

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 2nd November 2020**

### REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



**Purpose:**

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

**Recommendations:**

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

***List of Background Papers***

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

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

<b>Application Number</b>	<b>Address</b>	<b>Page No</b>
20/01592/OUT	<a href="#"><u>Land North East Of 51 High Street, Ascott Under Wychwood</u></a>	3
20/01602/FUL	<a href="#"><u>Land South East Of Hillside, Swan Lane, Long Hanborough</u></a>	12
20/01808/FUL	<a href="#"><u>Shabbanoneuk Park Close, Bladon</u></a>	27
20/01937/FUL	<a href="#"><u>Park House Park Lane, Long Hanboough</u></a>	36

Application Number	20/01592/OUT
Site Address	Land North East Of 51 High Street Ascott Under Wychwood Oxfordshire
Date	21st October 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Ascott Under Wychwood Parish Council
Grid Reference	430680 E 218918 N
Committee Date	2nd November 2020

**Application Details:**

Residential development of two dwellings and revised agricultural access (Outline application with some matters reserved)

**Applicant Details:**

Bloombridge LLP  
4th Floor, Venture House  
27-29 Glasshouse Street  
London  
W1B 5DF

**I CONSULTATIONS**

I.1 Parish Council

Ascott-under-Wychwood Parish Council has concerns about this outline application.

1. For clarity we wish to point out that this site is predominantly West of Mill Lane but includes a section of Mill Lane and a very small strip of land to the East of the Lane. A full planning application has been rejected within the past 12 months which combined this site plus the 'Cow Shed' site. It is the Cow Shed site would be seen by the community as situated to the North East with the Lane being the dividing line.
2. This site in this application is an agricultural site and therefore officially classed as green field site. It is not 'previously developed land' and is only 'partially derelict' because the owners have allowed this to be so through neglect. The barns have been in regular use for storage up to present day. Even after any development, High St/Mill Lane are still the only access road to the many fields between the Barns and Ascott Mill. Huge hay lorries, combine harvesters, tractors and large trailers, ploughs and fertiliser plant are used to service these fields and so replacing the Dutch Barns with dwellings will not give the relief of farm traffic to High St, as suggested by the developers. Neighbours who have asked for

change will be disappointed and instead will have the addition of private delivery traffic plus the issue of no turning circle.

3. It is not clear why the site boundary is drawn to include a section of Mill Lane and a section of the greenfield site on the east side of the Lane. This would include agricultural land/green field areas on that side into a permission for 'change of use' as part of the Dutch Barn development. The Parish Council requests a valid purpose for the inclusion of these areas. Change of use on that side will set a precedent and make it possible to extend the built line beyond No 32 High St, something which has recently been rejected in a full planning application.
4. Who would own that section of the Lane and the verge areas on the east side of the road, once the proposed dwellings were sold? Who would be responsible for the maintenance of the ditches? These ditches receive all the drainage from an extremely active stream and numerous springs in wet farmland above High St east side as far as the back of No 26. Therefore, they are crucial to give protection against serious flooding from that catchment area to the site of the Dutch Barns - as well as the existing Yew Tree Farm development. Section 11 of the Application is grossly incorrect when it states that there is no watercourse within 20 metres of the site. The attached WODC map shows clearly that there is a watercourse running alongside the public bridleway directly across Mill Lane from this site (the site is circled in pink).
5. The Sustainable Drainage Statement (SDS) para 3.2 states that 'The water level did not fall during the (percolation) test indicating that infiltration rates were negligible due to the clay subsoil'. Therefore, para 6.7 can hardly apply as part of the SUDS proposal, i.e. unpaved areas will not improve drainage of the site very much at all. In general, the SUDS proposals are extremely sketchy - Methods 2 and 4 in para 6.1 are not new - they already exist in the form of ditches and a pond and the plan does not provide for more. Site Control in point 3 means nothing without more detail. It would be useful for the applicant to obtain more detail of their plans for 'Site Control' given that until very recently, minimum maintenance of the existing SUDS has been carried out by the Estate over many years.
6. During a previous approach to the Parish Council regarding development of this site the applicant has suggested giving some land to the 'Community' to create a catchment pond. The 'Community' does not have the resources to maintain such a pond as Government continues to pass more responsibility to Local Councils.

