

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 5th October 2020

REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



WEST OXFORDSHIRE
DISTRICT COUNCIL

Purpose:

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

Recommendations:

To determine the applications in accordance with the recommendations of the 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

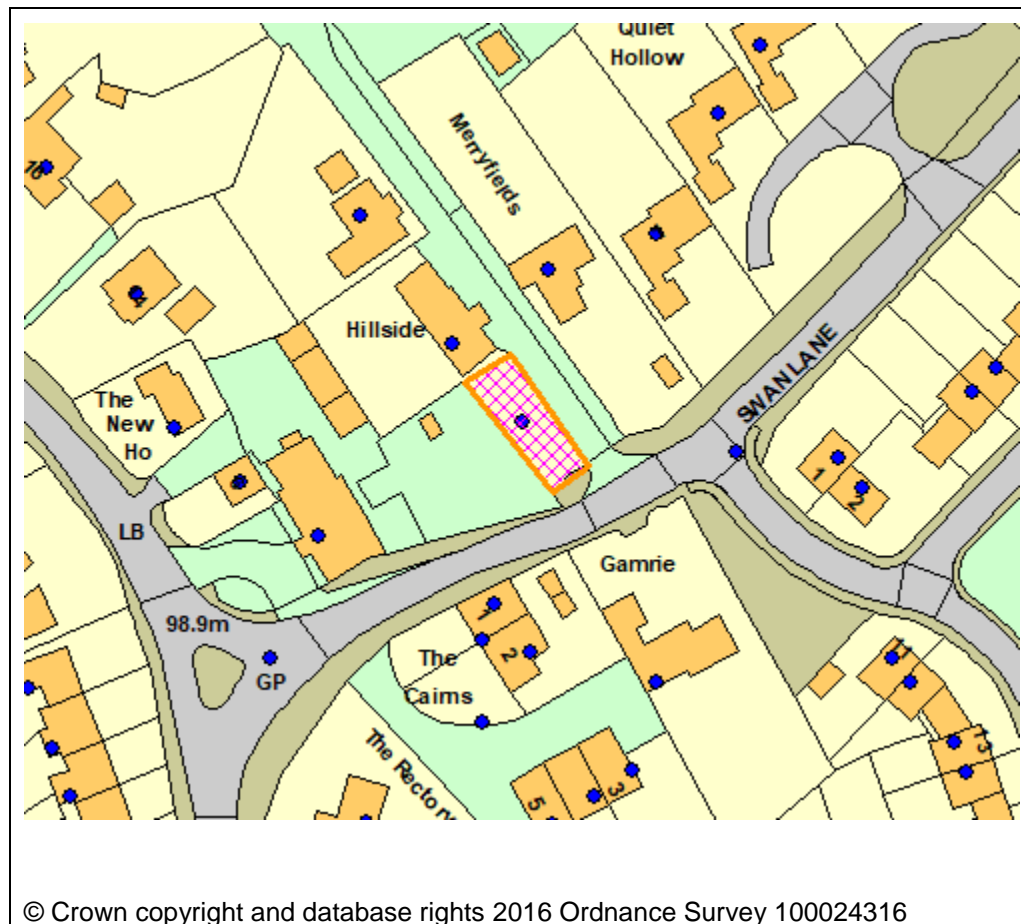
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
20/01602/FUL	Land South East of Hillside Swan Lane, Long Hanborough	3
20/01808/FUL	Shabbanoneuk, Park Close, Bladon	18

Application Number	20/01602/FUL
Site Address	Land South East Of Hillside Swan Lane Long Hanborough Oxfordshire
Date	23rd September 2020
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441671 E 214406 N
Committee Date	5th October 2020

Location Map



Application Details:

Erection of new dwelling and associated works.

