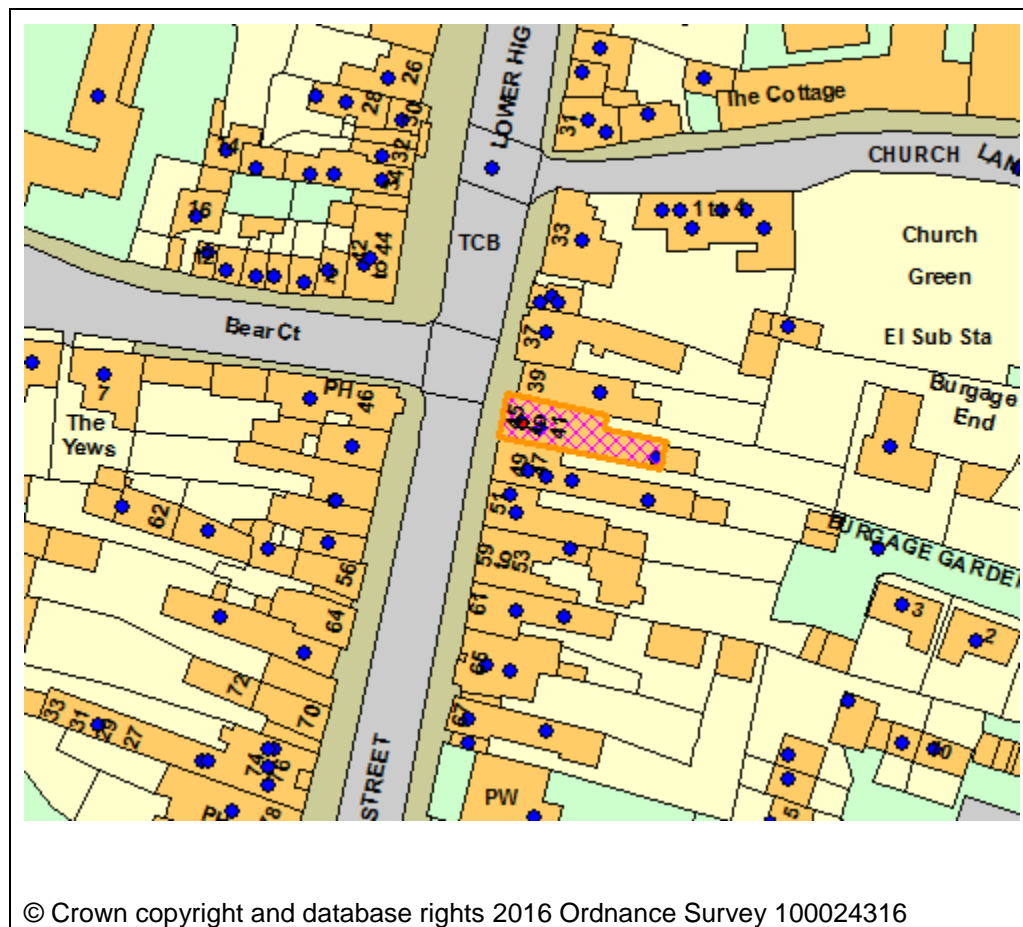
Please note that:

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

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20/00307/FUL	Car Park Guildenford, Burford	40
20/00905/FUL	Land West Of Soho Farmhouse, Great Tew	49
20/00991/FUL	Land North Of Gas Lane And Ascott Road, Shipton under Wychwood	55

Application Number	19/02468/LBC
Site Address	45 High Street Burford Oxfordshire OX18 4QA
Date	22nd June 2020
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425183 E 212302 N
Committee Date	6th July 2020

Location Map



Application Details:

Internal and external alterations to install 3 no. ground floor internal wall mounted air conditioning units together with the replacement of rear first floor bathroom window with traditional flush casement.

Applicant Details:

Mr Brian Williams
68 College Green, London, SE19 3PN

I CONSULTATIONS

- 1.1 Conservation Officer This is a grade II listed house, the date is unknown, but Historic England state that it has been remodelled in the 18th century.
- The proposal is for internal and external alterations to install 3 no. ground floor internal wall mounted air conditioning units together with the replacement of rear first floor bathroom window with traditional flush casement.
- The proposal is supportable, and will uphold the character of the listed building and conservation area. The applicant taken the historic fabric into consideration and there will be no significant harm from any part of the proposal. Also, the applicant will be installing a hardwood single glazed window to the rear -this will ensure that the character of the listed building is preserved. Therefore, I raise no objection to this proposal subject to conditions: D11, E12, E17
- N.B.: The proposal in its current form complies with local and national legislation and policy including OS4 and EH9, EH10 and EH11 of the adopted West Oxfordshire Local Plan 2031, and section 16 of the NPPF.
- 1.2 Parish Council The courtyard has shared access. The unit could cause an obstruction to those using the courtyard. We are concerned about the noise pollution it may cause because it is sited under a bedroom window. We would need confirmation that if fitted the noise will be very low, less than 35dBA and preferably less than 30dBA. The Council strongly advise that a Planning Officer visit the site. Objection.

2 REPRESENTATIONS

No representations received

3 APPLICANT'S CASE

No case submitted

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH11 Listed Buildings

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks permission for Internal and external alterations to install 3 no. ground floor internal wall mounted air conditioning units together with the replacement of rear first floor bathroom window with traditional flush casement.
- 5.2 The application site is located on the main road through Burford. The courtyard is accessed either through the shop which it serves or through a narrow passage way leading from the High Street. The building itself has a mix of uses with business use at ground floor level and residential at first floor level. The site lies within a Conservation Area and the building is Grade II Listed.
Historic England describe the property as "House. C18 remodelling of front. Rubble with Cotswold stone roof. 2 storeys and attic; 2 gabled dormers. 2 windows, 16-pane sashes. 2 projecting shop-fronts on ground floor."
- 5.3 The application is to be heard before committee as the Town Council has objected to the proposal.
- 5.4 In addition an extension of time was required to determine this application due to additional information being requested and the cancellations of all committees in response to the COVID-19 virus.
- 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:

Siting, Design and Form
Impact on Listed Building

Siting, Design and Form

- 5.6 The proposed internal air conditioning units are to be located at 3 points within the shop with the pipework rising from ground floor to first floor to exit the building to link the external unit (subject of application 19/02572/FUL). The location of the units and the pipework is designed to have the least impact on the Listed Building utilising where possible existing openings.
- 5.7 The proposed replacement window is a traditional hardwood single glazed flush casement in the same style as the existing. Officers consider that this is acceptable in this regard.

Impact on Listed Building

- 5.8 Following multiple site visits by the Conservation Officer, their final comments on the application are as follows:
"The proposal is supportable, and will uphold the character of the listed building and conservation area. The applicant taken the historic fabric into consideration and there will be no significant harm from any part of the proposal. Also, the applicant will be installing a

hardwood single glazed window to the rear -this will ensure that the character of the listed building is preserved. Therefore, I raise no objection to this proposal subject to conditions"

- 5.9 In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset. The latter applies in this case.
- 5.10 Where a proposal results in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196).
- 5.11 As detailed within the NPPF a Public Benefit is defined as

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits"

The proposed alterations are considered to have a public benefit, in that it allows a retail unit within Burford Town Centre which brings economic benefits to the area, to operate in a more comfortable and healthy environment.

Conclusion

- 5.12 In light of the above assessment this proposal is acceptable in accordance with policies OS2, OS4 and EH11 of the adopted Local Plan 2031, relevant sections from the NPPF and the West Oxfordshire Design Guide 2016.

6 CONDITIONS

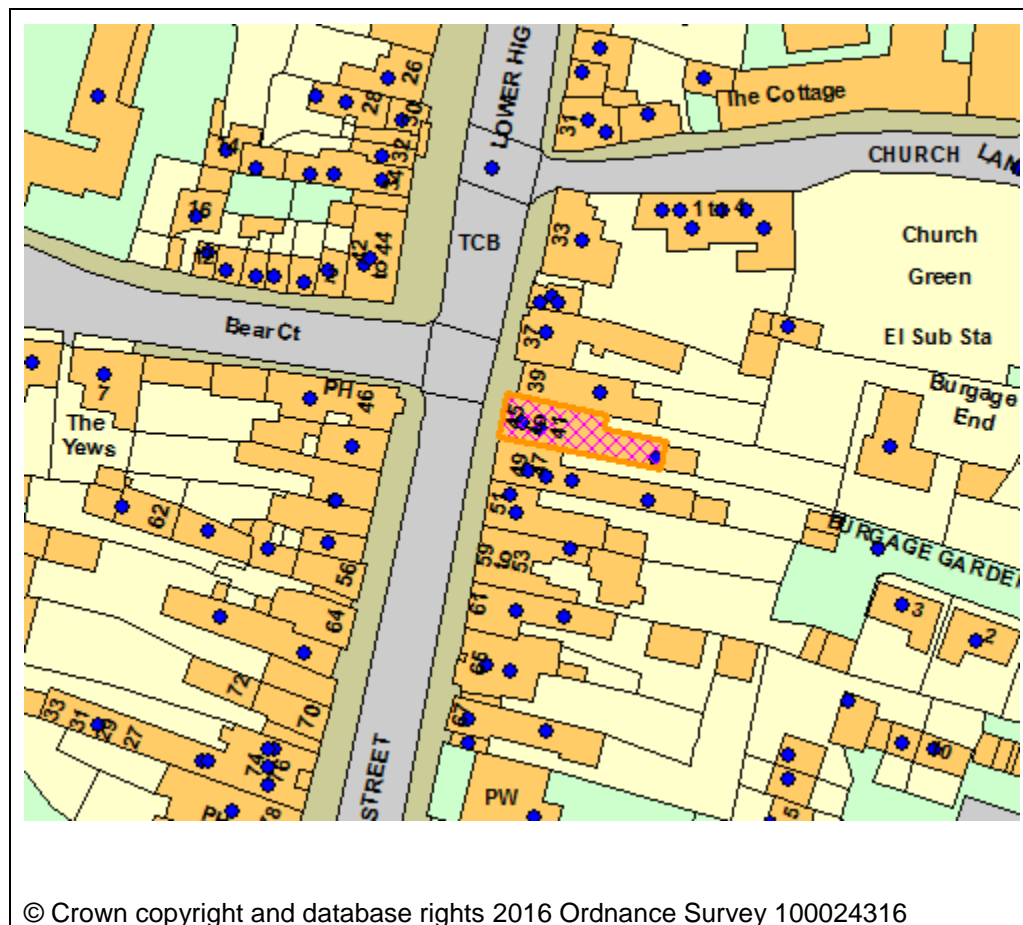
1. The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. 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. 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	19/02572/FUL
Site Address	45 High Street Burford Oxfordshire OX18 4QA
Date	22nd June 2020
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425183 E 212302 N
Committee Date	6th July 2020

Location Map



Application Details:

Installation of 1 no. external condenser unit in rear courtyard.

Applicant Details:

Mr Brian Williams
68 College Green
London, SE19 3PN

I CONSULTATIONS

- I.1 Parish Council No Comment Received.
- I.2 WODC Env Health - Uplands Mr ERS Pollution Consultation Final Comments following submission of enclosure details
I now note the new details regarding a proposed bespoke noise reducing enclosure. I minded to support the application with three conditions:
- i) The air conditioning condenser unit shall be retained behind a proprietary acoustic mitigation housing enclosure.
 - ii) The maximum Sound Pressure Level at 1 m from the air conditioning plant shall be no higher than 47 dB(A) on full duty.
 - iii) The air conditioning condenser shall be installed on anti-vibration mountings.
- Additionally you may want to consider some restrictions to the timings of use (night time being defined as 23:00-07:00 hrs).
- I.3 Parish Council The courtyard has shared access. The unit could cause an obstruction to those using the courtyard. We are concerned about the noise pollution it may cause because it is sited under a bedroom window. We would need confirmation that if fitted the noise will be very low, less than 35dBA and preferably less than 30dBA. The Council strongly advise that a Planning Officer visit the site. Objection.

2 REPRESENTATIONS

One representation has been received
Blocks and totally spoils entrance to Garden Cottage

3 APPLICANT'S CASE

No case has been submitted

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
EH9 Historic environment
EH10 Conservation Areas
EH11 Listed Buildings
E1NEW Land for employment
E6NEW Town centres
BC1NEW Burford-Charlbury sub-area
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks permission for Installation of 1 no. external condenser unit in rear courtyard.
- 5.2 The application site is located on the main road through Burford. The courtyard is accessed either through the shop which it serves or through a narrow passage way leading from the High Street. The building itself has a mix of uses with business use at ground floor level and residential at first floor level. The site lies within a Conservation Area and the building is Grade II Listed. In addition the adjoining property to the rear has a right of access through the courtyard .
- 5.3 The Listed Building is described by Historic England as "House. C18 remodelling of front. Rubble with Cotswold stone roof. 2 storeys and attic; 2 gabled dormers. 2 windows, 16-pane sashes. 2 projecting shop-fronts on ground floor."
- 5.4 The application is to be heard before committee as the Town Council has objected to the proposal.
- 5.5 In addition an extension of time was required to determine this application due to additional information being requested and the cancellations of all committees in response to the COVID-19 virus.
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle
 - Siting, Design and Form
 - Heritage Issues
 - Residential Amenity
 - Other Matters

Principle

- 5.7 Given the commercial nature of the unit which the proposed air conditioning unit would serve and other units in the vicinity have air conditioning units, officers consider that the principle of an air conditioning unit is acceptable. Officers also consider that an air conditioning unit within a small retail unit in Burford Town Centre would be compliant with policy BCI by supporting a small scale employment site and by making it more welcoming to tourists in this Town Centre location (as identified in Figure 9.6c: Burford town centre (inset map) of the Local Plan 2031).