7. This SDS, dated June 2020, includes an outdated Sewer Flooding History Enquiry (31 Oct/6 Nov 2018), therefore it is incorrect to state in the SDS para 9.3 that 'there have been no incidents of flooding in the area as a result of surcharging of public sewers.' Recent Information now in the public domain states that there have been many incidents of raw sewage being dumped into the Evenlode River at Milton-u-W sewage works as a result of overload of the sewers running through all the Wychwoods. The number of incidents is much greater than is legal. In addition, at times of heavy rain, TW lorries are regularly seen removing sewage from the 2 main chambers in this village. Serious questions about sewage overload have already delayed another recent application in Ascott-u-Wychwood.
8. In the Design and Access Statement (DAS) there is no report from the Highways Authority nor from WODC regarding access for refuse bin lorries. Recent experience at a new development in Maple Way, Ascott-u-Wychwood, indicates that bin lorries will not pass over permeable paving (recommended in the SDS). How would heavy agricultural vehicles affect permeable paving if this is planned for the road surface and 'revised agricultural access'? And if not, where will the permeable paving be used, as stated in the SDS?
9. This area is essentially the end of a cul-de-sac - Mill Lane is single track from then on, with one dwelling and its courtyard at the very end. This Dutch Barn site has for decades been used as a turning circle for large vehicles, including bin lorries. High St has been allowed to be developed by the planning authorities to the point where it depends upon the Dutch Barn site for safe large vehicle manoeuvring. A clear plan is essential from WODC and the Highways Dept as to how their large vehicles will access all High St properties and turn around safely if this historic turning circle is removed.

Ascott-under-Wychwood Parish Council recognises that this application is for Outline Planning Permission which requires much less detail than full planning permission and so we have not commented on many other issues. However, we believe that the questions of boundary, surface water/sewage drainage and large vehicle access for the whole of High St are so fundamental that the very principle of a development on the Dutch Barn site is in question.

At this stage there is no need within the WODC Local Plan 2031 for any more development in the Burford-Charlbury sub area, these proposed dwellings will not be classed as 'affordable' housing nor is the development large enough to require a developer contribution to the District's affordable housing budget.

Ascott-under-Wychwood Parish Council rejects outline application 20/01592/OUT with a vote of 4 against and 1 abstention.

1.2	OCC Highways	No objection.
1.3	WODC Drainage Engineers	No objection subject to condition.
1.4	Biodiversity Officer	No objection subject to condition.
1.5	Thames Water	No Comment Received.
1.6	Conservation Officer	No Comment Received.
1.7	WODC Env Health - Uplands	No objection.
1.8	ERS Env. Consultation Sites	Mr ERS Pollution Consultation No objection subject to condition, or the submission of additional information.

## 2 REPRESENTATIONS

2.1 Eight letters of objection have been received. The main points raised can be summarised as follows:

- Why does the boundary include land on the other side of the road?
- Detrimental impact on drainage and flooding
- Loss of turning circle for large vehicles is unacceptable
- No need for further development in the village
- Additional houses will put pressure on traffic and road safety
- Detrimental impact on ecology
- Unneighbourly
- Sets precedent for development on opposite side of the road.

## 3 APPLICANT'S CASE

3.1 The Design and Access Statement submitted in support of the application is concluded as follows:

3.2 The National Planning Policy Framework acknowledges that a balance must be formed in making the most efficient use of land and reflecting the prevailing character and appearance of an area. In this instance, a development of two dwellings and a revised agricultural access would be a proportionate and appropriate response, taking into consideration the character of the village and its immediate context.

3.3 The design approach in the reserved matters is intended to respond to Ascott-under-Wychwood's existing traditional layout. It would reflect organic growth in the village. A high-quality design would make a positive contribution to the architectural heritage and character of this part of the village within the AONB. Replacing the deteriorating barns will improve the

visual quality of this part of the village, safety, passive observation of Mill Lane and the existing footpath and reduce the risk of crime.

- 3.4 The application has benefited from the considered input from several specialist consultants and pre-application advice from the Council. This has been welcomed and has improved the final application. Consequently, the proposed development would accord with the policies of the Local Plan.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H6NEW Existing housing

BC1NEW Burford-Charlbury sub-area

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

T4NEW Parking provision

NPPF 2019

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

#### **5 PLANNING ASSESSMENT**

- 5.1 This application seeks outline planning consent for the erection of two dwellings and associated works on land at Yew Tree Farm, High Street in Ascott under Wychwood with matters of layout, scale, appearance and landscape reserved. Therefore, the matters for which approval is sought as part of this application are the principle of development and access only.
- 5.2 The application site comprises a parcel of land at the eastern end of High Street, on Mill Lane next to the Yew Tree Farm development which consists of two Dutch barns with associated hardstanding/storage features. There is a 2m high closed boarded fence along the boundary with the adjoining residential property, and the other site boundaries are either hedgerow or agricultural fencing. The barns are currently used for ad hoc ancillary agricultural storage.
- 5.3 The site falls within the Cotswold AONB.
- 5.4 The application is before Members of the Uplands Planning Sub-committee for consideration as your officers recommendation is contrary to the Parish Council's response in accordance with the scheme of delegation.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle
  - Siting, Design and Form
  - Impact on the Cotswold AONB
  - Residential Amenity
  - Highways Safety