Applicant Details:

Mr Few

Willowview, Swan Lane, Long Hanborough, OX29 8BT

I CONSULTATIONS

I.1 Parish Council Hanborough Parish Council opposes the Application on the following grounds:

1. The proposed site is in one of Hanborough's Conservation Areas, that of the Millwood End Conservation Area, and therefore subject to planning Policy EH9 and Policy EH10 whose objective is to conserve and enhance all aspects of its character or appearance, including landscape and public spaces, that define the area's special interest.
2. WODC 2031 Local Plan states of the Woodstock sub-area:

The area is also important in terms of heritage with Conservation Areas and a number of listed buildings in Long Hanborough, Eynsham and Woodstock and the Blenheim World Heritage Site (WHS) at Woodstock. The historic environment needs to be conserved and enhanced.
3. The WODC Conservation Enhancement Document, Proposals for the Preservation of Millwood End Conservation Area, state:

'Within the Millwood End Conservation Area the existing buildings, land uses, historic settlement patterns and open spaces should remain largely undisturbed.'

But some of these features appear to have been recently removed from the site (see comments 6, and 8, below) and the proposed dwelling would destroy views within the Conservation Area, for example, looking along the old track or up to Swan House (see 14 below).
4. The site is adjacent to an AONB and the proposed building would compromise views in and out of that area. The infilling of the proposed dwelling would intrude into the long, wide and open view from the top of Swan Hill across to the AONB.
5. We are extremely concerned that at some time since early 2018 the landscape and wooded area that comprised the proposed site in the Conservation Area, as shown in 17/000607/FUL, has been removed without permission being sought or granted from WODC for this and converted into hardstanding, with the addition of a retaining block wall., of a material not suitable for a Conservation Area. Conversion without planning permission infringes Policy OS4.
6. The removal of the wooded bank and trees from Millwood

End Conservation Area was carried out against known Planning Policies for the preservation and enhancement of a Conservation Area.

7. Hanborough Parish Council has repeatedly requested in its comments to 16/01340/FUL, 17/00607/FUL, 17/02345/FUL, and 18/00038/FUL that the harm done to the Conservation Area by the installation of hardstanding should be repaired by removing it. However, it appears not to have been referred to the Enforcement Team.
8. The Parish Council brought this again to the notice of officers when Application 20/00177/FUL was submitted and asked for it to be investigated. We understand the Enforcement Team began investigations into this in March but subsequently stopped their work.
9. We also understand that further work by the Enforcement Team will not restart investigations until a decision has been made on the current proposed Application, 20/01602/FUL.
10. It cannot be correct that a decision on a planning application takes precedence over the infringement of Policy EH9 and EH10, and the importance assigned by the Local Plan to conserving and enhancing the character, appearance and landscape of a Conservation Area.
11. The Parish Council is baffled by the reported Pre-Application Advice 20/00995/PREAPP included in the DAS:

'Under Policy H2, new dwellings will be permitted within rural service centres in a number of instances. The site is currently considered to be previously developed land and is located within or adjoining the built up area. On this basis, the principal of a new residential dwelling is considered to be acceptable...'

Given the siting, design and scale of the proposed dwelling I'm of the opinion that the proposed could be supported in principle.

Policy H2 actually states:

New dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:

On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the

general principles set out in Policy OS2 and any other relevant policies in this plan;

Policy OS2 states

All development should:

Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;

Form a logical complement to the existing scale and pattern of development and/or the character of the area;

Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;

As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;

Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area

Conserve and enhance the natural, historic and built environment;

In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development.

12. The Parish Council does not understand how Policy H2, and the related Policy OS2 can be used to support that proposed dwelling in a Conservation Area, that is subject to Policy EH9, Policy EH10, and Policy EH11 (see 16 below).
13. The Application mistakenly cites Policy H7, which covers 'Travelling Communities' to state a Policy that allows new dwellings to be permitted if it in infilling or rounding-off within the existing built up area But the proposed location of the dwelling on the site, and its relationship to the two adjacent houses, Hillside and Merryfields cannot possibly be accepted as infilling or rounding-off. The site is a long, formerly farm, track with only two houses; it is within a Conservation Area and has not been designated for future development.
14. A third dwelling on the west side of the drive, would itself create a line of detached houses, although the proposed house extends beyond the building line of the two adjacent

houses. This would establish the precedent for a built environment, further housing and in-filling along the 'old farm track' in a Conservation Area and adjacent to AONB, with the obvious undesirable impact on the appearance of the Conservation Area and on a Listed House.