Siting, Design and Form

- 5.8 Following initial concerns from officers and Environmental Health (ERS) in regards to the sound levels within the confined courtyard, the applicant proposes to house the air conditioning unit within acoustic housing. The air conditioning unit enclosed in the acoustic housing is proposed to be sited to the side of the building in a courtyard accessed by a passageway leading from the

High Street. This is considered to be an appropriate position, in relation to the host building, both the accesses (door and passage way) and the nearest neighbour.

- 5.9 The acoustic housing is proposed to be constructed of powder coated steel and aluminium louvred panels at 1.5 long x 1 wide x 1.7m high. The colour has not been indicated therefore colour is required by condition.

Heritage Issues

- 5.10 The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses while section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Policies EH9, EH10 and EH11 of the Local plan reflect these duties. In this regard the proposed external condenser unit is not considered to have a detrimental impact on the character or historic interest of the Conservation Area, given its location in a concealed courtyard not visible within the Conservation Area. As such, the Conservation Area is not materially impacted and is therefore preserved. In terms of the setting of the listed building, this is the preferred location for the unit instead of it being sited on the listed building itself.
- 5.11 Paragraph 193 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits. The proposed condenser unit is considered to have a public benefit, in that it allows a retail unit within Burford Town Centre, which brings economic benefits to the area, to operate in a more comfortable and healthy environment.

Neighbouring Amenity

- 5.12 The siting of the unit has been amended to move the unit further away from the neighbouring property. The proposed acoustic housing lessens the noise output to the level specified by ERS of 47 Dba (as specified by ERS following the completion of a Site Visit) which from officers understanding is less than a household refrigerator. In addition the unit is proposed to be mounted on anti-vibration mounts further reducing the audible level of the unit. Officers therefore consider that the unit and acoustic housing are acceptable in this regard.

Other Matters

- 5.13 The adjoining neighbour to the rear (Garden Cottage, 41 High Street) has a right of access across the courtyard and is concerned that his access rights are affected. Notwithstanding that this concern is a private legal matter and not relevant to the determination of this application, Officers consider that whilst the route across the courtyard would be narrower than existing, the access is still maintained to the same level as the passage way leading from the street (1m) and the gate used to access the property.

Conclusion

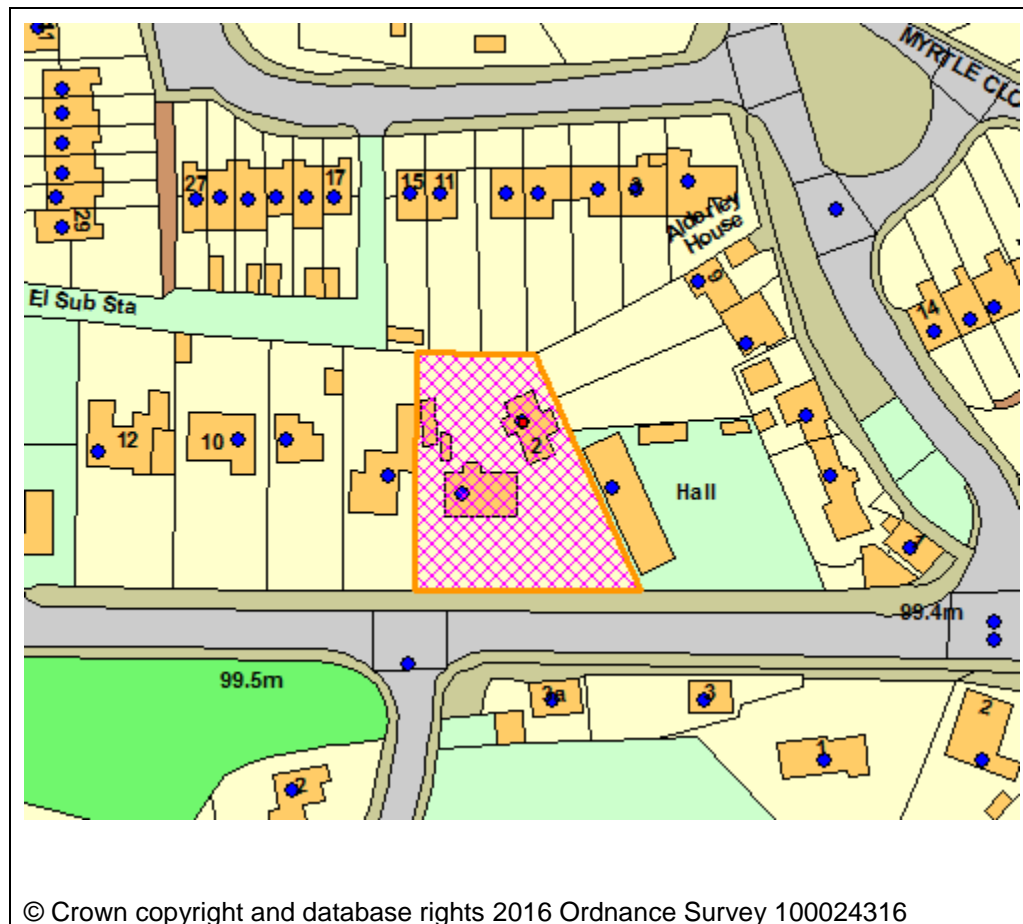
- 5.14 In light of the above assessment this proposal is acceptable in accordance with policies OS2, OS4, EH9, EH10, EH11, E1, E6 and BCI of the adopted Local Plan 2031, relevant sections from the NPPF and West Oxfordshire Design Guide 2016.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. 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 the installation of the air condenser unit, the exact details of the acoustic housing, shall be submitted to the local planning authority for approval. The approved details shall be implemented and thereafter permanently retained.
REASON: To preserve the setting of the Listed Building.
4. The maximum Sound Pressure Level at 1 m from the air conditioning plant shall be no higher than 47 dB(A) on full duty.
REASON: To protect residential amenity
5. The air conditioning condenser permitted shall be installed on anti-vibration mountings and retained hereafter.
REASON: To protect residential amenity
6. The air condenser unit shall only be operating during the opening hours of the premises to which it relates.
REASON: To protect residential amenity

Application Number	19/02902/FUL
Site Address	2 Witney Road Long Hanborough Witney Oxfordshire OX29 8BJ
Date	22nd June 2020
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441592 E 214229 N
Committee Date	6th July 2020

Location Map



Application Details:

Remove existing dwellings and outbuildings and erection of nine flats together with associated works including the closure of two existing accesses and formation of one new vehicular and one new pedestrian access (Amended scheme).

Applicant Details:

Mr Luke Carter, South Lodge, Barnard Gate, Oxon, OX28 6XD

I CONSULTATIONS

I.1 Parish Council

Hanborough Parish Council objects to this Planning Application on the following grounds.

- a. The Council does not understand how the proposed building for now nine flats occupies a larger area on the site than that of the previous application for ten flats, which itself replaced the application occupying a smaller site for 12 flats. The current application overlooks and overshadows all neighbouring properties and to a much greater extent.
- b. The gross external area of the building is even larger, presumably to compensate for the reduction in the height of the building at the NE corner. It now extends much further to the north of the site, which increases its impact on houses in Millwood End and Abelwood Road.
- c. The proposed revision of the two-storey building - for which dimensions have should have, but have not, been supplied - for nine flats would create a very large imposing construction on Witney Road at the front of the site. This would be totally out of keeping with, and would have an unacceptable impact on, the streetscape and the neighbouring houses and Recreation Hall. The next-door house to the west, no.6, is a bungalow and the Recreation Hall is single-storey. The proposed building is aligned only with the front of no. 6, but the adjacent houses to the west on Witney Road have deep front gardens and are set much further back. The proposed building is an isolated block, unrelated to adjacent buildings.

This application therefore does not meet

1. Policy CO2: Ensure that new developments are suitably located and well designed to protect and enhance the individual form, character and identity of our towns and villages as well as contributing to the quality of life in West Oxfordshire.

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;

2. Policy OS4: High quality design.

- d. The plan showing that the ridge height of the proposed building is 'favourably' lower in relation to those of most of the houses from no.8 Witney Road to that next to Suzuki Garage and of the houses in Abelwood Road is irrelevant

- since the proposed building is not aligned with them but stands prominently forward in the streetscape.
- e. The new extended location of the proposed building will now to an even greater and unacceptable extent, than that of the building for ten flats, overlook, overshadow and impact on properties in Millwood End, which is a Conservation Area, and in Abelwood Road. The Millwood End Conservation Area Character Appraisal stipulates that 'Special care must be taken to ensure that views into and out of the Conservation Area are not harmed.' The proposed building will directly block views from the Millwood End houses.
 - f. Although the applicant supplies the size of the green amenity land per flat, however, they do not provide the dimensions of the floor area of the nine flats. Since the five first floor flats are beneath the eaves of the roof, it could be presumed their habitable area for an adult is accordingly reduced and less than that provided for the ground floor flats. The Council is concerned by the size of the accommodation being provided, and would like this information to be supplied.
 - g. The Council is unhappy at the number of inaccurate statements made in in the 'Impact upon Neighbours' assessment, which was supplied for the ten-flat application, but has not been revised.
 - h. The west side of the proposed building, to which has been added a cycle bay under a canopy roof, now is closer at its SE corner to no.6, runs the whole length of east side of no. 6 and has been extended beyond. It thereby blocks light from two sides of no.6: first, from the rear of the conservatory at the north of the house; second, on the east side, not only from its ground floor windows and the two Velux windows above, but also from the solar panels, thereby restricting their capacity to generate energy. The windows and solar panels are easily visible from the pavement on Witney Road, so it is not obvious why the Impact Statement upon Neighbours should claim there are no windows on the east side of no. 6.
 - i. Although the Impact Statement claims 'there are no side windows in the proposed flats', they are shown in the Side Elevation diagrams. Velux windows on the west elevation of the proposed building will look into the living areas of no. 6, and those on the east elevation will look into the west-facing windows of the Recreation Hall.
 - j. The Recreation Hall is used throughout the day and in the evenings for a variety of children's groups, such as for dancing and for the scouts, and for keep-fit classes. The visibility offered by the windows on the east side of the proposed building violates the safety and privacy of those using the Hall for these purposes.
 - k. The light shining through the doors from the living areas and the requirement for lighting for the side paths would impact on no.6, and lighting for the paths at the rear of the

development would impact on properties in Millwood End and Abelwood Road.

- l. Although the site plan claims that 'ground floor flats made suitable for elderly and disabled, full compliance with part M Building Regulations', none of the paths appears to be the required width of minimum of 1.2m for wheel-chair users, or 1.8m to allow wheelchairs to pass.
- m. Similarly, in terms of compliance, the two disability car parking spaces are shown as being the same width as the remaining nine car parking spaces. However, disability parking space is required to be 3.3-3.6m wide. Clearly, all the spaces would not be 3.3-3.6m wide, since it would not be possible to fit in 11 parking spaces of 3.3-3.6m wide, so extra width has not been provided for the two designated disability parking spaces.
- n. In reducing the number of disability parking spaces from three to two, the proposal is reducing the opportunity for these flats to be made available to the disabled and elderly
- o. The disability car parking space placed on the east side on the building now occupies space that for the ten-flat building was allowed for the provision of a turning area for refuse and emergency vehicles. There is therefore now no turning area, and such vehicles can not reverse out of the site entrance onto Witney Road, the A4095.
- p. There are Insufficient parking spaces. It is unrealistic that the residents would at all times be restricted to one vehicle per flat, so that further cars would block other cars and access for refuse and emergency vehicles. The parking spaces of the adjacent Recreation Hall are for Hall users only.
- q. It is not clear that any consideration whatever has been given by the applicant to the location of large communal bins for recycling and waste. The proposed location of the recycling is not easily accessible for all residents of the proposed building since the bin area is on the other side of the building from doorways; there is insufficient room to pull large bins past parked cars and parking bays; and its location harm the amenities of the residents of no. 6, who are immediately adjacent to the proposed location, and will cause them to suffer constant noise, disruption, the presence of unhygienic conditions, and animal scavenging.

This application therefore does not meet;

Policy OS2: Locating Development in the Right Places - All development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants.

- r. Vehicle Activity: The applicant treats this as being impact of the location of a disabled car parking spaces on no. 6 Witney

Road, whereas of course the issue must address vehicle movements in and out of the site. The applicant claims that few vehicle movements are envisaged. This is not realistic. In addition to the likely twice daily movements of the vehicles of the residents in and out of the site, namely 18 vm per day, allowance has to be made for deliveries and other services, which is likely to bring the number to 40-50 vm daily in and out of the site.

- s. Location of access to site will add to existing rush-hour congestion and air pollution on this part of the A4095: a) The access has been located immediately opposite the 233 bus-stop on the north side of the A4095, which will delay A4095 traffic at rush-hour or prevent cars-exiting from the site. b) The access is too close to the exit of the Recreation Hall car park, which is used constantly most days by many community groups from 7.30am to late evening. c) Outside the car park is one of Hanborough's three pelican crossings on the A4095, and which serves residents living at the west end of Hanborough. d) Further on is Millwood End, with traffic from that area and Combe.