### Principle

- 5.6 Policy H2 of the adopted West Oxfordshire Local Plan 2031 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.
- 5.7 Policy OS2 states that villages are suitable for limited development which respects the village character and local distinctiveness and would help maintain the vitality of these communities. The general principles set out in OS2 state that development should form a logical complement to the existing scale and pattern of development and/or character of the area, be of a proportionate and appropriate scale to its context, not involve the loss of an area of open space or other features that makes an important contribution to the character and appearance of the area, and conserve and enhance the natural, historic and built environment.
- 5.8 The site lies within the Burford-Charlbury Sub-Area wherein the housing strategy (see policies OS2/H1) anticipates delivery of 774 new dwellings through allocated sites comprising a combination of homes already completed and existing commitment, and, where the focus for new housing is centred on Charlbury and Burford. No allowance is made for speculative 'windfall' development within this sub-area, as an allowance has been made in the other sub-areas). This does not however, mean that no further housing development will be permitted.
- 5.9 In this case, the site is previously developed land. The applicant has identified that an agricultural use is difficult to maintain here and is beyond economic use given that the rest of Yew Tree Farm has been converted to residential dwellings and there is no farm workers dwelling nearby to ensure the security of the site.
- 5.10 Whilst the plans provided are indicative only, given the ad hoc pattern and depth of the existing residential development adjacent to the plot and that the site is previously developed, your officers are of the opinion that two dwellings could be comfortably accommodated on this site and would form a logical complement to the character and pattern of development in the area. Therefore, the principle of the development is considered to be acceptable subject to its compliance with the other relevant policies in the adopted Local Plan.

### Siting, Design and Form

- 5.11 The application is made for outline consent which seeks approval for the principle of development and access only. Therefore the plans are provided for indicative purposes only and the matters of layout, scale, appearance and landscape will be addressed at the 'reserved matters' application stage in detail if the outline consent is approved. However, notwithstanding this, based on the indicative plans provided, your officers are of the opinion that two two-storey dwellings in this location, subject to their detailed design, form and scale, would respect the character, appearance and pattern of the existing development of the area.

### Impact on the Cotswold AONB

- 5.12 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 context of the site is a mix of the remaining agricultural barns associated with Yew Tree Farm, and residential development along High Street and Mill Lane, which includes the conversion of the former agricultural barns associated



with the farm. This parcel of land is presently of a dishevelled appearance rounding off the residential development at the edge of the village. The site is previously developed. Therefore, whilst the final layout, scale, appearance and landscaping would be the subject of any reserved matters application submitted, in light of the context of the site, and that the details will be carefully considered at the reserved matters stage, your officers are of the opinion that the wider landscape and scenic beauty of the Cotswold AONB would be conserved.

#### Highways

- 5.13 The Local Highway Authority has been consulted on the application and has raised no objection to the proposed access and impact of the development on highways safety and convenience.
- 5.14 The highways officer has stated that he understands the site is used for the turning of refuse and other vehicles in order to avoid the lengthy reversing manoeuvre along High St. and that he would like to see the proposed turning area to be increased to accommodate an 11.6m refuse vehicle. However, given that the refuse vehicles have been using private land to turn, your officers cannot require this as part of the application. Further, the Local Highway Authority has not objected in the absence of this.
- 5.15 Therefore, the application is considered to be acceptable in terms of highways safety.

#### Residential Amenities

- 5.16 A detailed assessment of the impact on residential amenity will be carried out as part of any reserved matters application when the final scale, layout and design of the proposals are submitted. However, given the context of the site, and size of the plot, your officers are of the opinion that two dwellings could be accommodated on the site without adversely impacting neighbouring properties and could be served by sufficient amenity space for the benefit of any future occupiers.

#### Other Matters

- 5.17 There is an outstanding matter in relation to contaminated land. Additional information has been submitted to address the Contamination Officers questions. An update on this matter will be given to members in the additional representations report which is circulated before the meeting.

#### Conclusion

- 5.18 In light of the above, the application is considered to be acceptable and compliant with policies OS2, H1, H2, BCI, EH1, EH3, T4 and H6 of the adopted West Oxfordshire Local Plan 2031, and the relevant provisions of the NPPF 2019.