15. The Application is not clear about the loss of light from the adjacent house, Hillside. Although the Elevation apparently shows the 45 degree light rule is observed, the DAS states that the roof structure will aid in allowing as much natural light as possible into Hillside. The plan would therefore envisage that Hillside will lose natural light. The location of the proposed house is likely to block the light from the two ground-floor south facing windows of Hillside house, one of which is a habitable room and therefore entitled to the 45 degree light rule.
16. The two proposed parking bays will be immediately adjacent to the south-facing side of Hillside, and their use is likely to block light considerably from these two windows and cause disturbance to the occupants and so unlikely to allow 'for some space and privacy between the two properties'. Would the officer please investigate this.
17. In respect of Swan House, to the west of the proposed house, the DAS states there is just one first floor window, which will be obscured...The ground floor windows on this side will not have an effect on the neighbouring properties as the proposed dwelling is set down from the ground level of Swan House. Furthermore, both existing and proposed new planting will help create a natural screen between the properties.

However, it is not obvious how the windows would not affect the neighbouring properties. An obscured window casts light, and the Elevation Plan shows the lower windows projecting well above the retaining wall and not likely to be screened by planting. This would result in lack of privacy and light pollution

18. Swan House, in the Conservation Area, is an 18th century former public house and Listed Grade II. Its curtilage and setting and the views of it within the Conservation Area, would be destroyed by the location of the house, which would block the outlook from not only all the windows on the east side of the Listed Building but also from its garden. The Application infringes Policy EH9 and Policy EH11 (for Listed Buildings), which require proposals for development within the curtilage of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to:

conserve or enhance the special architectural or historic interest of the building's fabric, detailed features, appearance or character and setting;

respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context;

19. The proposed building would totally fail to meet these requirements.
20. Although the Application claims the Local Policies CO4 and CS2 support the Application, there is no 'housing need' for this dwelling, since there are new, unsold and unoccupied two-bedroom properties in Hanborough Gate and Hanborough Park, starting at £235,000.
21. We request the Officers to reverse the risk of converting this landscape area into a built environment. We request the removal of the hardstanding and the retaining block wall, for which permission was not granted; the reinstatement of the woodland landscape bank; and the planting of trees, on the left of the drive and the removal of hardstanding from the right hand side of the drive and reinstatement of a grass verge.
22. We request the Officers not to permit this Application and always to enforce for the Conservation Area the planning policies to which it is subject ' whose objective is to conserve and enhance all aspects of its character or appearance, including landscape and public spaces, that define the area's special interest'

It cannot be correct that a decision on a planning application takes precedence over the infringement of Policy EH9 and EH10, and the importance assigned by the Local Plan to conserving and enhancing the character, appearance and landscape of a Conservation Area.

23. Without such enforcement, this and the surrounding areas of the Conservation Area are in serious danger of being permanently and widely spoilt as a result of applications for the construction of buildings and landscape changes to them.

1.2 OCC Highways

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network

Recommendation:

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to condition.

- I.3 Conservation Officer No Comment Received.
- I.4 ERS Env. Consultation Sites I have looked at the application in relation to contaminated land and potential risk to human health.
- We have provided comment on a previous application that remain applicable for this application. The proposed development is located on or adjacent to a former gravel pit which contains unknown filled ground. Please consider adding the following condition to any grant of permission.
- 2 The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.
- If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.
- Reason: To ensure any contamination of the site is identified and appropriately remediated.
- Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.
- Regards
- Jackie McLaren
Technical Officer
- I.4 WODC Drainage Engineers No objection subject to conditions.
- I.5 WODC Planning Policy Manager No Comment Received.
- I.6 Thames Water No Comment Received.

2 REPRESENTATIONS

2.1 2 letters of objection have been received.

1 letter of objection is from a Mr and Mrs Dunning at Swan House, Long Hanborough. These objections can be viewed in full online but are summarised as follows:

- Inaccuracies and inconsistencies on the plans
- Impact on the setting and outlook of the Grade II Listed building, Swan House located immediately behind the site.
- Proposal would obscure protected views into the AONB
- Proposal is too high and overlooks the garden
- Impact on light provided to the garden of Swan House.
- Proposed dwelling further erodes the beauty and essence of the Conservation Area
- Proposal is inconsiderate and unsympathetic to Swan House and Hillside.
- The proposed parking would sit under the windows of Hillside
- It is not considered to be infilling or rounding off within the existing built up area
- The proposed partial removal of the existing boundary wall to accommodate the parking would render our wall unsupported and unsafe.
- Proposed house does not work in the plot
- The proposed dwelling would have limited light to the rear downstairs windows
- Parking