This application therefore does not meet;

Policy OS2: Locating Development in the Right Places - Be provided with safe vehicular access.

- t. The Parish Council is disappointed that, given West Oxfordshire District Council declared a Climate Emergency in June, the applicant has not indicated that they would seek measures to adopt carbon-zero building methods to reduce energy demand, to install solar panels, and electric charging point for cars. We would like the Applicant to propose which measures they would undertake.

I.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, do not object to the granting of planning permission, subject to conditions.

Please note 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.

I.3 Conservation Officer

Amended plans:
In summary, they have gone for a one-and-a-half-storey

neo-cottage form - inspired by a building on the south side of the road, and which sits reasonably well amongst the buildings on the north side of the road. The somewhat prominent front elevation has reasonable proportions, whilst the considerable volume at the rear should not feature too strongly in views along the road.
No objections from our point of view.

I.4 Biodiversity Officer

Following on from my previous comments on the above planning application (19/02902/FUL), I have now reviewed the Bat Survey Report, prepared by Cotswold Ecology and dated May 2019, alongside the recently updated ecology report, prepared by Windrush Ecology and dated 6th May 2020. I have the following comments regarding biodiversity with recommendations for conditions.

Bats

The updated ecology report concluded that both buildings 1 and 2 offered 'low' roosting potential for bats. No bats were noted to emerge from the buildings during the further emergence survey. Bats are therefore considered to be absent from the buildings. Therefore, the consideration of the 3 derogation tests should not be overly onerous as the proposed works are unlikely to have a significant impact on Bat Species. The Bat Survey Report recommends for 2 no. bat tubes to be integrated within the external walls of the new building. This is satisfactory and I also recommend for a further 2 no. bat boxes/bricks/tubes to be integrated into the eastern or southern elevations of the building. This is due to the site being in close proximity to the surrounding countryside where there are commuting and foraging features available (such as hedgerows, woodlands and waterbodies) and there are also records of bat species nearby. Therefore, additional bat roosting features would provide further enhancement and roosting opportunities for bat species within the area. The details of the new roosting provision, including the elevation drawings, the design of the roosting features and timetable for provision, should be submitted to the LPA as a condition of planning consent.

Furthermore, I recommend that a sensitive lighting strategy is prepared to ensure that the site boundaries (particularly the northern area of the site) and new roosting features are not illuminated by any external lighting. This can be submitted to the LPA as a condition of planning consent.

Birds

No bird species were noted to use the buildings or features within the wider site to nest. Therefore the works are unlikely to have an impact on nesting birds. However, I still recommend that the clearance of any vegetation is undertaken outside of the nesting bird season. If this is not possible then a nesting bird check will be required before any clearance of vegetation and precautionary working will need to be adhered to. I therefore recommend that a

Precautionary Working Method Statement is prepared to ensure that potential harm to nesting birds is avoided during the demolition of the buildings or during the clearance of any vegetation. This can be prepared and submitted to the LPA as a condition of planning consent.

Section 5 of the ecology report recommends for 3 no. house sparrow nest boxes to be implemented. This is satisfactory and I recommend for these features (preferably a house sparrow terrace design such as the Schwegler Sparrow Terrace ISP) to be integrated within the external walls on the northern or eastern elevations. I further recommend that additional nesting provision is implemented for other species, such as swifts (e.g. swift bricks), as there are records of this species within the surrounding area.

The details of the new nesting provision, including the elevation drawings, the design of the nesting features and timetable for provision, should be submitted to the LPA as a condition of planning consent.

Other protected species

The ecology report does not consider the impacts of the development on other protected and priority species such as hedgehogs. However, as the site has been recently cleared, there are limited habitat features present and I therefore do not consider the development to pose significant impacts to the species. There are, however, records of hedgehogs within the surrounding area and I therefore advise that hedgehog gaps are created within the boundaries of the development to allow the species to disperse. The details of the hedgehog gaps can also be submitted to the LPA as a condition of planning consent.

I also recommend that the Precautionary Working Method Statement considers hedgehogs as well as reptiles, amphibians and badgers to ensure that potential harm to other protected and priority species is minimised. Similar to the method statement for birds, as requested above, this can be submitted to the LPA as a condition of planning consent.

Landscaping

Through reviewing the Bat Survey Report and the updated ecology assessment, I understand that the site has been previously cleared and that there are currently no habitat features of high ecological value present. This is therefore an opportunity to provide biodiversity enhancement on site which is in line with the NPPF paragraph 170 and Local Plan policy EH3, ensuring the creation of valuable biodiversity features and contributing to biodiversity net gain. I understand that the scheme includes a number of enhancement features such as the creation of a wildlife pond, hibernacula, a wildflower meadow and the planting of native, locally characteristic tree species. These are satisfactory. I also recommend

that native hedgerows are planted alongside the site boundaries to provide further commuting, foraging and nesting opportunities for protected and priority species such as nesting birds, bats and hedgehogs. Furthermore, the planting of a hedgerow along the southern boundary will also act as a privacy screen for the site. A comprehensive landscaping scheme will need to be prepared to detail the above habitat features that are to be created, along with a 5-year maintenance plan. The landscaping scheme will need to be submitted to the LPA as a condition of planning consent.

I.5	Major Planning Applications Team	LLFA - No objection subject to drainage conditions.
I.6	Thames Water	No objection.
I.7	WODC - Arts	We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site.
I.8	WODC - Sports	No Comment Received.
I.9	Environment Agency	No Comment Received.
I.10	WODC Env Health - Uplands	I have No objection in principle to the erection of ten flats at this location.
I.11	ERS Env. Consultation Sites	The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions.
I.12	WODC Housing Enabler	The scheme proposes to demolish 2 x existing dwellings on the site and build 10 x new apartments over 2 floors. This would give a nett gain of 8 x dwellings on site. As such, this development falls outside of the requirement outlined in policy H3 to make provision for Affordable Housing. The site does not fall within the Cotswolds Area of Outstanding Natural Beauty. The gross floor space would be less than 1000 m2.
I.13	WODC Planning Policy Manager	No Comment Received.
I.14	TV Police - Crime Prevention Design Advisor	I consider some aspects of the design and layout to be problematic in crime prevention design terms and therefore feel that the development may not meet the requirements of the NPPF & Planning Practice Guidance on 'Design'. Therefore, to ensure that the opportunity to design out crime is not missed I request that a condition be placed upon any approval for this application.

- I.15 WODC Env Services - Waste Officer No Comment Received.
- I.16 Natural England Natural England has no comments to make on this application.
- I.17 Wychwood Project No Comment Received.

2 REPRESENTATIONS

- 2.1 Fifty seven letters received objecting to the ORIGINAL application are summarised below with reference to relevant planning issues.
- Overshadowing and loss of light - particularly with regard to the adverse effect on the solar panels at No 6 Witney Road as well as to habitable rooms
 - Overlooking, overshadowing and loss of privacy
 - Inadequate car parking which is also unsuitable for blue badge holders
 - Traffic generation
 - Inappropriate scale of development in relation to neighbouring buildings and conservation area
 - Light nuisance from cars using the relocated entrance
 - Noise and disturbance
 - Harmful impact on the character of the area
 - Harmful impact on biodiversity
 - Flood risk
 - Significant impact on infrastructure, utilities and resources and disposal of waste
 - Inappropriate development
 - No need for further development
 - Light pollution would affect astronomy work
- 2.2 Thirty four letters have been received objecting to the latest AMENDED plans on the following grounds:
- Overbearing impact
 - Overshadowing and loss of light
 - Potential overlooking and loss of privacy if new windows are inserted
 - Too many flats
 - Out of keeping with surrounding properties
 - Inadequate car parking, manoeuvring space, cycle and bin storage
 - Query need for one bed flats
 - Traffic concerns
 - Overdevelopment
 - Noise and nuisance concerns
 - Unacceptable tree planting proposed
 - Inaccurate information
 - Urbanisation and harmful to character of the village
 - Bungalows needed in the village
 - Communal garden and entrance is a health and safety risk
 - Will damage the character of the Conservation Area

- Contrary to policy
 - Loss of efficiency of solar panels
 - Inadequate living conditions for new flat occupants
 - Structural threat to neighbouring property
 - Drainage and flood risk concerns
- 2.3 Forty six letters have been received in support of the application on the following grounds:
- Need for one bed flats
 - Attractive development
 - Need for affordable units in the area
 - Efficient use of the site
- 2.4 A general comment has been submitted concerning the National Cycle Network route 442 (Oxford-Worcester) and the key cycling link from Witney to the nearest railway station at Hanborough and how vehicle access to the site will interface with the cycleway.

3. AMENDED PLANS

Applicant's Case

- 3.1 The submitted Planning, Design and Access Statement concludes:
- 3.2 Our aim is to achieve a viable, planning compliant scheme, with a design of buildings in a low key traditional and conventional form, set within a natural enhancement scheme that exceeds the proposed biodiversity net gain target. These small flats will "add to the housing mix" on one of the few sites in Long Hanborough where it is possible to do so while still complying with all appropriate planning criteria.
- 3.3 The NPPF supports the view that encouraging housing mix is good for social cohesion in local communities. An article in "The Planner" magazine for April 2019 commented on the increased interest in smaller scale one bed homes, and their attractiveness both for economic and life style reasons. Whether for first time buyers, renters, or downsizers, we hope this can be seen as positive addition to the provision of new housing locally.
- 3.4 The applicants are willing to accept relevant planning conditions, where needed. On this basis we hope to achieve a highly sustainable development that is in keeping with the street scene and contributes to the much needed range of new small scale housing units locally.
- 3.5 A full copy of the submitted Design and Access Statement can be viewed on the Council's website.
- 3.6 A further letter with the amended plans states that it is believed this 1.5 storey scheme with modest single storey additions is an improved design with both more informality and interest; using natural local stone, and of a style that will improve the visual character of this site in the street scene. The proposal accords with the relevant local plan policies and is not considered likely to cause any loss of residential amenity or visual harm to the building or its locality. The key aim of the proposed development has been to achieve a high standard of design both internally and externally and to reflect appropriately on the surrounding area.

4 PLANNING POLICIES

EH3 Biodiversity and Geodiversity
EH9 Historic environment
EH10 Conservation Areas
EW10 Eynsham- Woodstock sub area
NPPF 2019
DESGUI West Oxfordshire Design Guide
NATDES National Design Guide
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H4NEW Type and mix of new homes
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
T4NEW Parking provision
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the redevelopment of an existing residential site. The application proposes to remove the existing dwellings and outbuildings and erect nine flats together with associated works including the closure of two existing accesses and formation of one new vehicular and one new pedestrian access.
- 5.2 The scheme has been amended following negotiations with the agent/applicant and the number of flat units has been reduced from ten to nine. A previous application for the erection of 12 flats was withdrawn last year.
- 5.3 The site lies within the settlement of Long Hanborough on the northern side of Witney Road. It comprises two dwellings units (Nos 2 and 4 Witney Road). The village Hall adjoins the site to the east and the site is surrounded on other sides by residential units with the rear gardens of properties fronting onto Millwood End abutting the north eastern boundary. The site lies close to the Long Hanborough Conservation Area (part of the eastern boundary abuts onto the conservation area) and a terrace of listed buildings are located to the east of the site fronting onto Millwood End.
- 5.4 The application is to be heard before the Members of the Lowlands Area Planning Sub-Committee as the Parish Council has objected to the application.
- 5.5 An extension of time has been agreed to enable the submission and consideration of amendments to the scheme.
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Principle
- Siting, Design and scale
- Impact on Heritage Assets
- Neighbouring amenity
- Highway safety
- Biodiversity

Principle

- 5.7 The current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2031 which was adopted on 27 September 2018 and must therefore be given full weight. For the purposes of housing delivery the site falls within the Eynsham and Woodstock Sub area the total anticipated housing delivery for this sub-area is 5,596 homes. In accordance with the overall housing strategy additional housing development in this sub area will be focused primarily at designated Rural Service Centres with any additional development steered towards the larger villages. It is anticipated that this overall level of provision will be met through a combination of, inter alia, homes already completed, existing commitments, non-strategic housing allocations and windfall development, which are of relevance to this proposal.
- 5.8 Policy OS2 of the Local Plan Locating Development in the Right Places sets out the overall spatial strategy for the District including the distribution of new development over the plan period to 2031, focusing the majority of new homes, jobs and supporting services in these main service centres. Given that the site is located within Long Hanborough, a designated Rural Service Centre (as identified in Policy OS2), further housing would accord with policy EW10 of the Local Plan and would contribute towards the general level of housing delivery and the mix of housing provision within the sub area.
- 5.9 As set out in Policy H2, windfall housing development is supported in the main service centres on previously developed land within or adjoining the built up area provided that: the loss of any existing use would not conflict with other plan policies; and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan. In this case there would be a continued residential use on the site, albeit the replacement of the existing bungalows with flats requires consideration in the context of meeting specific housing needs as explained above.
- 5.10 The particular general principles of Policy OS2 relevant to this case include the requirement that development:
- 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; and be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants.
- 5.11 Policy H4 of the Local Plan requires developers to demonstrate how their proposal helps to create a more balanced housing stock and meet the needs of a range of different groups having regard to specific local needs. In this respect the agent has advised that there is a demand for smaller residential units and there are not enough such one bedroom flats to meet demand.