## **6 CONDITIONS**

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; and  
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. Details of the Scale, Layout, Appearance and Landscaping (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

3. The development shall be carried out in accordance with the site location plan (PL I.01). The development shall be limited to up to two dwellings consistent with the submitted Planning Application by Paul Butt Planning Ltd in June 2020.

REASON: For the avoidance of doubt as to what is permitted.

4. The development shall be completed in accordance with the recommendations in Section 5 of the Ecological Assessment, dated June 2020 prepared by Ecology Solutions, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.

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

5. Before the erection of any external walls, details of the provision of 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 shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

6. Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors will be minimised as much as possible.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

7. Prior to the commencement of above ground 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. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. 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.

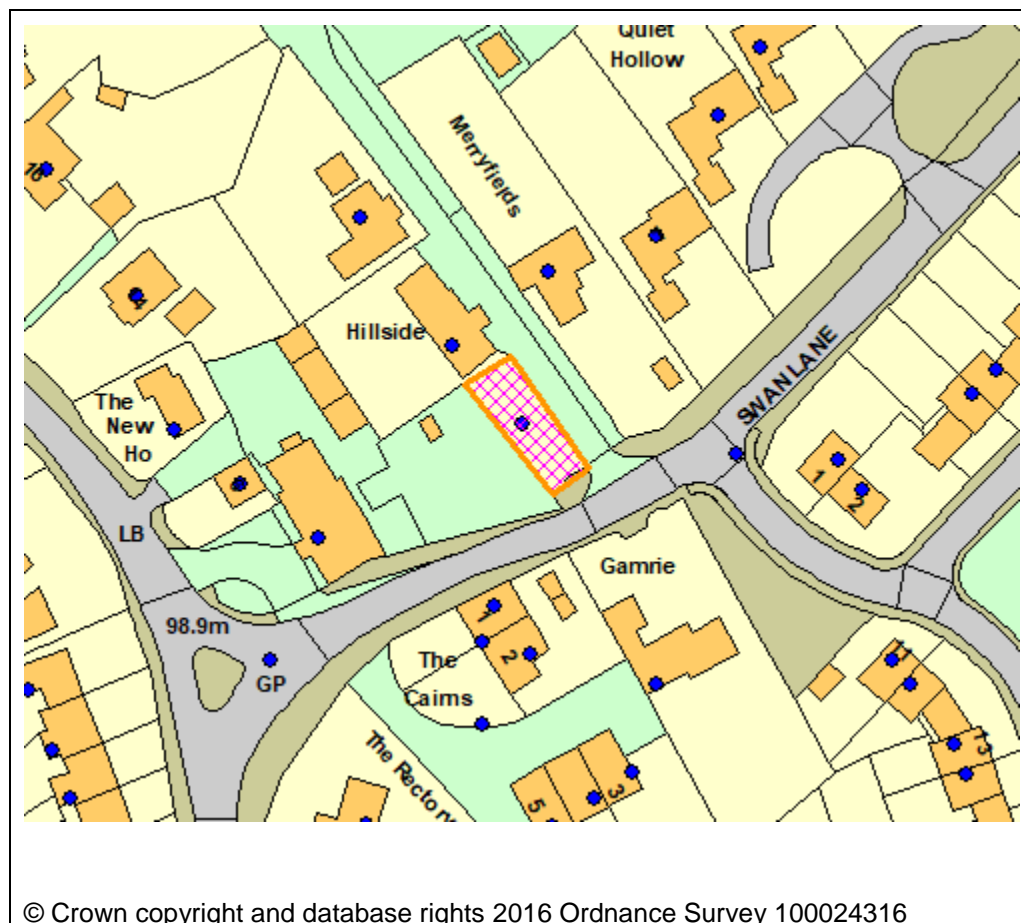
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works 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.

#### NOTES TO APPLICANT:-

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

Application Number	20/01602/FUL
Site Address	Land South East Of Hillside Swan Lane Long Hanborough Oxfordshire
Date	21st October 2020
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441671 E 214406 N
Committee Date	2nd November 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.

## 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, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to condition.

- |     |                              |  |
|-----|------------------------------|--|
| 1.3 | Conservation Officer         | From a Conservation point of view, this one is borderline. There is space on the site, but the new dwelling would be somewhat in advance of the existing properties to the east - which are bungalows. The design is also pretty much two-storey, which would of course contribute to the prominence: Hillside is two-storey, but it is set back. However, I don't think that there would be any significant impact on the listed pub or wider Conservation Area and, on balance, this is supportable. |
| 1.4 | ERS Env. Consultation Sites  | I have looked at the application in relation to contaminated land and potential risk to human health.<br><br>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 a condition to any grant of permission.  |
| 1.5 | WODC Drainage Engineers      | No objection subject to conditions.  |
| 1.6 | WODC Planning Policy Manager | No Comment Received.   |
| 1.7 | Thames Water                 | No Comment Received.   |

## 2 REPRESENTATIONS

- 2.1 Two letters of objection have been received.