The other letter of objection is from a Mr and Dr Lee at Hillside, Swan Lane, Long Hanborough which can be summarised as:

- No need for housing in Long Hanborough
- Site is unsuitable for a new permanent dwelling
- The site is within the Millwood Conservation Area and the Wychwood Project Area and borders the Cotswolds AONB,, the application would have a negative impact on this.
- Views down Swan Lane and along the drive to the AONB beyond will also be harmed.
- The proposed development DOES NOT "conserve or enhance the setting of the Conservation Area and" IS "detrimental to views within, into or out of the Area" in direct conflict with EH10
- Proposal would affect the setting of the Grade II Listed building Swan House
- The site needs to be considered as undeveloped wooded state.
- Negative Impact on Streetscape of Swan Lane
- The north face of the proposed 2-storey dwelling is sited unacceptably close to the southern wall of Hillside.
- The proposal fails the 45 degree rule as it will cause an undue loss of daylight and entirely destroy any outlook from Hillside's four southern rooms.
- The proposed development creates risks of flooding and contamination to the proposed dwelling and to neighbouring properties
- The proposed building's construction and occupation is so adjacent to Swan House's garden, the front of Merryfields, and Hillside's principle rooms and garden that it will cause unacceptable levels of noise and nuisance.

- The proposed development would disrupt a listed view to the west; over-look neighbours to the east; damage the streetscape and building line of Swan Lane to the south; while overshadowing, blocking the light and violating the privacy of Hillside to the north
- The proposed parking is unacceptably intrusive and would undermine neighbouring properties' land and boundaries.
- Access from the mouth of the drive onto Swan Lane is not safe

3 APPLICANT'S CASE

3.1 In support of the application, the agent has provided a Design and Access Statement. This document concludes:

3.2 In conclusion we feel that the reduction of the proposed property to a 2 bed answers the prior concerns about the previous dwelling being cramped with limited amenity space. We believe this now creates a better scale to help compliment the surrounding conservation area with the provision of extensive planting around the site helping to improve the street scene and add to a high quality development that will enhance the local area. It will also serve as a wonderful home for a young family that want to move back into the area and be close to their relatives.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

EH10 Conservation Areas

EH11 Listed Buildings

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 planning permission for the erection of a detached residential dwelling and associated works at Land South East of Hillside Long Hanborough. The application site falls within the Millwood Conservation Area.

5.2 The application site relates to a 312sqm parcel of land located off of Swan Lane in Long Hanborough. At present the site comprises some existing hardstanding and is used for the parking of vehicles and for access to the two other residential properties, Hillside and Willow View which lie to the east of the site.

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

- Principle

- Siting, design and form
- Impact on Heritage Assets
- Impact on the setting of the AONB
- Neighbouring amenity
- Highways

Principle

- 5.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. 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.
- 5.5 Long Hanborough is classified as a 'Rural Service Centre' within the settlement hierarchy contained within the Local Plan 2031. Policy OS2 states such rural service centres are suitable for a modest level of development to help reinforce their existing roles.
- 5.6 Policy H2 further supports such development "on undeveloped land within the built up area provided the proposal is in accordance with the other policies in the plan and in particular the general principles of Policy OS2".
- 5.7 These general principles include that all development should:
- Be of a proportionate and appropriate scale to its context
 - Form a logical complement to the existing scale and pattern of development and/or the character of the area
 - Not have a harmful impact on the amenity of existing occupants
 - Conserve and enhance the historic and built environment
 - Provide safe vehicular and pedestrian access
- 5.8 On this basis, the principle of a new residential dwelling in this area is considered to be acceptable provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan. The detail of the proposal as assessed against the general principles of Policy OS2, as outlined above, are considered in more detail in the relevant sections below:

Siting, Design and Form

- 5.9 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflect this advice and encourage 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.