- 5.12 On the basis of the policies outlined above, the principle of the re-development of the site is considered to be acceptable. The development proposes the redevelopment of an existing housing site within a Rural Service Centre, the proposed development would therefore comply with the locational requirements of the plan. The detail of the proposal as assessed against Policy OS2 of the Local Plan is considered below.

Siting, Design and Scale

- 5.13 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflects this advice and encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the recently published National Design Guide.
- 5.14 Following extensive discussions with the agent, amended plans have been submitted seeking to address the previous concerns raised in respect of bulk, massing and scale. The amended scheme is for nine one bedroom flats provided within a 1.5 storey building with a single storey element at its north western end. The building will be sited centrally on the plot but with the front element now moved closer to the eastern boundary and set back in line with the adjoining property (No 6 Witney Road). There is provision for bins and cycle storage close to the eastern boundary. The building will be constructed in natural local stone with a grey tile or slate roof.
- 5.15 The immediate adjoining buildings on Witney Road (No 6 and the village hall) are single storey in height but in the wider context there is a mix of dwelling types within the village comprising 1.5 and two storey units. The proposed ridge height will be approximately 7.4m, which will be around 1.4m higher than the existing bungalow (No4) but will be lower than other dwellings along Witney Road and properties to the rear fronting onto Abelwood Road. The building will have a cottage style appearance with traditional style dormer windows. The amended scheme is considered to be acceptable and responds positively to and respects the character of the site and its surroundings.

Impact on Heritage Assets

- 5.16 The site lies close to the Long Hanborough Conservation Area (part of the eastern boundary abuts onto the conservation area) and a terrace of listed buildings are located to the east of the site fronting onto Millwood End. The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses while section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas which includes its setting. Policies EH9, EH10 and EH11 of the Local plan reflect these duties.
- 5.17 Paragraph 193 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial

harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits.

- 5.18 The Design and Conservation Architect acknowledges that the one and-a-half-storey neo-cottage form (inspired by a building on the south side of the road) sits reasonably well within the plot and adjoining buildings. The front elevation has reasonable proportions, whilst the considerable volume at the rear, it is considered should not feature too strongly in views along the road. As such, no design or heritage concerns are raised and the limited impact of this development on the Conservation Area will be outweighed by the benefits of the proposal.

Neighbouring Amenity

- 5.19 The site is surrounded by neighbouring properties and the village hall adjoins the site to the east. The immediate neighbour to the west is No 6 a detached bungalow. Two storey houses fronting onto Abelwood Road back onto the site.
- 5.20 Concerns have been raised by neighbouring residents in respect of overlooking, loss of light and overshadowing resulting from the proposed development.
- 5.21 In terms of the adjoining property to the west (No 6 Witney Road), this is a bungalow with several ground floor windows along the east elevation including some velux roof lights. There is an existing 2m fence along the boundary close to this elevation. The plans have been amended to move the new development further away from the boundary so that the 1.5 story element is now over 10m away and the single story rear element is just over 5m distant from the boundary. Given the revised layout, existing boundary fencing and impact of existing buildings on the site, it is not considered that this development would result in a significant additional amount of overshadowing or loss of light to this property. In terms of overlooking, there are solely roof lights at first floor level on the western elevation of the building and given the siting of the rooflights (2.3m above finished floor level) there will be no overlooking issues. The residents of No 6 Witney Road have also raised concerns that the proposed development would overshadow solar panels on the east facing roof of their bungalow which would affect their efficiency. Reference is made to a recent High Court judgement which ruled that the impact of development on the efficiency of solar panels was a material planning consideration as the amount of electricity generated by solar PV panels was helping to mitigate climate change. In this case the solar panels are already affected to some degree by the existing 6m building on site. Whilst, this application seeks to erect a taller 7.4m building which will be sited slightly further forward on the plot, given the impact of the existing development, orientation, scale and revised siting of the proposed new development, it is not considered that it would result in a significant additional amount of overshadowing to the solar panels to warrant refusal.
- 5.22 The resident of No 3a which is located on the opposite side of the road and raised concerns relating to overlooking and light nuisance from cars using the relocated entrance. This property however already fronts onto the roadside and would be over 25m from the proposed new building. Whilst the relocated access would be more directly facing this property, it is not considered that its location and use would give rise to significant amenity issues to warrant refusal of the application.
- 5.23 In respect of the properties fronting onto Abelwood Road that back onto the site, the amended plans have omitted any windows at first floor level on the wing element closest to the boundary (7.8m away) and the dormer windows on the main element at the southern end of the site are

located over 20m from the rear boundary. The dormer windows on the eastern elevation will principally have an outlook onto the rear end roof of the village hall building which is located between 8-10m away.

- 5.24 In respond to the local concerns raised a detailed daylight, sunlight and shading analysis of the proposed revised scheme has been undertaken. The analysis is based upon the Building Research Establishment (BRE) guidelines, which provides the criteria and methodology for calculation in connection to daylight and sunlight. The analysis concludes that the proposed development would not cause an unacceptable loss of daylight and sunlight to neighbouring buildings and their back gardens. Additionally, the shading analysis showed minimum effects on the neighbouring back gardens' hours of sunlight.
- 5.25 In conclusion, it is not considered that the scheme, as amended, will have a significant adverse impact of the amenity of neighbouring residential properties.

Highway safety

- 5.26 The application proposes to close off the two existing accesses and create a new access onto Witney Road at the eastern end of the site. Given the reduction in the number of flat units, the amount of parking provision has also been reduced to 11 spaces which accords with OCC parking standards (1.2 spaces per 1 bed unit). 2 of the spaces would be for disabled use. Cycle bays are to be provided.
- 5.27 OCC Highways has advised that by accessing the site via a simple crossover this keeps the pedestrian priority over vehicles accessing / egressing the site and given there will not be high traffic flows or any speeds that would be a concern for the Highway Authority this access arrangement is acceptable. Parking provision is considered to be acceptable. OCC Highways therefore raises no objection to the application subject to conditions

Biodiversity

- 5.28 The submitted Planning, Design and Access Statement advises that bio-diversity planting and a conservation pond are proposed on the site plan. The intention is to enhance and increase the bio-diversity level on site.
- 5.29 An updated Ecological Report has been submitted which states that no bats or evidence of bats, were found within the existing buildings and there was no evidence of nesting birds during any of the surveys. No birds were seen to fly to or from the buildings, and no active nests were seen.
- 5.30 The Council's Biodiversity Officer detailed comments appear in the consultations section above. No objection is raised to the application subject to the imposition of a number of ecology conditions.

Other Matters

Waste Collection

- 5.31 The Parish Council is concerned about the arrangements for the collection of the (community) waste bin and refer to discussions held with the Council's Waste and Recycling Officer who has

commented that the refuse collectors 'would either stop on the road and walk to the bins (assuming the bin store is less than 25 meters and on suitable hard standing to pull a bin) or they would need a turning circle [within the site].The ideal operationally and safely would be to drive to the bin store, turn the vehicle and drive off.' County Highways has recommended a condition requiring full details of refuse, fire tender and pantechicon turning within the site (Condition 7) and has advised that no storage of refuse bins is permitted to be on the adopted footway.

Size of accommodation

- 5.32 Minimum internal space standards are set out in the Governments 'Technical housing standards - nationally described space standard'. The agent has confirmed that these standards are met. Other internal requirements would be dealt with via other regulations such as building control requirements.

Conclusion

- 5.33 The proposed development is considered to be of an appropriate size, scale, siting and design that would not harm the character and appearance of the surrounding area or significantly adversely impact neighbouring amenity. The development would not have a harmful impact on heritage assets. Therefore, having regards to the above it is considered the application proposal would accord with the design considerations of policies OS2, OS4, H2, EH9 and EH10 of the local plan 2018. As such the recommendation is that planning permission be Approved.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 21st February 2020.
REASON: The application details have been amended by the submission of revised details.
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 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.
5. Prior to the first use/occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved (Drawing No. I101-5K) and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this

condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

REASON: In the interests of highway safety and flood prevention and to comply with Policies T1, T4 and EH7 of the West Oxfordshire Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the first use or occupation of the development hereby permitted, the bin and cycle store shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the bin and cycle store shall be permanently retained and maintained for bin storage and the parking of cycles in connection with the development.
REASON: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.
7. Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
REASON: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.
8. 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.
9. On commencement of the development the proposed access shown on the approved plans shall be formed and the existing accesses shall be closed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure a safe and adequate access.
10. 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.
11. The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
12. No development shall take place until a Detailed Design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved

drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.

13. The natural stone boundary wall shall be rebuilt in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the works completed prior to occupation of the approved development.
REASON: In the interests of visual amenity.
14. Before the development hereby authorised is brought into use, Rapid EV charging points shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of air quality and to reduce greenhouse gases
15. No residential unit hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.
16. The development shall be completed in accordance with the recommendations in Section 5 of the Bat Survey Report, dated May 2019 and prepared by Cotswold Ecology, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, as modified by a relevant European Protected Species Licence, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.
REASON: To ensure that the bat and bird species are protected in accordance with The Conservation of Habitats and Species Regulations 2017, 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.
17. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings as well as hedgehog holes in the boundary fencing, 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 for birds and to facilitate the dispersal of hedgehogs, 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.
18. No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for reptiles, amphibians, hedgehogs, badgers and nesting birds has been submitted to and approved in writing by the Local Planning Authority. The

approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that reptiles, amphibians, hedgehogs, badgers and nesting birds are protected in accordance with the Wildlife and Countryside Act 1981 as amended, the Protection of Badgers Act 1992, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

19. 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 areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts / that light spillage into wildlife corridors (such as vegetation along the site boundaries, particularly within the northern area of the site) 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, 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.

20. 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 a wildlife pond with the planting of native, marginal vegetation;
 - The creation of a wildflower meadow;
 - The planting of native, locally characteristic trees along the site boundaries;
 - The planting of hedgerows along the site boundaries using native, locally characteristic species;
 - 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. If within a period of five years from the date of planting of any 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 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.

NOTES TO APPLICANT:

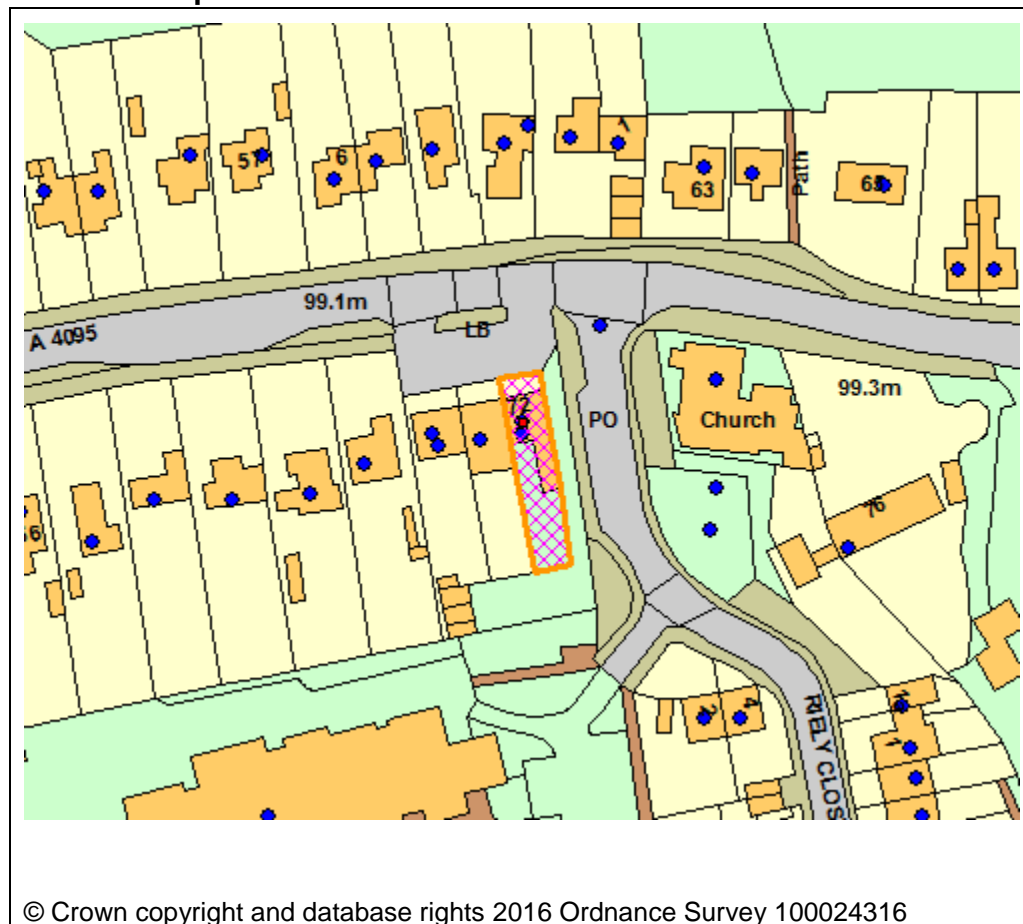
1. A Section 278 Agreement will be required for the works to the highway.
2. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, 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, 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 is 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. If this is not possible then a nesting bird check will need to be carried out before the commencement of the works.