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
- 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 A Design and Access Statement has been submitted in support of the application. This document can be views in full online but is concluded as follows:

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".

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

5.7 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

5.8 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.

5.9 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.

5.10 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

5.11 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.

5.12 In regards to the impact on the Conservation Area, officers are of the opinion that given the new dwelling is to be set back within the site whereby it would read up against the existing dwelling Hillside and that the proposal seeks to transform part of the site into garden area, that the proposed would not have such significant impact on the Conservation Area to warrant refusal. In addition to this, WODC's Conservation Officer has been consulted on this application and states that although the two storey design of the new dwellinghouse would

contribute to its prominence within the street scene, there would not be significant harm to the conservation area and on balance, this is supportable.

- 5.13 A number of objections have 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 away 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. WODC's Conservation Officer has been consulted on the application and is of the opinion that the proposed new dwelling would not have a significant impact on the setting of the former listed pub. 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 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 subject to the conditions below.

## **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 protect the visual amenity of the area.
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.

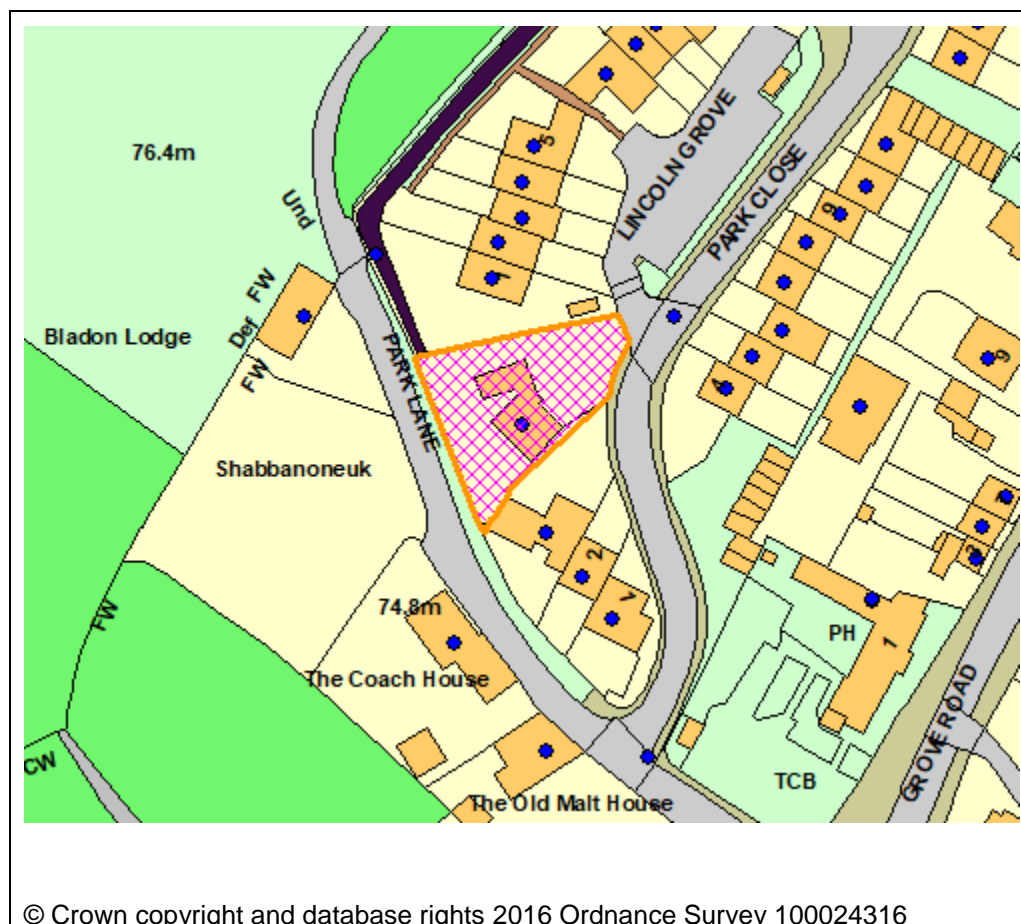
#### NOTES TO APPLICANT:-

- 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	21st October 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Bladon Parish Council
Grid Reference	444786 E 215016 N
Committee Date	2nd November 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, Oxon, OX29 4HG