- 5.10 The proposal seeks to erect a new 2 storey dwelling which would consist of an 'L' shaped format and would be approximately 8.5m wide and would sit approximately 7.5m tall. The dwelling would have a similar ridge height to the neighbouring property at Hillside. The dwelling would be constructed using natural stone under a slate roof which is considered to be in keeping with the character and appearance of the surrounding houses.
- 5.11 The proposed development has taken into consideration the site, context, character and heritage of the conservation area and has undergone revisions from the previously withdrawn application to ensure that it is in keeping with the context as much as possible. The application proposal is therefore, considered to be of an acceptable size, scale and design that would appear in-keeping with the character and appearance of the area and as such is considered to be in line with Policy OS4 and HS2 of the Local Plan (2018)

Impact on Heritage Assets

- 5.12 As the site sits within the Millwood End Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.13 A number of objection shave been made regarding the impact the proposed new dwelling would have on the character and appearance of the Conservation Area and the setting of the Grade II Listed building to the West of the site.
- 5.14 The application site sits adjacent to the garden associated with the Grade II Listed dwelling Swan House. Given the proximity of the development to the heritage asset, officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the setting of the listed building and any features of special architectural or historic interest which it possesses.
- 5.15 With regard to the impact on the setting of the listed building, the proposed new dwelling is located over 25m way from the listed building and given that the site sits lower than the listed building, it is not considered to obscure the historical architecture of the existing listed building. The proposed development would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would conform to policies EH10 and EH11 of the Local Plan.

Impact on the setting of the AONB

- 5.16 The application site sits adjacent to the Cotswolds Area of Outstanding Natural Beauty, a nationally important designation, where great weight should be given to conserving and enhancing landscape and scenic beauty. This duty is reflected in policy EH1 of the local plan and the NPPF which require great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. This duty is also embodied in the Countryside and Rights of Way Act 2000. A number of objections have been made in regards to the impact the

proposed new dwelling would have in regards to compromising the views in and out of the AONB.

- 5.17 In this instance, given the siting, scale and form proposed, your officers are of the opinion that the proposed new dwelling would be read amongst the other dwellings along this drive way and therefore officers consider that the setting of the landscape and scenic beauty of the Cotswold AONB would be conserved.

Neighbouring Amenity

- 5.18 In terms of the impact on neighbouring amenity, this has been carefully assessed.
- 5.19 In terms of neighbouring property, Hillside is located to the north of the site with access which runs adjacent to the proposed new dwelling onto Swan Lane. They have raised concerns relating to loss of light, private amenity and outlook from Hillside, especially in relation to the windows in Hillside's southern elevation. Officers note these concerns and are of the opinion that given the proposed new dwelling would be sited approximately 4.6m away from the side of Hillside and that one of the windows closest to the development serves a bathroom at ground floor level which is not considered to be a habitable room, and that the bedroom is served by another window to the east which would also provide light into this room, that the proposed development would not result in such significant harm that would warrant refusing the application. There are also no windows proposed within the north elevation which faces towards Hillside and as such, officers are satisfied that there is no opportunity for any overlooking and or loss of privacy.
- 5.20 Concerns have also been raised in regards to overlooking towards the garden of Swan House. Officers have considered these concerns and are of the opinion that given there is only one window proposed within the west elevation, facing onto the garden of Swan House and Hillside, which would serve a bathroom and is proposed to be obscurely glazed, that this window would not result in any overlooking and/ or loss of privacy. A condition has been attached to the consent to ensure that this west facing bathroom window remains obscurely glazed in perpetuity.
- 5.21 In conclusion, it is not considered that the development will have a significant adverse impact of the amenity of neighbouring residential properties to warrant refusal.

Highways

- 5.22 A number of concerns have been raised in regards to the proposed parking arrangement and the impact on the local highway network. The proposal seeks to create two car parking spaces (both individually measuring at 2.5m by 5m). The number of spaces and the dimensions of these spaces have been created in line with the parking standards set by OCC Highways. Given that these standards have been adhered to and that OCC Highways have raised no objections to the proposed scheme in regards to highways safety and convenience, officers cannot justify a reason for refusal on the ground of highways. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Conclusion

- 5.23 The principle of residential development on previously undeveloped land in the built up area of Long Hanborough, identified as a rural service centre, is considered acceptable and in accordance with the locational strategy set out in the Local Plan. 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.
- 5.24 Therefore, having regard to the above it is considered the application proposal would accord with the design considerations of policies OS2, OS4, H2, EH1, EH10, EH11 and T4 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. 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. 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.
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 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
7. Before first occupation of the building hereby permitted the bathroom window(s) within the West elevation shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

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

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

9. Prior to the commencement of development, 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.

10. No development shall take place until a desk study and if required a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins.