Application Number	20/00235/FUL
Site Address	Post Office 72 Main Road Long Hanborough Witney Oxfordshire OX29 8BD
Date	22nd June 2020
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	442098 E 214135 N
Committee Date	6th July 2020

Location Map



Application Details:

Change of use of part of existing property from class A1 use to coffee shop (class A3 use) to include external alterations to provide additional front entrance and window in side elevation with single storey rear extension to the retained A1 use.

Applicant Details:

Local Community Homes Ltd, C/O Agent

I CONSULTATIONS

- I.1 WODC Env Health - Uplands Original Comments
With regard to the above application I have no objections to the change of use to A3 for a coffee shop, but do have concerns about potential problems from future A3 usage should it change to something like an Indian Takeaway, which would require a different type of extract system to remove grease and odour.
- Comments following information regarding extraction system
I can confirm that the system described would be suitable for any food type, but will also need an acoustic report on the noise levels produced by such a system and measures to be incorporated to prevent noise and vibration problems to neighbouring residents. An hours of use restriction would also be useful to prevent noise issues from any extract ventilation system.
- I.2 OCC Highways
Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission.
- I.3 WODC Business Development
I would support the principle of a change of use for the whole unit from retail to coffee shop - either use is appropriate for the village. However, I have severe reservations about the proposal to split the premises into two. I am concerned that neither of the two resulting premises would be large enough to function properly as a viable business. I see no evidence in the application where this has been addressed and I worry that dividing the property will actually lead to it being harder to let than keeping it as a whole.
- I.4 Parish Council
Many Hanborough residents would like a central coffee shop, where they could linger and chat to friends over a warm drink and a cake. Sadly, we do not believe that application 20/00235/FUL offers a realistic prospect of achieving a viable enterprise of this nature. Discussion with a WODC Business Development Officer has strengthened our view that a partial change of use (from A1 to A3), from convenience store-cum-post office to a café of just 68 square metres, would not be sustainable. Thus, the proposal fails one of the NPPF tests, cited in paragraph 5.5 of the applicant's Planning Statement:
"Decision-makers at every level should seek to approve applications for sustainable development where possible."
The applicant's preparatory research is also flawed in specific respects. In paragraph 6.1 of the Planning Statement we learn:
"The applicant has been looking for a suitable premises for a coffee shop in and around the village of Long Hanborough for some time and, based on their research, considers there to be a strong demand for such a use, both within the village itself and from passers through

who make frequent use of the local train station."

Reliance upon custom from people passing by on their way to or from Hanborough Station (three quarters of a mile away) is surely misguided, if the applicant is serious about most customers arriving on foot; or, if "passers through" arrived by car instead of walking, there would be a parking problem, because they would have to compete for a space with patients visiting the adjacent dental practice and people buying fish and chips from the shop next door.

Moreover, paragraph 6.2 of the Planning Statement asserts that:

"There is no existing facility in the village or in neighbouring villages of a similar type to what is proposed. To find a similar facility, residents of Long Hanborough and the adjoining villages are consequently required to drive to Witney, Eynsham or Woodstock."

This assertion ignores the existence of Winston's Café, which is attached to the Churchill Court Hotel, not much more than a stone's throw from Hanborough Station. On the face of it, this appears to be an extraordinary oversight. Alternatively, it begs the question of what the applicant means by a "similar facility." Winston's Café does not serve coffee and cake after 5 o'clock. Paragraph 6.12 of the Planning Statement reveals that:

"Whilst the applicant would not ideally want to unduly curtail his potential business by working within unnecessarily constrained opening hours, they are clearly aware that late evening opening has the potential to generate justified noise and disturbance issues and, therefore, is keen to explore, based on their proposed business plan, with Officers what might deem appropriate (and inappropriate) operating hours in this particular location."

The fact that, when the building housed a convenience store, it opened until 10 p.m. is mentioned in conjunction with remarks in paragraph 6.10 about:

"potential to raise smell, disturbance and other amenity issues, particularly for sites which are located in or adjacent to residential areas. However, the proposed submission relates to a coffee shop use that would not result in the emission of noise and/or cooking smells."

This change of use application reads like an attempt to use the coffee shop as a precursor to another change of use: a sprat to catch a mackerel, so to speak. Indeed, it goes on to say:

"If this were the case the applicant acknowledges that suitably robust extraction and filtration equipment would be required but, of course, would anticipate that full details of the efficacy of a proposed extraction system would need to be proven to the Council prior to the use commencing. This would be the subject of a further planning consent."

For the reasons given above, Hanborough Parish Council objects to change of use application 20/00235/FUL. In itself, with so little space for customers, the coffee shop does not look like a viable business. The hinted at evolution of the proposed change of use is concerning rather than reassuring.

2 REPRESENTATIONS

- 2.1 One supporting comment was received
I would just like to express my support for this change of use. Long Hanborough is a growing village and this is the only main central point in the village. A facility that could be used by the community is really needed and a coffee shop would help with this and also in tackling social isolation.
- 2.2 One objection comment was received
Not meeting local needs and do not need this use class within the village

3 APPLICANT'S CASE

- 3.1 The Planning Statement submitted as a supporting document advises that:
- 3.2 There is no existing facility in the village or in neighbouring villages of a similar type to what is proposed. To find a similar facility residents of Long Hanborough and the adjoining villages are consequently required to drive to Witney, Eynsham or Woodstock to benefit from such facilities and this results in unsustainable patterns of travel, which could potentially be avoided.
- 3.3 The proposed partial change of use would introduce a wholly new use that would be of value to the community and, as such, would enhance the range of services and facilities available to local people. In this regard, it is noted that the National Planning Policy Framework (NPPF) makes clear that planning policies should promote the retention and development of local services and community facilities in rural areas and support the sustainable growth of all types of businesses.
- 3.4 The Council will also be aware that permitted development rights exist (Class C, Part 3 to Schedule 2 of the GPDO) to change an A1 use to A3. Whilst this change requires submission of detail via a prior approval process, the overall change is light-touch in nature and expresses the Government's desire to support alternative A use classes in towns and villages.
- 3.5 The proposed single storey extension to the rear would facilitate the on-going effectiveness of the partitioned retail use. It is of a low height and designed to match the neighbouring extension. At ground level neighbouring uses are commercial and therefore there would be no amenity impact from the proposal (noting that the extension to the rear would be for storage).

4 PLANNING POLICIES

OS2NEW Locating development in the right places
E1NEW Land for employment
E5NEW Local services and community facilities
T4NEW Parking provision
NPPF 2019
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks permission for change of use of part of existing property from class A1 use to coffee shop (class A3 use) to include external alterations to provide additional front entrance and window in side elevation with single storey rear extension to the retained A1 use. The application site is located on the main road through Long Hanborough. The building itself has a mix of uses with business use at ground floor level with residential at first floor level. The site is not within a Conservation Area or other areas of special control.
- 5.2 The application is to be heard before Committee as the Parish Council has objected to the proposal.
- 5.3 In addition an extension of time was required to determine this application due to the cancellations of all committees in response to the COVID-19 virus.
- 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
 - Siting, Design and Form
 - Highways
 - Residential Amenity

Principle

- 5.6 In considering the principle of the proposed development in this location, it is worth noting the fallback position, in that under the General Permitted Development Change of use, Class C allows retail, betting office or pay day loan shop or casino to change to a restaurant or café through the prior approval process. Whilst this is an un tested fallback, given the provision within the GDPO, officers consider that this forms a part of the planning balance decision.
- 5.7 Officers note the Parish Councils comments in regards to sustainability in relation to the viability of the proposal within the village of Long Hanborough. However viability of a business is not a material planning consideration and therefore does not form part of this assessment.
- 5.8 Policy EI Land For Employment - Existing Employment Sites states

"Proposals to improve the effectiveness of employment operations on existing employment sites will be supported where commensurate with the scale of the town or village and the character of the area. This may include redevelopment, replacement buildings or the expansion of existing employment uses."

The unit currently stands vacant following the closure of the Coop supermarket. In this regard, the separation and change of use is considered to be in character for the area of Long Hanborough and the adjoining units (both commercial and residential) and would bring the vacant shop partly back into use.

- 5.9 This is also echoed in Policy OS2 which states that all development form a logical compliment to the existing scale and pattern of development and/or the character of the area.
- 5.10 Policy E5 supports the development of local services to meet local need to promote social wellbeing, interests, interaction and healthy inclusive communities. The supporting text indicates that a café is considered to a local service, and given the growing loneliness problem within many of our communities, the provision of a coffee shop would offer another opportunity for social interaction on a small scale.
- 5.11 Therefore in this regard officers consider the proposal in accordance with Policy E1, E5 and OS2 of the Local plan.

Siting, Design and Form

- 5.12 On the front elevation the proposed off centre doorways are consistent with the business context of the site and the neighbouring properties and the proposed alterations will not harm the visual appearance of the streetscene. At the rear, the single storey extension is proposed to be the same height as the adjoining properties extension, with a flat roof and rendered blockwork finish. Given the existing pitched extension which runs the east side of the site the proposed extension will not be visible with the streetscene and is considered to be a secondary and subservient addition and therefore acceptable in this regard.
- 5.13 Due to the other uses falling within the use class A3, the applicant has provided information for the extraction system if the use was to change within the same use class. The details provided show the extraction flue to the rear of the property and given the other extraction equipment on neighbouring properties this would not look out of place and is also considered acceptable. The extraction equipment is not necessary for the use as a café and would not be implemented until such time as deemed necessary.

Highways

- 5.14 In regards to parking at the site, Oxfordshire County highways were consulted during the planning process and raised no objection to the proposals, therefore this considered acceptable in this regard.

Residential Amenities

- 5.15 The site and adjoining properties consist of a mix of uses, with residential flats at first floor level. Officers consider that given the existing uses of the neighbouring properties the proposed use as A3 is acceptable in the location and would not have a detrimental impact on the residential amenity of the dwellings in the immediate vicinity. As mentioned above, although not necessary for the use as a café, Environmental Health has confirmed that the flue details would be sufficient for more intensive use within the same use class (ie an Indian Takeaway would require such extraction system to be installed) Therefore this is considered acceptable in this regard.

Other Matters

- 5.16 Officers note the objectors comments however the possible future use of the property is not a material planning consideration. Future change in the Use Class has been controlled by condition.

Conclusion

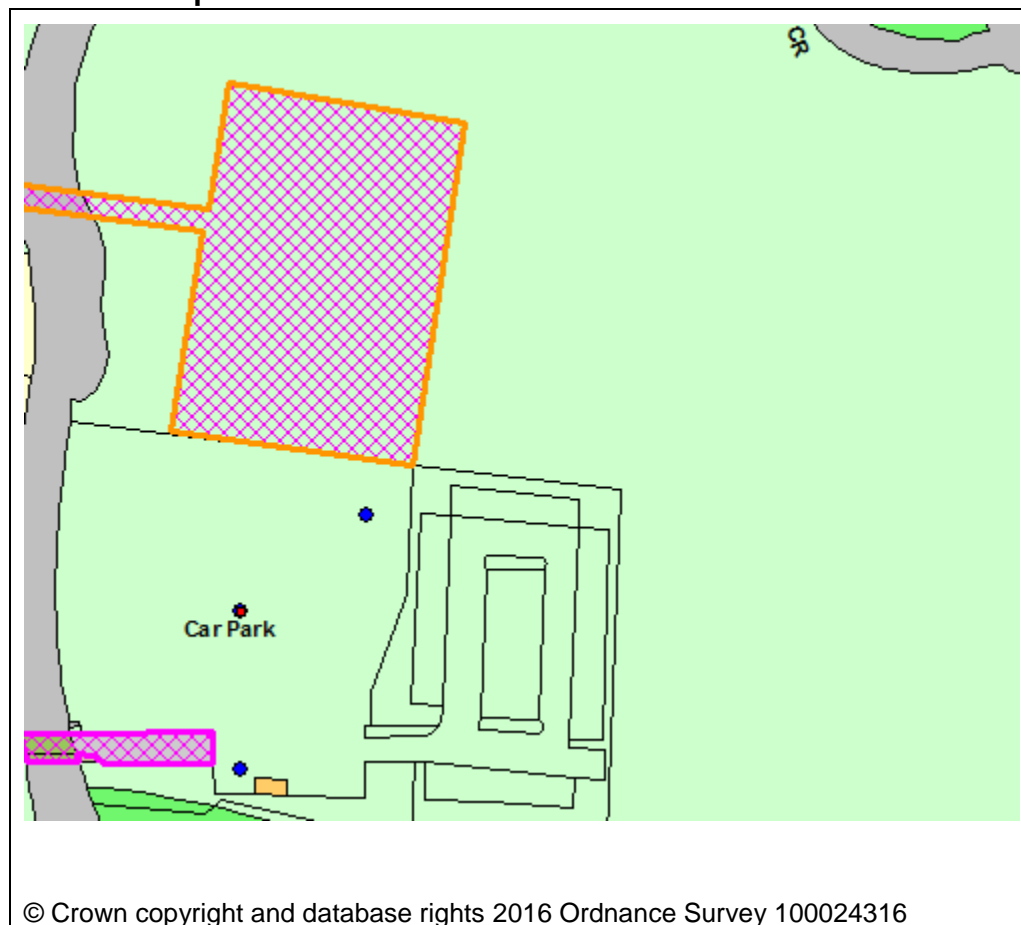
- 5.17 In light of this assessment, taking in consideration the Principle, design, neighbouring amenity and layout, and highways this proposal is acceptable in accordance with policies OS2, E1 and T4 of the adopted Local Plan 2031, relevant sections from the NPPF and West Oxfordshire Design Guide 2016.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. 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 premises shall be used for a A1 use and a café and for no other purpose (including any other purpose in Class A3 of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: To protect residential amenity.