**I CONSULTATIONS**

- |     |                           |   |
|-----|---------------------------|---|
| 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            | Bladon PC <ul style="list-style-type: none"><li>• The nearby residents were very prompt in expressing their concern about this application to the parish council.</li><li>• The parish council concur with much of their concern.</li><li>• Namely the over development of the site.</li><li>• The loss of privacy for neighbours in Park Close</li><li>• The variance of the levels between the this and adjacent plots and the resultant shadowing of these properties.</li></ul> |

**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, your officers note that the site sits approximately 1.5m higher than the adjacent property, Toad Cottage, and that the two storey development will sit closer to the boundary. However, given that there is an existing two storey dwelling on the site, and that your officers understand that there are no windows serving main habitable rooms in the elevation of Toad Cottage that faces the development, on balance, your officers do not consider that the proposed development would be adversely overbearing or result in a loss of light to the detriment of neighbours.
- 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, on balance, 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.

### Conclusion

- 5.13 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. 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.
7. 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.

8. 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.
9. 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.
10. The development shall be completed in accordance with the recommendations in Section 6 of the Protected Species Survey Report, dated 08/09/2020 prepared by Windrush Ecology, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure that the bats, birds, hedgehogs, reptiles and amphibians are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
11. Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors will be minimised as much as possible.  
  
All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.  
REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
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, as well as hedgehog gaps/holes through the fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their

locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds and ensure permeability for hedgehogs as 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

13. 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, including biodiversity enhancements (such as native, species-rich hedgerows, hedgerow buffers sown with a shade tolerant wildflower meadow seed mix and tree planting) and a 5-year maintenance plan. The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

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

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

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

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

16. That, prior to the commencement of above ground development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

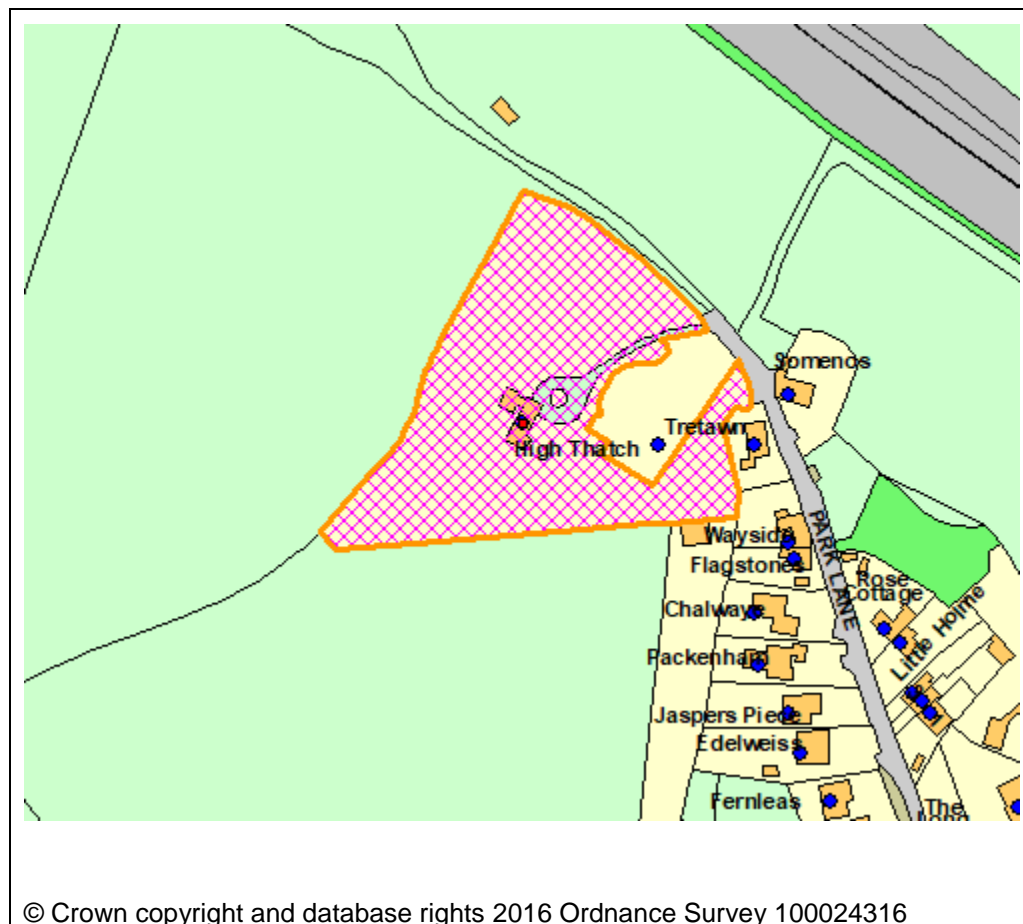
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework, The West Oxfordshire Strategic Flood Risk Assessment and Planning Practice Guidance). If the surface water design is not agreed before works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

## NOTES TO APPLICANT:-

1. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
2. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.
3. All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.
4. In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).
5. There is a low risk that great crested newts (GCN) may be present at the application site. West Oxfordshire District Council considers it would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within a amber impact zone as per the modelled district licence map, which indicates that there is suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence.