If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

REASON: To ensure any contamination of the site is identified and appropriately remediated.
Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

11. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON: To ensure any contamination of the site is identified and appropriately remediated.
Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF

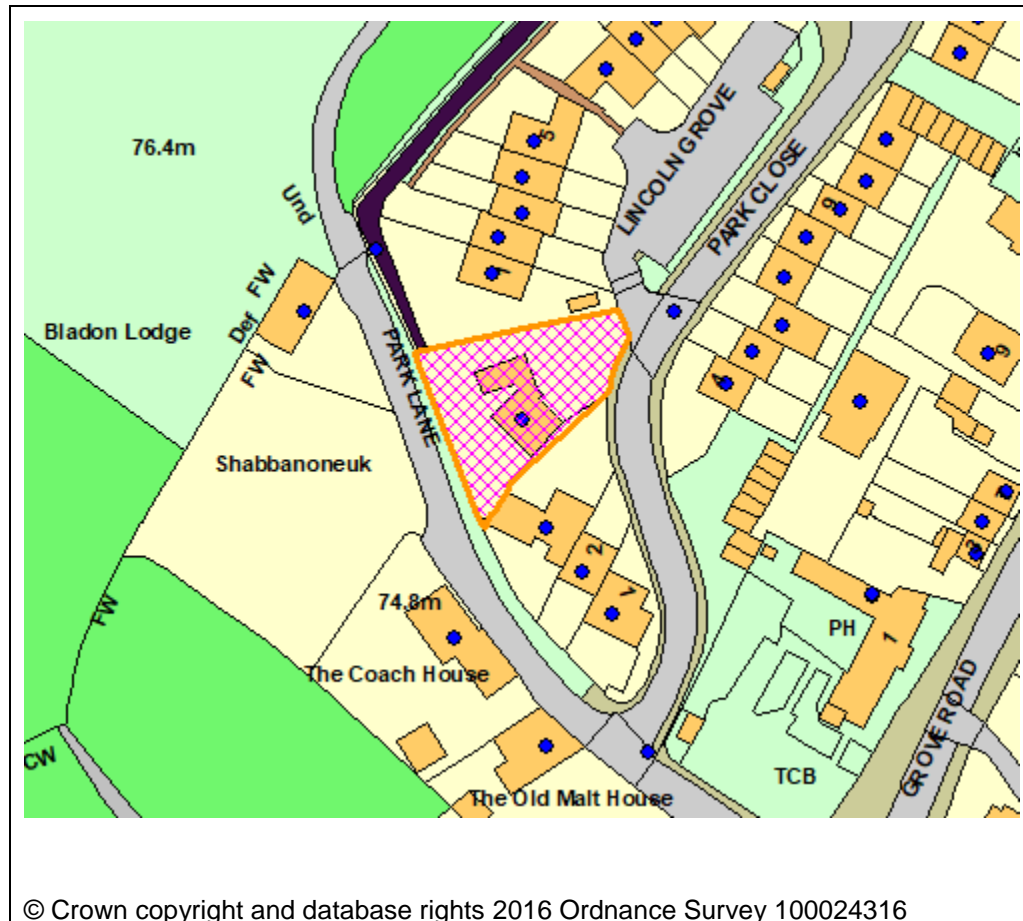
12. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.
REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

NOTES TO APPLICANT:-

- I. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
 - CIRIA C753 SuDS Manual 2015
 - The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

Application Number	20/01808/FUL
Site Address	Shabbanoneuk Park Close Bladon Woodstock Oxfordshire OX20 1RN
Date	23rd September 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Bladon Parish Council
Grid Reference	444786 E 215016 N
Committee Date	5th October 2020

Location Map



Application Details:

Demolition of existing dwellinghouse and the erection of three new dwellings (1 detached and 2 semi-detached) with associated works including landscaping and formation of parking