Application Number	20/00307/FUL
Site Address	Car Park Guildenford Burford Oxfordshire OX18 4SE
Date	22nd June 2020
Officer	Stephanie Eldridge
Officer Recommendations	Refuse
Parish	Burford Parish Council
Grid Reference	425399 E 212285 N
Committee Date	6th July 2020

Location Map



Application Details:

Expansion of the Guildenford car park northwards to accommodate approximately 150 vehicles, to include two new footbridges, one alongside existing road bridge and the second into the churchyard across the millstream.

Applicant Details:

Mr Derek Cotterill, The Tolsey, 126 High Street, Burford, Oxon

I CONSULTATIONS

- I.1 OCC Highways No objection subject to conditions.
- I.2 Biodiversity Officer Insufficient information.
- Summary of required information:
- Further consideration of alternative sites and/or methods to avoid impacting on priority habitats and protected species.
 - Further details of compensation measures to minimise harm to protected and/or priority habitats and species (e.g. precautionary method statements for the above species, additional mitigation to compensate for the loss of priority grassland habitat, pollution prevention measures, buffer strips and hedgerow planting).
 - Details regarding the long-term management and monitoring of habitats and species.
- I.3 Newt Officer There is a potential of GCN being present and therefore affected by the proposed development.
- I.4 Environment Agency In accordance with paragraph(s) 155, 170 and 175 of the National Planning Policy Framework (NPPF), we object to the proposed development due to its unacceptable risk to the environment.
- I.5 WODC Env Health - Uplands No objection in terms of noise impacts.
- I.6 Conservation Officer The proposal is contrary to national and local legislation and policy including EH9, EH10, EH11, EH13, EH15, EH16, and OS4, and NPPF Section 16, and therefore I recommend refusal.
- I.7 Historic England We remain of the view that creating a car park here would harm the significance of the church and the applicant has not demonstrated that this harm is justified.
- I.8 OCC Archaeological Services No Comment Received.
- I.9 Parish Council Strongly support.

2 REPRESENTATIONS

- 2.1 Full versions of all the representations made in respect of this application can be viewed online. There have been 7 letters of objection, 1 general and 60 in support of the application. The key points raised are as follows:

Seven objection letters:

- Detrimental flood risk;

- Negative impact on the grade I listed Church;
- Negative impact on the landscape/AONB;
- There is an alternative solution/site for car parking to serve the town;
- Encouraging more cars into the town is contrary to government climate change advice;
- A footbridge into the graveyard would result in a loss of tranquillity;
- Increase in traffic would result in more congestion;
- More hazard to pedestrians and road users;

2.2 One general letter:

If more parking is to be made available at the car park then it would seem entirely reasonable to suggest that resident only, permit parking should be introduced to the streets approaching the car park, namely Witney Street and Guildenford.

2.3 Sixty support letters:

- Burford survives off of tourism so the additional car park is essential to the town;
- Car Parking Strategy identifies need for 200 extra spaces in Burford;
- Required for locals, visitors and church goers;
- Local businesses will benefit/need the additional car parking in the town to increase footfall;
- Better parking here would be safer than vehicles struggling to, or illegally parking on the High Street;
- The Chamber of Trade is writing to fully support the planning application on behalf of their 50 members from businesses within Burford;
- This is the best location in Burford with the least impact on the environment and has been very sympathetically designed and landscaped to reduce any negative impact on surrounding buildings;
- Landscaping and planting can be organised to avoid any unattractive sight-lines from the church.

3 APPLICANT'S CASE

3.1 The Design and Access Statement states:

3.2 The current WODC car park has 166 spaces and is free to users. The WODC Parking Strategy has determined that 200 extra off-street spaces would be required before 2031 and the 2017 survey for it did not take into account the recently redeveloped Warwick Hall which also requires the use of this car park throughout the day. Burford has 100% on street parking occupancy at all times and the car park 100% at weekends. The WODC Local Plan 2031 (Policies T4 and BCI) also call for car parking commensurate with housing development.

3.3 The current car park serves:

- Residents, hotel guests and campervans overnight (up to 30 vehicles);
- The church and Warwick Hall daytime use (up to 110 vehicles);
- The town's High Street shops (up to 250 vehicles in summer);
- Visitors who drive to Burford with bicycles or boots and use the car park as a collection point for further touring or walking (possibly 10 -15 vehicles in summer).

- 3.4 The car park cannot serve both the Warwick Hall /Church requirement and the High Street. Examples of large events in the Warwick Hall on Saturday mornings and weekday mornings leave the High Street deserted. One Saturday morning event recently was attended by 150 people from out of town filling the car park; other events regularly result in 100+ cars using the car park.
- 3.5 The High Street has 60 businesses and shops along its east and west side at the lower end of town. The current lack of car parking space is detrimental to trade in Burford High Street and an urgent expansion of car parking capacity is required.
- 3.6 Burford has a population of 1300 and 252 listed buildings; visitors are essential to keep Burford alive. The present car park and the extension would be located in a flood zone 3(b) in a field called Bury Orchard. A Flood Risk Assessment is included in this application. The proposal is to extend the car park northwards and provide capacity for 168 extra vehicles. The Location Plan shows the expansion area with a red outline and the existing WODC owned car park with a blue outline. The temporary car park, 17/02212/FUL, for which planning permission has been granted is also edged in blue.
- 3.7 The car park expansion proposal is a Burford Town Council project.
- 3.8 The Sequential Test, separate document, explains that there is no other flat land and suitable location for a new Burford car park. In fact Burford has a second car park, for approx. 50 cars, adjacent to the recreation ground and Bowls Club but being at the top of the Hill it is not used by visitors to the town and is too remote for Warwick Hall use.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

EH7 Flood risk

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH13 Historic landscape character

EH15 Scheduled ancient monuments

EH16 Non designated heritage assets

NPPF 2019

BC1NEW Burford-Charlbury sub-area

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks consent for the expansion of the Guildenford car park in Burford northwards to accommodate approximately 150 vehicles, including two new footbridges, one alongside existing road bridge and the second into the churchyard across the millstream.

- 5.2 The site falls within the Cotswold AONB, the Burford Conservation Area and is within 20m of a main river. Further, the site is located adjacent to a number of listed buildings including the Grade I listed St John the Baptist Church.
- 5.3 The application is before Members of the Uplands Planning sub-committee for consideration as the applicant is local elected member for Burford, Cllr Derek Cotterill.

Background Information

- 5.4 Planning permission was granted in 2017 (ref: 17/02212/FUL) for the change of use of land to provide temporary car park for more than 28 days per annum on field to the East of the existing Guildenford car park.
- 5.5 OCC Highways stated that whilst they could not support this proposal as the long term plan for parking, it understood the issues associated with the refusal of the temporary consent and agreed that in that instance, the scheme was a sensible way forward whilst proper evaluation is undertaken.
- 5.6 Given that there were identified issues associated with the suitability of the access approach to the existing parking area from Guildenford, officers considered that it would be necessary to restrict use of the temporary car park to a total of 73 days per year, as suggested by the Town Council, as well as limiting the permission for a period of 2 years in order to limit any pollution which may arise from increased vehicular use of the land and to assess any impacts.
- 5.7 A further application was later approved for a further three year temporary consent for the same development (ref: 19/01307/FUL).
- 5.8 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 Heritage Assets;
 - Impact on the Cotswold AONB;
 - Flood Risk;
 - Biodiversity; and
 - Highways Safety.

Principle

- 5.9 Policy T4 of the adopted West Oxfordshire Local Plan 2031 states that proposals for new off street public car parking areas will be supported in accessible locations where they would help to ensure the continued vitality and viability of town centres, where they would support visitor and tourist facilities and attractions or where the local environment is being seriously damaged by on-street parking and alternative parking provision is essential.
- 5.10 Paragraph 7.88 of the WOLP recognises that car parking is under pressure in popular tourist towns such as Burford particularly at weekends and there is a need to continue to review car and coach parking arrangements to ensure available spaces are efficiently used and provide additional car parking where capacity is being exceeded. The Council's Parking Strategy

document was prepared to help inform decisions about the quantum and distribution of parking needed within the District. It's clear from the West Oxfordshire Parking Strategy document that more off-street car park capacity is required in Burford. The document also states that the difficult question is where to provide this capacity as there is a lack of available space in the town, land costs are high and there are conservation issues. Your officers concur that the principle of providing additional off-street parking in Burford is acceptable and required in some form. However, this is subject to the proposals compliance with the other plan policies and this is a highly constrained site in terms of heritage and environmental impacts.

Impact on Heritage Assets

- 5.11 Since the application site is within a Conservation Area, the Local Planning Authority is required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.12 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.
- 5.13 Further, the site is within close proximity to a number of listed buildings, including the Grade I listed church, 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.
- 5.14 In this case, whilst the applicant has provided a design and access statement, they have not provided a comprehensive heritage assessment / statement in accordance with NPPF Para 189. The Council's Conservation Officer has advised that in this instance there are many other heritage assets to consider, not just the grade I listed church; there could also be archaeology in this area. A heritage assessment would have taken into consideration the impact any proposal will have to heritage assets, including their setting, views into and out from, and any potential archaeology - not only for the proposed car park and associated paraphernalia, but also for the two footbridges.
- 5.15 Paragraph 190 of the NPPF also directs the LPA to identify and assess the particular significance of any heritage asset that may be affected by a proposal (inc. development affecting the setting of a heritage asset), and that great weight should be given to its conservation, the more important the asset, the greater the weight should be, this is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.
- 5.16 In consideration to Burford Conservation Area, and in accordance with policy, existing buildings, land uses, historic settlement patterns and open spaces should remain largely undisturbed, and special care must be taken to ensure that the setting, and views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed. In this case,

your officers are of the opinion that the current proposal will have a deleterious impact on the Conservation Area by negatively affecting its views, its appearance, eroding its historic landscape character and harming the settings of its buildings.

- 5.17 Furthermore, there are a number of heritage assets located opposite the proposed application site that will be impacted; however, in particular, the Church is the most significant heritage asset affected. Burford Church is grade I listed, and therefore, of high importance, so any harm or loss of, the significance should be clearly and convincingly justified, and substantial harm to the grade I Church, should be wholly exceptional. The views of the spire of the church are available from the surrounding fields in contrast with close up views to the church from other locations, which are urban in character. There are also views from the church itself out over the water-meadows which are filtered by trees. The rural setting of the church when viewed from the east considerably enhances the aesthetic appeal of this important building and therefore contributes to its significance.
- 5.18 Historic England has also advised that creating a car park here would harm the significance of the church and the applicant has not demonstrated that this harm is justified. Clear and convincing evidence would need to be submitted to demonstrate that there are no alternative viable sites for parking in Burford before it can be argued that the development is a public benefit which would outweigh the harm to the heritage assets for which great weight should be given to their conservation.
- 5.19 Therefore, your officers are of the opinion that the proposed development does not preserve the character of the heritage assets and their settings. The proposed car park and footbridges are incongruous in the landscape negatively affecting views, eroding historic landscape character, harming the appearance of the Conservation Area, and the setting of listed buildings; particularly the grade I listed Church. Consequently, the proposal is contrary to national and local legislation and policy including EH9, EH10, EH11, EH13, EH15, EH16, and OS4, and NPPF Section 16.

Impact on the Cotswold AONB

- 5.20 Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance the proposal is considered by your officers to appear as an incongruous urbanising feature which fails to conserve or enhance the landscape and scenic beauty of the Cotswold AONB.

Flood Risk

- 5.21 The Environment Agency has objected to the application due to its unacceptable risk to the environment for two reasons in accordance with paragraph(s) 155, 170 and 175 of the National Planning Policy Framework (NPPF).
- 5.22 The first reason is that the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. This site lies within Flood Zone 3b functional floodplain, which is land defined by the PPG and the WODC Strategic Flood Risk Assessment as having a high probability of flooding. The development is classed as Less Vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted. The proposal is also contrary to policy EH7

of the Local Plan 2031. In addition, the FRA does not consider the potential impact on conveyance of flood water in relation to the proposed footbridges.

- 5.23 The second reason for refusal set out by the EA is due to the likely effect this development will have on the nature conservation value of the site including floodplain grazing marsh. This habitat is listed as being of 'principal' importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006. Insufficient information has been provided to assess the risks posed by this activity.
- 5.24 Oxfordshire County Council, as Lead Local Flood Authority, has also raised an objection as the Flood Risk Assessment has not demonstrated it is in line with current local and National Standards for surface water drainage, and infiltration is proposed however, no information has been provided to demonstrate this is feasible.

Biodiversity

- 5.25 The Council's Ecologist has had consideration of the Ecological Appraisal submitted to support the application and has advised that the information is not sufficient enough to enable a positive determination of the application in these terms. Further consideration of alternative sites and/or methods to avoid impacting on priority habitats and protected species is required. In addition, details of compensation measures to minimise harm to protected and/or priority habitats and species (e.g. precautionary method statements for the above species, additional mitigation to compensate for the loss of priority grassland habitat, pollution prevention measures, buffer strips and hedgerow planting) have not been considered or submitted, nor have details regarding the long-term management and monitoring of habitats and species. Therefore, it has not been demonstrated that the biodiversity of this site and the wider West Oxfordshire habitat network will be protected or enhanced as set out in policy EH3 of the adopted West Oxfordshire Local Plan 2031.