Application Number	20/01937/FUL
Site Address	Park House Park Lane Long Hanborough Witney Oxfordshire OX29 8JU
Date	21st October 2020
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Hanborough Parish Council
Grid Reference	442615 E 214493 N
Committee Date	2nd November 2020

### Location Map



### Application Details:

Demolition of existing dwelling. Erection of dwelling and detached garage building

### Applicant Details:

Mr and Mrs McGovern

## **I CONSULTATIONS**

- 1.1 Parish Council As Hanborough Parish Council has said previously, we have no objection to the existing High Thatch house being demolished and replaced by a well-designed dwelling. When HPC commented on the other new build on the site (ref. 16/00888/FUL), we stressed that the construction phase would require careful consideration, as there is a pinch point at the end of Park Lane that is not wide enough for large vehicles to pass pedestrians. This warning was not heeded adequately and local residents have suffered and understandably complained to you. HPC therefore asks WODC to ensure that the current application does not result in a repeat of the misery officers will be aware of from lengthy correspondence with neighbouring residents.

## **2 REPRESENTATIONS**

- 2.1 Three letters of representation have been received raising objections to the scheme for the following reasons:
- Access to the site is very tight and restricted
  - Increase harm to residents due to construction vehicles
  - Increased damage to Park Lane as a result of construction vehicles
  - Scale and massing of the proposed development
  - Impact on the wider AONB and Evenlode Valley
  - Siting of the development would allow for additional development in the future
  - Impact on privacy, removing natural light from garden and the negative impact the development would have on the value of Tretawn
  - The council to be able to demonstrate that they have the resource to monitor the project, visit regularly and support residents, rather than "farm off" complaints to other departments or areas

## **3 APPLICANT'S CASE**

- 3.1 A design and access statement was submitted as part of the application. This can be read in full online but concludes as follows:
- 3.2 The design of the proposed dwelling has been carefully re-developed to consider the juxtaposition between the quaint residential aesthetic of Long Hanborough and the semi-rural nature of its surroundings.
- 3.3 The dwelling has been designed to respond to the clients brief in terms of internal spaces and accommodation. The client has a local business that operates from Woodstock and this property will be used as their permanent residence for their growing young family. This will allow them to make use of the facilities in the local area.
- 3.4 The report describes the design evolution of the building which has been carefully developed to create a feel of a collection of structures akin to a traditional farmstead. The design features high

quality materials and some contemporary detailing to create a contemporary interpretation of a traditional building form.

- 3.5 The proposal will be predominately concealed by the sites tree lined perimeter. Where the dwelling is visible, the building forms have been designed to ensure the structure sits comfortably within the rural landscape.
- 3.6 Despite the relative seclusion of the site, the property continues the pattern of development formed by the row of village properties aligning the hill crest of Lower Evenlode Valley.
- 3.7 The proposal presents an opportunity to replace a property in a state of disrepair with an exemplar country home.

#### **4 PLANNING POLICIES**

OS4NEW High quality design

OS2NEW Locating development in the right places

EH1 Cotswolds AONB

EH2 Landscape character

H6NEW Existing housing

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

- 5.1 The application seeks planning approval for the demolition of an existing detached property and the erection of a large replacement dwelling, garage and associated landscaping works.
- 5.2 The application site relates to Park House, a modest sized 1930's dwellinghouse, constructed principally from facing brick, under a tile roof situated in an individual plot at the end of Park Lane in Long Hanborough.
- 5.3 The site does not fall within any areas of special designated control however the Cotswolds AONB boundary is only 110m to the north of the site. Therefore the main considerations of this application are the impact of the proposed development on the landscape and the impact on the proposed development on the residential amenity.
- 5.4 The application is to be heard before the Members of the Uplands Area Planning Sub-Committee as officers recommendation differs from the Parish Council who has raised no objection to the application.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
  - Principle of Development

- Design, scale and siting of proposed dwelling.
- Landscape Impact
- Impact on residential amenity
- Highways

### Principle

- 5.6 Policy H6 of the West Oxfordshire Local Plan is permissive of the principle of new replacement dwellings on a one-for-one basis, where the existing dwelling is deemed to be of no significant historical or architectural merit; where the character and appearance of the surrounding area is not eroded, where there would be no harmful impact on ecology or protected species and where the replacement dwelling is of a reasonable scale relative to the original building.
- 5.7 In regards to this application, the proposal seeks to replace a dwelling of no historical or architectural merit for a new dwelling. However, officers are of the opinion that the proposed would not be of a reasonable scale relative to the original building as required by policy H6 and would therefore erode the character and appearance of the surrounding area.