Applicant Details:

J Webb, Aelfric Court, 2 Oxford Road, Eynsham. OX29 4HG

I CONSULTATIONS

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| 1.1 | OCC Highways | No objection subject to conditions. |
| 1.2 | WODC Drainage Engineers | Further information requested. |
| 1.3 | Thames Water | No Comment Received. |
| 1.4 | WODC Env Health - Uplands | No Comment Received. |
| 1.5 | Biodiversity Officer | Further information requested. |
| 1.6 | Conservation Officer | No Comment Received. |
| 1.7 | Parish Council | The nearby residents were very prompt in expressing their concern about this application to the parish council.
The parish council concur with much of their concern.
Namely the over development of the site.
The loss of privacy for neighbours in Park Close.
The variance of the levels between the this and adjacent plots and the resultant shadowing of these properties. |

2 REPRESENTATIONS

- 2.1 Twelve letters of representation have been received objecting to the proposals on the following grounds:
- I suggest that an acceptable density would be two dwellings.
 - Council have noted at the pre-app stage that the proposed garden spaces are "cramped and contrived", it appears that the scheme has not been amended accordingly since.
 - The reduction to two dwellings would also provide the opportunity to increase the garden amenity space for the future occupants whilst also creating a more appropriate layout.
 - It is requested that a section showing the height of proposals relative to the neighbouring Toad Cottage is submitted in order to ascertain whether the proposals meet the BRE's "25 Degree Test".
 - Houses will have very little outdoor space, limited space for bins, bicycles, children's play areas.
 - The design is banal and would substantially detract from the Conservation Area.
 - The scheme at present fails to meet Local Plan Policy OS4 and that a design that better incorporates local distinctiveness and high-quality design features.
 - Three rather than two houses on such a prominent piece of land would be an eyesore rather than an enhancement to the neighbourhood.
 - Replacing one medium-sized house with three smaller houses seems excessive and will make for constricted accommodation.
 - View has already changed from the cutting down of trees and hedges. The proposed 3 houses will hide a lot of the stone walls and green space, with 3 driveways we will also lose even more greenery.

- Levels between site and Lincoln Grove (neighbouring site) differ greatly. There is a 1.5m reduction in ground level at that boundary.
- Adding three elevated buildings on Shabbanoneuk would further reduce the sunlight coming in to Lincoln Grove from the south west.
- The proposed 1.8-2 metre high wooden boarded fence to be put in place immediately behind my boundary wall would only provide low-level screening of a two storey building, given the differentiation in site and land levels.
- Current proposals therefore fail to meet policy OS2 of the Local Plan by having a harmful impact on the amenity of the existing occupants.
- Lincoln Grove gardens will be overlooked.
- Taking advice regarding right to light.
- The development site, like Lincoln Grove, was previously the site of quarry works.
- No drainage plans have been submitted.
- The pavements are seriously damaged as a result of people driving over them.
- Six additional cars would only exacerbate the situation and add to air and noise pollution in the area.
- Will reduce access for delivery drivers and emergency vehicles.
- No public notices of this proposed development

3 APPLICANT'S CASE

3.1 The planning statement is concluded as follows:

- The proposed development is located within the village of Bladon and represents sustainable development, compliant with housing location policies H2 and OS2.
- The scheme will meet identified housing need and will boost the delivery of windfall sites in the sub-area; which is supported by both local and national policy.
- A need exists for family dwellings, evidenced both by the Council's SHMA. The application addresses Policy H4 by delivering part of the mix for the District, and should not be assessed in isolation.
- Development of the site will not result in the loss of important open space or land of amenity value. Views through the site are very limited.
- The proposal represents a well-planned development that accords with the linear form of buildings in the locality.
- An existing access will be utilised with existing visibility acceptable in both directions. Maximum parking standards can be achieved on site.
- There are no identified heritage impacts - any that are alleged to exist would be outweighed by the public benefits of the proposal.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H2NEW Delivery of new homes

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

EH10 Conservation Areas

EH14 Registered historic parks and gardens

H6NEW Existing housing

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

5 PLANNING ASSESSMENT

5.1 This application seeks consent for the demolition of the existing dwellinghouse and the erection of three new dwellings (1 detached and 2 semi-detached) with associated works including landscaping and formation of parking at Park Close in Bladon. The site falls within the Bladon Conservation Area and Oxford Green Belt.