Highways

- 5.26 The Guildenford car park has capacity for 166 vehicles and is free to use. The main pedestrian route from the car park to the town centre is along Church Lane which has sections with no off-street pedestrian footway. This proposal seeks to extend car-park to cater for a further 168 vehicles. The proposal also includes 2 new foot bridges, 1 adjacent to existing vehicle bridge into car park which will be converted solely for vehicles and 1 into churchyard. This would offer a safer route for pedestrians.
- 5.27 The Local Highway Authority has concluded that whilst its disappointing that the applicants have not explored additional measures such as increasing bus services to make it more attractive and additional covered cycle parking, or reducing the times it offers free parking (for example to 6 hours) so not to discourage visitors but so it is not abused by residents and commuters, the proposal will have some significant benefits.
- 5.28 Whilst recognising the proposal may result in an increase in traffic generation, it should also be stated that the existing issues with getting in/out of the car park and finding a space in busy periods causes delays and congestion along Guildenford and Church Lane leading to a reduction in air quality and pedestrian/cycle safety. The Local Highway Authority has stressed however that an increase of vehicle movements without improved pedestrian safety is not acceptable and therefore the bridge into the churchyard is a critical element. It is also important to the

acceptability of the planning application that 2 lanes of traffic can adequately pass simultaneously on the bridge, a swept path analysis is therefore required. If this is not possible the existing vehicular bridge will need to be widened.

- 5.29 Given the existing issues with the car park in summer months, the expected future year growth in the area and the recognition within West Oxfordshire's Parking Strategy that additional car parking is required in Burford, Oxfordshire County Council do not object to this application on highway grounds.

Conclusion

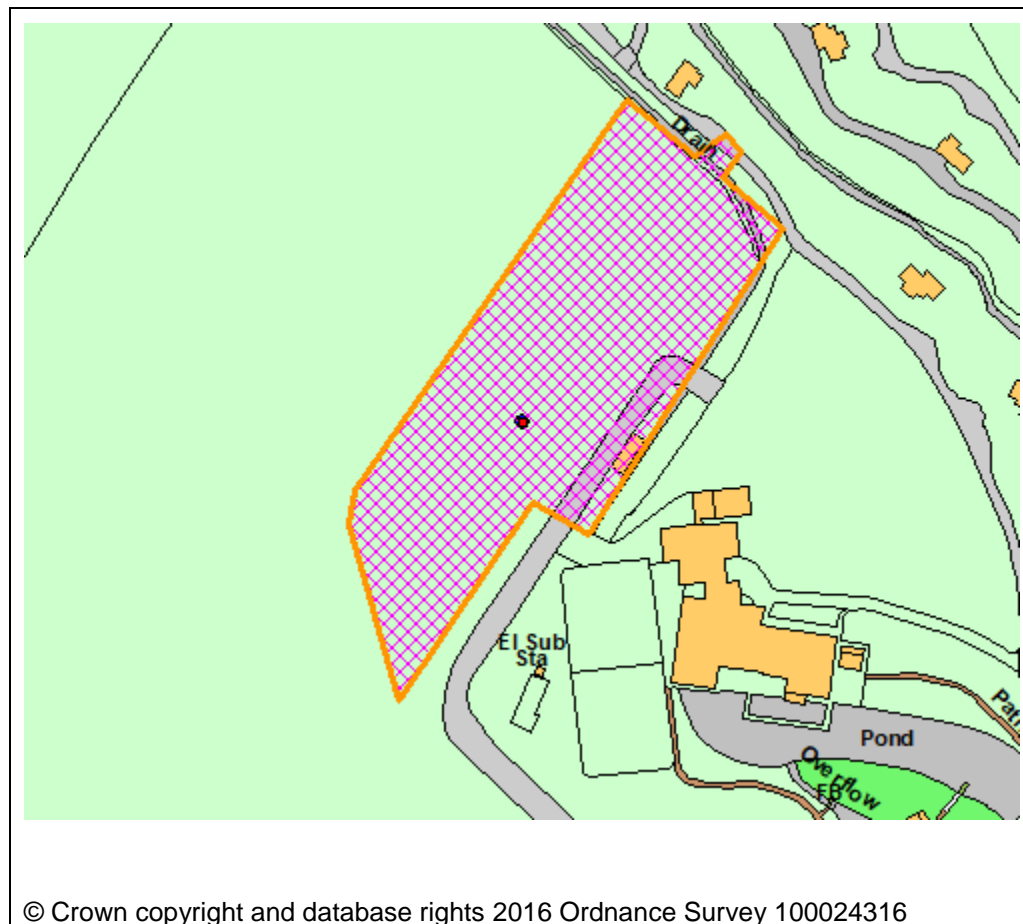
- 5.30 In light of the above, it has not been sufficiently demonstrated that any public benefits derived from additional parking in Burford would outweigh the significant harm identified to both the built and natural environment in Burford contrary to policies OS2, OS3, OS4, EH1, EH3, EH7, EH9, EH10, EH11, EH13, EH15, EH16 of the adopted West Oxfordshire Local Plan 2031 and the relevant provisions of the NPPF.

6 REASONS FOR REFUSAL

1. The proposed car park and footbridges, by reason of their siting, design and scale, would appear incongruous features in the landscape negatively affecting views, eroding historic landscape character, harming the appearance of the Conservation Area, and the setting of listed buildings; particularly the grade I listed Church, therefore failing to preserve the character of the heritage assets and their settings. It has not been sufficiently demonstrated that the public benefits of the development would outweigh the harm identified. Further, the proposed development, by reason of its siting, scale and nature would have an urbanising impact failing to conserve or enhance the landscape and scenic beauty of the Cotswold AONB. The proposed development is therefore contrary to policies EH1, EH9, EH10, EH11, EH13, EH15, EH16, and OS4 of the adopted West Oxfordshire Local Plan 2031, and Section 16 and paragraph 172 of the National Planning Policy Framework 2019.
2. The proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. This site lies within Flood Zone 3b functional floodplain, which is land defined by the PPG and the WODC Strategic Flood Risk Assessment as having a high probability of flooding. The development is classed as Less Vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted. In addition, the Flood Risk Assessment does not consider the potential impact on conveyance of flood water in relation to the proposed footbridges. Therefore, the proposed development is contrary to policies OS3 and EH7 of the West Oxfordshire Local Plan 2031 and paragraphs 155, 170 and 175 of the National Planning Policy Framework 2019.
3. It has not been demonstrated that the proposed development would protect or enhance the nature conservation value of the site, which is listed as being a habitat of 'principal' importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006. The proposed development is therefore contrary to policy EH3 of the adopted West Oxfordshire Local Plan 2031 and paragraphs 170 and 175 of the National Planning Policy Framework 2019.

Application Number	20/00905/FUL
Site Address	Land West Of Soho Farmhouse Great Tew Oxfordshire
Date	22nd June 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Great Tew Parish Council
Grid Reference	439569 E 227048 N
Committee Date	6th July 2020

Location Map



Application Details:

Change of use of land from agriculture to hotel (to allow year round use of camping field 'Farm Camp') together with replacement guest amenity building, five-a-side pitch and new landscaping.

Applicant Details:

Soho House UK Limited. C/O Agent

I CONSULTATIONS

- 1.2 Biodiversity Officer I have reviewed the revised landscaping plan and external lighting plan. I consider these to be satisfactory as the amended details address my previous comments.
- I will provide a full response for the application with recommendations for conditions before the committee meeting.
- 1.3 OCC Highways No objection.
- 1.4 WODC Drainage Engineers No Comment Received.
- 1.5 Adjacent Parish Council Enstone Parish Council is most concerned about the creep effect that Soho Farmhouse is creating, in addition to the Mullin Museum and associated Lodges.
- This planning application is for all year camping - Enstone Parish Council thought that when the Piglet buildings got permission in 2017, that they were to replace the temporary bell tents.
- The Parish has noticed the decrease in traffic over the last few months and appreciate being able to enjoy the countryside, walking and riding bicycles along the country lanes.
- The creep effect is taking its toll on our Parish and neighbouring Parishes and would appreciate if this could be taken into consideration.
- 1.6 Parish Council No Comment Received.

2 REPRESENTATIONS

None received.

3 APPLICANT'S CASE

- 3.1 The Planning Statement submitted in support of the application has been concluded as follows:
- 3.2 The proposals have been the subject of pre-application consultation with the Council and forms an integral part of the overall Soho Farmhouse hotel and leisure development, which will continue to provide significant benefits to tourism, leisure and the economy, as well providing visual and biodiversity enhancement across the site through careful and positive landscape and ecological management.
- 3.3 The development has been carefully considered against national and local planning policies. From the foregoing, and the analysis undertaken in the reports accompanying the application, it is concluded that the proposed development would be consistent with the Council's adopted

development plan and the NPPF. Given this, the presumption should be in favour of planning permission being granted.

3.4 For these reasons, it is hoped that the Council will support the application.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

E4NEW Sustainable tourism

EH2 Landscape character

EH3 Biodiversity and Geodiversity

T4NEW Parking provision

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

5.1 This application seeks consent for the change of use of land from agriculture to hotel (to allow year round use of camping field 'Farm Camp') together with replacement guest amenity building, five-a-side pitch and new landscaping in connection with Soho Farmhouse and as part of the use of the land as a hotel and leisure complex. The site does not fall within any special designated areas of control.

5.2 The Soho Farmhouse complex sits within the Great Tew Estate and covers an area of approximately 40 hectares. It's a hotel and members club which currently consists of 31 cabin buildings, 10 'piglet' cabins which provide 40 bedrooms, 10 Walled Garden Cottages, a range of existing former traditional farm buildings including a four bedroom cottage and a seven bedroom farmhouse, as well as wide range of guest facilities including the Main Barn all day restaurant, Mill Room country pub, Pen Yen Japanese grill, The Little Bell Farmshack for lunch and dinner, and Hay Barn pizza and pasta restaurant. There is a Boathouse with indoor and outdoor heated pools, Cowshed Relax spa with Steam and Sauna Island, Cowshed Active with gymnasium and studio, an Electric Barn cinema, tennis courts, a boating lake and a five-a-side football pitch. There is also an events building (Barwell Barn), a stable facility for up to 11 horses, a children's play barn with an associated outdoor activity area (Teeny Barn), a former Hay Store building that has been converted to provide a flower studio, bookings office and a small events space (The Woodshed), and two farm shops. There is also staff accommodation and facilities provided on the site.

5.3 Guests and visitors of Soho Farmhouse access the site using the main entrance from the north via Ledwell Lane and Tracey Lane. All staff and deliveries (excluding biomass for the energy centre) access the site using Green Lane from the B4022 to the west of the site.

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;

- Visual amenity;
- Impact on the Landscape;
- Highways safety; and
- Biodiversity.

Principle

- 5.5 The principle of developing the site for hotel and leisure purposes has already been established through the approval of the enabling consent I3/0666/P/FP.
- 5.6 Policy E4 of the adopted West Oxfordshire Local Plan 2031 supports sustainable tourism development, particularly where it utilises and enriches the natural and built environment to the benefit of visitors and local communities. The policy states that in more rural locations, new tourism and visitor related facilities may be justified where there is a locational or functional linkage with a particular existing countryside attraction.
- 5.7 In 2016 a campsite consisting of 15 bell tents was opened on the site following the grant of a Camping License Exemption Certificate for Soho House members club, which would allow the use of land as a campsite for a maximum 15 tents for up to 63 days per year. In 2016 the LPA advised the applicant that Soho House should test the use to determine if the campsite would prove to be popular and demand would exceed the number of days permitted under the Camping License Exemption Certificate, before making a formal planning application to allow year round use. Over the last three and half years, the Farm Camp has operated successfully and even though the number of guest units at Soho Farmhouse has increased with the addition of the Piglets and Walled Garden Cottages in November 2018, the campsite has retained 100% occupancy.
- 5.8 In this case, given that the business case for the development has been tested and has retained 100% occupancy over three and a half years, even in light of the recent addition of the 40 Piglet rooms and 10 Walled Garden Cottages, permitting a year round use would not result in any additional intensification of the site and officers are of the opinion that there is a justified locational and functional link between the proposed camp site and football pitch to the wider Soho Farmhouse attraction.
- 5.9 Therefore, the development is considered, on balance, to be acceptable in principle subject to its compliance with the other plan policies.

Visual Amenity and Landscape

- 5.10 In terms of visual amenity, officers are of the opinion that the existing campsite does not currently appear well integrated with the rest of the Soho Farmhouse complex. However, by virtue of the proposed landscaping scheme which includes the creation of a woodland with clearings, or glades, interlinked with walkways/cycle paths and a landscaped boundary with the adjoining farmland, the proposed development would form an appropriate visual and functional relationship with the rest of the complex.
- 5.11 In terms of the impact on the wider landscape, officers are of the opinion that the proposed development would have a neutral impact. The site is located in a discreet valley side position with established trees and hedgerows to the north and east, and arable farmland to the south and west. The public views of the site are fairly limited. These include partial views from the

public footpath that runs south from Great Tew to Soho Farmhouse in the winter months and glimpsed, filtered views through gaps in the hedgerow from Tracey Lane which leads to the Soho Farmhouse complex itself. Once the proposed landscaping has matured and the woodland becomes more established the site would become fully screened from the limited public viewpoints. The Council's Biodiversity Officer will provide a full report and recommendations for conditions relating to the landscaping scheme before the meeting. Officers anticipate that these recommendations will be circulated to Members in the 'additional representations' report.