### Siting, design and scale

- 5.8 The proposed replacement two storey dwelling would measure 26m by 20m and would sit approximately 9.3m tall (2.3m taller than the existing dwelling to be demolished). In terms of design, it is modern vernacular with a double gabled front with a lower wing to the north eastern. The central element of the dwelling will be built in Cotswold stone and the roof clad in zinc. The adjoining 'wing' is over-sailed by a natural slate roof and clad using vertical hit'n'miss timber cladding.
- 5.9 The proposal also seeks to erect a 16.4m by 7.4m detached four bay garage building with ancillary accommodation at first floor which would sit to the South East of the site. The garage would be constructed using vertical hit'n'miss timber cladding under a thatched roof. Officers are of the opinion that by reason of the scale, massing and design including the insertion of dormer windows, that the proposed garage would look overly domesticated and that the cumulative impact of both the proposed new dwelling and garage is considered to be tantamount to a second dwelling on site.
- 5.10 The general principles of Policy OS2, 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.
- 5.11 Supporting documentation provided by the agent provides some contextual analysis of the houses along Park Lane. In this analysis it is found that the majority of houses along Park Lane (including any outbuildings) typically have a total of approximately 140 metres squared. The proposed development at Park Lane seeks to create a new dwelling with a floor space of 430 metres squares as well as a detached garage of 123 metres squares, giving total ground coverage of 553 metres squared.
- 5.12 In this case, your officers are of the opinion that by reason of its siting, scale and massing, the proposed development would fail to form a logical complement to the existing pattern of development along Park Lane.

### Landscape impact

- 5.13 The site is situated adjacent to the visual envelope of the Cotswolds Area of Outstanding Natural Beauty (AONB), 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. In this case, the intensification of development on this site would be detrimental to the current low-key residential character of the area which is visible from the AONB and would fail to conserve or enhance it. There would appear to be no wider planning benefits arising from this proposal which would outweigh the harm the proposal would have on character of the special landscape of the AONB.
- 5.14 The Council considers the site to be highly prominent within the Lower Evenlode Valley, particularly to views from the west and north-west, including from well-used public footpaths (238/13/10 and 238/14/10) running to the north and west. Following extensive felling the site is now less wooded and the remaining vegetation particularly to the north and north-west boundaries do not provide adequate screening which is contrary to policy EH2.

### Residential amenity

- 5.15 A new detached dwelling has recently been approved on the site under LPA reference 16/00888/FUL and subsequently renewed under LPA ref 19/01189/FUL. Given the distance between the existing and proposed new dwelling which would sit approximately 30m apart your officers do not consider that the development would be overbearing or result in a loss of light or privacy to the detriment of the new dwelling. As such, the application is considered to be acceptable in these terms.

### Highways

- 5.16 The existing access is to be retained, using the existing ramped residential driveway at the end of Park Lane, which runs past the site northwards downslope along the eastern boundary of the site.
- 5.17 Alongside the four bay garage, the site is considered to be of a sufficient size to accommodate for off road parking. OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

### Other Matters

- 5.18 A number of objections have been received from both local residents and the Parish Council in regards to the construction of the proposed development and the impact the movement of construction vehicles down the narrow lane will have in terms of pedestrian and resident safety and damage to the grass verges and public property. If the application is to be approved a condition requiring a Construction Method Statement to be submitted to and approved in writing by the Local Planning Authority will be added to the consent.



## Conclusion

- 5.19 Taking into account the above matters the proposal is not considered to be of a reasonable scale to the existing dwellinghouse, nor is it considered to form a logical compliment which is of an appropriate scale to its existing context of Park Lane and is therefore recommended for refusal. The application is therefore contrary to Policies OS2, OS4, EH1, EH2 and H6 of the West Oxfordshire Local Plan 2031.

## **6 REASON FOR REFUSAL**

- I. The development, by reason of its siting, design, scale and massing would not be of a reasonable scale relative to the existing dwelling and would further fail to form a logical complement to the existing size and pattern of development along Park Lane to the detriment of the character of the area and the setting of the Cotswolds AONB. Therefore, the development is contrary to policies OS2, OS4, EH1, EH2 and H6 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the National Planning Policy Framework 2019.