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

- Principle
- Siting, design and form
- Impact on the Conservation Area
- Impact on the Green Belt
- Residential Amenities
- Highways
- Other matters

Principle

5.3 Bladon is categorised as a village in the settlement hierarchy within the West Oxfordshire Local Plan 2031. Policy H2 states that new dwellings will be permitted on previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan. Therefore, subject to the below assessment, the re-development of the site for additional dwellings is acceptable in principle.

Siting, Design and Form

5.4 Policy OS2 of the West Oxfordshire Local Plan states that all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality and form a logical complement to the existing scale and pattern of development and/or the character of the area. The street scene in Park Close is largely uniform in character comprising of relatively standardised housing of simple form and design which are generally terraced or semi-detached with open areas to the front. There is a modern housing development to the North of the site, Lincoln Grove, which comprises a range of terraced dwellings in neo-vernacular materials.

5.5 In this case, your officers are of the opinion that by virtue of the siting, scale and design, the proposed development would form a logical complement to the existing linear pattern and character of development in the area. Your officers consider that the design and form, whilst slightly contrived, would be similar to and in-keeping with the character and appearance of the existing dwellings in Park Close. Further, your officers note that the dwellings would be relatively packed on to the site. However, given that the existing dwellings along Park Close are generally sited very close together with little space in-between, and by virtue of the siting and scale of the proposed development, your officers consider that, on balance, this is acceptable

and would not represent an overdevelopment of the site. The parking area would sit at the front of the site, similar to parking arrangement serving Lincoln Grove to the North, and is considered to preserve the character of the street scene.

- 5.6 As such, the application is considered, on balance, to be acceptable in visual amenity terms.

Impact on the Conservation Area

- 5.7 Since the application site is within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this case, in light of the above assessment, by virtue of the siting, scale, design and form, the proposed development is considered to preserve the character and appearance of the Conservation Area.

Impact on the Green Belt

- 5.8 As Bladon sits within the Green Belt, in accordance with policy OS2 which states that all development should comply with national policies for the Green Belt, your officers have considered the proposal against section 13: Protecting Green Belt Land of the National Planning Policy Framework which sets out that complete redevelopment of previously developed land should not have a greater impact on the openness of the Green Belt than the existing development. In this case, given the location and built up residential context of the site, the redevelopment of the site for additional housing is not considered to adversely impact the openness of the Green Belt.

Residential Amenities

- 5.9 By virtue of the siting and design of the proposed dwellings, the development is not considered to result in any adverse overlooking either between the proposed new dwellings, or of neighbouring properties. Further, given the siting and scale of the new dwellings, the proposed development is not considered to be overbearing. Additionally, whilst officers note that there is a slight difference in land levels between the site, and the adjacent dwelling, Toad Cottage, which sits lower, given that the proposed new dwellings will sit in a similar location to the existing two storey house, your officers are not of the opinion that the development would result in an adverse loss of light to the detriment of the neighbours in Lincoln Grove.
- 5.10 The proposed new dwellings are considered to be served by sufficient outdoor amenity space and living standards.
- 5.11 As such, the development is considered to be acceptable in these terms.

Highways

- 5.12 The Local Highway Authority has raised no objections to the application in terms of highways safety and convenience subject to conditions.

Other matters

- 5.13 Amended ecology and drainage information has been submitted in support of the application. The consultation responses in respect of these matters remain outstanding. Your officers will update Members regarding the amended information in the additional representations report circulated to Members before the committee meeting.

Conclusion

- 5.14 In light of the above, subject to the outstanding ecology and drainage matters being resolved, and the recommended conditions, the application is considered to be acceptable, on balance, and compliant with policies OS2, OS3, OS4, H2, H6, 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 provisions of the NPPF 2019.

6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
4. 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.
5. 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.
6. A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area.

7. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
8. 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. No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
10. On commencement of the development the proposed access shown on the approved plans shall be formed. The existing access shall cease to be used and the highway kerbline/footway reinstated along the front boundary prior to the occupation of any of the approved dwellings.
REASON: To ensure a safe and adequate access.