- 5.12 The proposed new guest welfare building would replace the existing converted shipping containers shack and would house a communal lounge, kitchen/dining area and bathroom facilities for use by the guests staying in the campsite. The scale and siting of the building is considered to be appropriate for its function. The design is low-key and the building would not appear significantly higher than the bell tents. Further, in light of the above assessment relating to landscape impact, the building would not be prominent from any public viewpoints and would be read against the existing built form which makes up the Soho Farmhouse complex.

Highways

- 5.13 In terms of highways safety, it is clear that the impact of additional traffic on the surrounding local road network has been a key concern for local residents and neighbouring parish councils. In this case, as the existing Farm Camp has been at full capacity and in operation since 2016, there will be no change in either guest or staff, peak or daily traffic generation as a result of permitting a permanent year round use, and thus no additional impact on Tracey Lane, the service access or the surrounding road network. The Local Highway Authority has raised no objections to the application.

Biodiversity

- 5.14 The Council's Biodiversity Officer has confirmed that there are no objections to the scheme and will be providing a full report including recommendations for conditions and informatives before the sub-committee meeting. Members will be updated on this matter during the meeting.

Residential Amenities

- 5.15 There are no neighbouring residential properties which would be affected by the development.

Conclusion

- 5.16 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS4, E1, E4, EH2, EH3, and T4 of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide 2016, the National Design Guide 2019 and the relevant provisions of the NPPF.

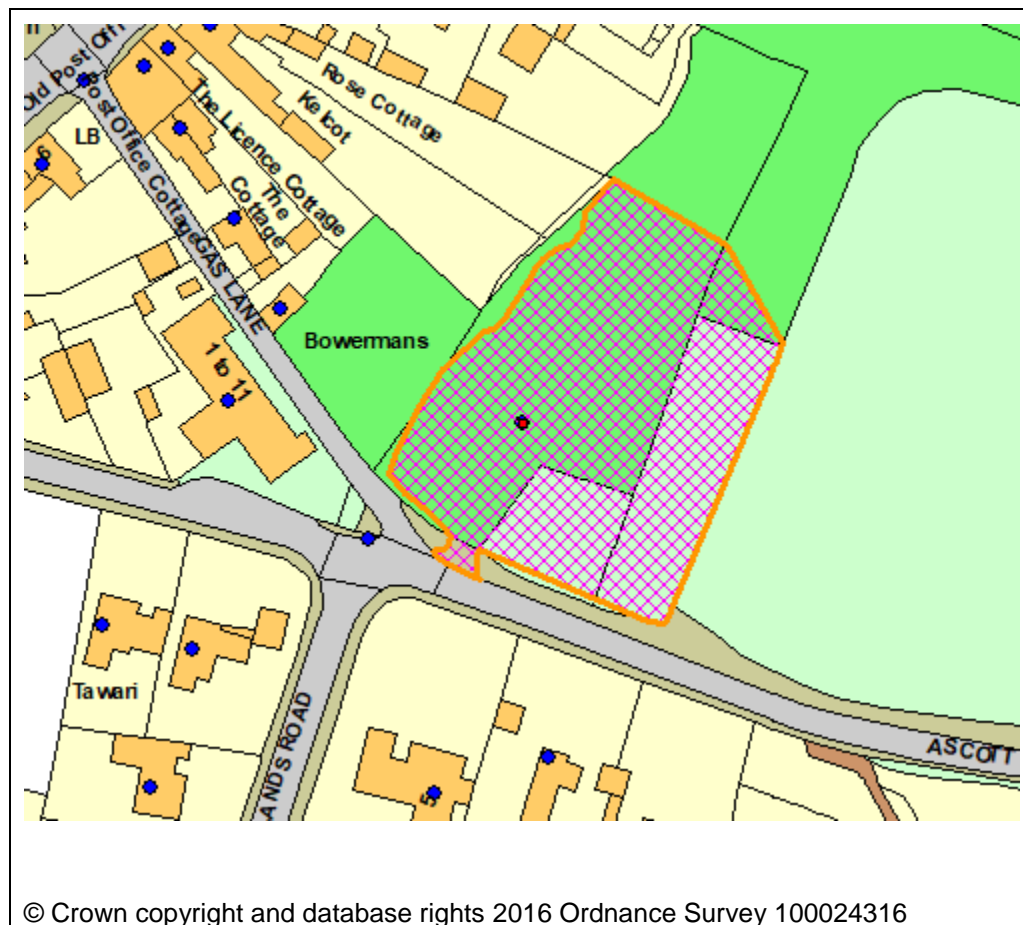
6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. 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 development/buildings hereby permitted shall only be used for the uses specified in the application and for no other purposes. The bell tents and other facilities shall only be used as a part of the hotel and leisure complex and shall not be occupied or used separately as single dwelling houses.
REASON: In order to control the development and ensure the proper planning of the locality.
5. That the bell tent accommodation to which the application relates shall be removed on or before twenty five years from the date of this permission or within 3 months of the cessation of the sites use as a hotel and leisure complex, whichever is the sooner. A scheme to ensure that this can be complied with shall be submitted to and approved in writing by the Local Planning Authority prior to the bell tent accommodation being sited on the land.
REASON: The temporary nature of the development is not appropriate for permanent retention and to ensure the means to undertake the work to remove them are available.

Application Number	20/00991/FUL
Site Address	Land North Of Gas Lane And Ascott Road Shipton Under Wychwood Oxfordshire
Date	22nd June 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve subject to Legal Agreement
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427959 E 217796 N
Committee Date	6th July 2020

Location Map



Application Details:

Erection of two detached dwellings together with associated landscaping and alterations to existing vehicular access.

Applicant Details:

Mr Vince O'Brien
C/o Agent

I CONSULTATIONS

- | | | |
|-----|---------------------------|---|
| 1.1 | OCC Highways | No objection subject to conditions. |
| 1.2 | Biodiversity Officer | No objections subject to pre-commencement conditions. Final response outstanding. |
| 1.3 | Newt Officer | Standard GCN license advice. |
| 1.4 | WODC Drainage Engineers | No Comment Received. |
| 1.5 | Parish Council | The Parish Council object to the application. |
| 1.6 | WODC Env Health - Uplands | No objection. |

2 REPRESENTATIONS

- 2.1 Eight letters of objection have been received in respect of the application. The main points raised are as follows:
- loss of important open space in the Conservation Area and Cotswold AONB;
 - its planning creep;
 - the second dwelling is not subservient;
 - the site can only site one dwelling and should impact on the visual amenity of households on the western side;
 - the development could have a detrimental impact on biodiversity;
 - the development urbanises an important green space.

3 APPLICANT'S CASE

- 3.1 The Design and Access Statement is concluded as follows:
- 3.2 The proposed scheme builds on the features which have already been established by the approved scheme for two dwellings on the site whilst, at the same time, it addresses the reasons for refusing the previous scheme. The new dwellings have been designed and laid out to reflect the form, layout and natural materials found in the Conservation Area. The high quality, bespoke nature of the scheme ensures the proposal complies with Policies OS2, OS4, EH1, EH9 and EH10 of the Local Plan 2031. In addition, the proposed one-and-a-half and single storey dwellings will be enhanced by more substantial landscaping along the site's prominent south and east boundaries and by a wildflower meadow / wildlife buffer alongside the stream, which means they will sit comfortably within a well landscaped setting. The dwellings will also be less prominent when viewed from Ascott Road compared to the recently refused scheme.
- 3.3 There are no highway safety, landscape, ecology or neighbour impact objections to the proposal.
- 3.4 It is hoped, therefore, that planning permission will be granted as soon as possible to enable the site to be developed and the character and appearance of this part of the Conservation Area enhanced.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

EH9 Historic environment

EH10 Conservation Areas

T4NEW Parking provision

NPPF 2019

OS3NEW Prudent use of natural resources

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks consent for the erection of two detached dwellings together with associated landscaping and alterations to existing vehicular access on land to the North of Gas Lane and Ascott Road in Shipton under Wychwood.
- 5.2 The application site is located towards the east of the village centre, facing onto Ascott Road. To the south of the site, on the opposite side of Ascott Road, lies residential development at Courtlands Road and Sinnels Field. To the west are the rear gardens of the properties in Church Fields and Gas Lane. To the north east are a number of larger residential properties sited within large plots, including the Grade II Listed Old Vicarage.
- 5.3 The site is within the Cotswolds AONB and is within Shipton-Under-Wychwood Conservation Area.

Planning History

- 5.4 16/01566/FUL - Erection of detached dwelling with associated access and landscaping works - Approved.
- 5.5 17/03057/FUL - Erection of two detached dwellings with associated access and landscaping - Approved subject to a legal agreement to retain the rear of the site in a natural state in perpetuity.
- 5.6 19/01474/FUL- Erection of two detached dwellings, access and landscaping (amended plans)- Refused. This was refused on the grounds that the development, by reason of its scale, prominence, form and siting, would appear as an incongruous feature to the detriment of the Conservation Area and Cotswold AONB.
- 5.7 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle;

- Siting, Design and Form;
- Impact on the Conservation Area;
- Impact on the Cotswold AONB;
- Highways;
- Residential Amenity; and
- Biodiversity and Landscaping.

Principle

- 5.8 The principle for redevelopment of the site for two dwellings has been established with the approval in 2017 (ref: 17/03057/FUL). This application is extant. Shipton under Wychwood is categorised as a village in the settlement hierarchy of the West Oxfordshire Local Plan 2031 and therefore, in accordance with policy H2 of the adopted Local Plan, is suitable for new dwellings provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. Therefore, the principle of development is considered to be acceptable subject to its compliance with the other plan policies as assessed below.

Siting, Design and Form

- 5.9 Shipton-under-Wychwood is characterised by a good mix of building types and architectural styles.
- 5.10 In this case, both dwellings have 2 or 3 bedrooms and are one and one-and-a-half storeys high with simple forms. The proposed external materials are natural Cotswold stone, reconstituted stone roof slates, and purpose-made timber windows and doors.
- 5.11 In terms of the previously refused application in 2019 (ref: 19/01474/FUL), your officers were supportive of 'Plot 2' which was the smaller of the two dwellings that sat lower and further back in the plot and maintained a lower-lying and more simple form. The key issue was with 'Plot 1' which sat at the front of the site adjacent to Ascott Road. This dwelling was considered to be too contrived and prominent to the detriment of the visual amenity of the streetscene and heritage assets.
- 5.12 The development, the subject of this application, includes a smaller dwelling on Plot 1 than that refused in application 19/01474/FUL. The ridge height is 0.5m lower than that of the refused scheme, and the gross internal floor area has been reduced from 243 sq m to 155 sq m. In addition, Plot 1 has now been moved 6m further into the site so it now lies 10.5m away from Ascott Road, which gives the opportunity to substantially enhance the landscaping along the site's southern (roadside) and eastern boundaries with additional dense native species planting. The form of the dwelling on Plot 2 has also been simplified in accordance with your officer's advice. The layout has been designed to maintain the tree lined character of the site with two detached dwellings on relatively large plots.
- 5.13 Therefore, your officers are of the opinion that, by virtue of its siting, scale, landscaping, design and form, the proposed development would respect the character and appearance of the area and sit comfortably on the site without appearing overly prominent or alien in the street scene.

Impact on the Conservation Area

- 5.14 Since the application site is within a Conservation Area, the Local Planning Authority 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. In this case, in light of the above assessment, the context of the site, and that there is an extant consent here for the redevelopment of the plot for two houses, your officers are of the opinion that by virtue of its siting, design, scale and form, the development would preserve the character and appearance of the Conservation Area.

Impact on the Cotswold AONB

- 5.15 Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance, given the context of the site, the extant consent for two dwellings, and the siting, scale, form and landscaping proposed, your officers consider that the landscape and scenic beauty of the Cotswold AONB would be conserved.

Highways

- 5.16 The Local Highway Authority has raised no objections subject to conditions.

Residential Amenities

- 5.17 Your officers are of the opinion that the two dwellings proposed would be afforded sufficient garden space and general levels of amenity. Given the location of the dwellings your officers do not consider that the development would have any adverse impacts on the amenity of existing neighbouring dwellings.

Biodiversity and Landscaping

- 5.18 A unilateral agreement to retain the land to the rear of the site in a natural state in perpetuity was signed by the applicant as part of the approval of 17/03057/FUL. This was to ensure that the land is managed to minimise impact on the new properties or other neighbours, acting as an area of natural habitat for wildlife and ecology. The applicant has agreed to enter into an updated unilateral agreement as part of this application.
- 5.19 The Council's Ecologist has confirmed that there are no objections to the application subject to a number of pre-commencement conditions to address some outstanding biodiversity and landscaping matters. Your officers are waiting for the wording of these conditions which will form part of the recommendation. Members will be updated in respect of this matter in the additional representations report.

Conclusion

- 5.20 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS3, OS4, H2, H6, EH1, EH3, EH9, EH10 and T4 of the adopted West Oxfordshire Local

Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, 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. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roofs 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 protect the character and appearance of the area and amenity
5. The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
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. 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.
8. Prior to the commencement of above ground works, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for

each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design., The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

9. 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.

10. 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.

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

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

12. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.