

Mrs C Simmonds chair of community trust

Whilst we understand the pressure for more housing it is still important to ensure there will be no detrimental effect to the village.

There is a problem with the sewage system at this end of the village. Twice this year the village hall has had raw sewage running down the drive caused by blockages at Saxel close. Having spoken to residents of Saxel close I am aware that residents also have regular sewage problems. This occurs frequently and not just at times of heavy rainfall. We would suggest that a definite plan needs to be in place, not just promises, to ensure this problem is not aggravated by the additional buildings..

We also have concerns about the proximity of some houses to the village hall. At the moment the hall and playing field has no problem with causing noise nuisance as it has no close dwellings. Some of the proposed housing is very close to the hall, the bungalow at the front especially; we can see this causing conflict between the hall and householders. The funding of village halls is a problem in many villages already if we have to restrict hire because of noise problems it will cause major financial issues. At most functions people gather at the front of the building and the drive into the village hall is right next to the dividing hedge. Noise can go on until the early hours of the morning as people have to have time to tidy up after events. It is very hard to deal with noise conflict once it has started it is much easier to try to prevent it. Therefore <sup>we</sup> would like the placing of the houses reviewed with this in mind.

We feel these problems need to be addressed fully before planning is passed.

**13/1494/P/OP - Land at Aston –Address to the Planning Committee 16<sup>th</sup> June 2014**

At the last meeting you voiced your concerns regarding the cost of mitigating the development in terms of foul drainage, you were particularly concerned that we would not be able to develop the site with 5 years, and that the cost of the foul drainage mitigation would make the scheme unviable.

Our Foul Drainage Report demonstrates that there are 3 options in which we could deliver the foul drainage to the site; we have also including ballpark cost that each would incur.

Our report demonstrates that the provision of foul drainage will have no impact on the deliverability of the scheme. The scheme will be deliverable within 5 years and any of the options chosen will not make the development unviable.

During the detailed design stage, we will agree the most appropriate foul drainage strategy to take forward, with Thames Water and your officers. Both Thames Water and your Officers are happy to take the application forward on this basis.

We have put forward a scheme in an honest and transparent manner providing all the information that your officers need to determine the application. They have done this and recommended approval, 3 times now.

Could I also respectfully remind you that scheme has no technical objections, and your Conservation Officer has confirmed the merit in developing this site.

Having addressed your final concerns, could I ask you this afternoon, to approve the application; by doing so, the development will assist in contributing to the districts housing need, and also deliver an attractive new neighbourhood to Aston, with significant benefits to the community.

### The Fox: speech to WODC Lowlands Planning Committee

1. This is the second time that this Committee has considered an application for a change of use of the Fox from a public house to a dwelling.
2. Last time, the officers recommended the application for approval; but the members rejected that recommendation and refused the application.
3. The reasons for refusal issued last time can be summarised as follows:
  - Insufficient accounting information to show that the public house use is no longer viable;
  - The submitted information did not show to the satisfaction of the members that with sound financial planning the public house could not be run viably as a public house; and
  - Insufficient information to show that accessible or alternative provision will remain in the locality.
4. In submitting the application before you today, the applicant has sought to address these issues and in that regard he has,
  - Provided robust evidence of the extensive marketing exercise carried out by the previous owner, Admiral Taverns over a 3-year period from 2009 to 2012 during which time not a single offer was received from anyone wishing to rent or buy the premises for use as a pub;
  - Produced detailed accounts for the years 2008/09 and 2010/11, which show clearly that during those accounting periods the pub lost money and was not viable;

- Produced evidence of the high turnover of managers/tenants in the 10-year period – 2002 – 2012, which is a clear indication of the pub's lack of viability;
  - Shown that as a resident landlord his costs would be such (in terms of mortgage payments, essential repairs to the building and other overheads) that he would not be able to pay himself a 'living wage'; and
  - That there is another public house in Stanton Harcourt, the Harcourt Arms, which serves Stanton and its outlier, Sutton and which remains open.
5. On this last point, Members will have seen that the applicant has a significant amount of local support, including support from the Parish Council, and that a number of respondents have made the point that the village cannot support more than one pub and that allowing the Fox to be converted to dwelling will allow the village to... "concentrate on supporting the Harcourt Arms".
6. One final point, I have seen a suggestion that the applicant should be required to provide:
- "clear documented proof that all alternative business/employment uses and all alternative social uses have been explored and properly rejected as unfeasible before consideration is given to a change of use to residential."
7. I can find no policy basis for this test – the policy requirements are those set out in Policy TLC12, which go to a requirement for evidence as to viability/non-viability or of adequate and accessible alternative provision.
8. In this case, the applicant has clearly passed both tests. Consequently, and in accordance with the officers' recommendation, this application should be approved.

## Appendix D

We are grateful for the chance to briefly summarise our objection, which is specifically to the rear extension. My wife apologises for not being here but was unable to rearrange her GP surgery. In essence, we feel strongly that the extension would have a major impact on our house and garden, being both *overbearing* and *overshadowing*, and creating a *tunnelling* effect. I hope you have all had a chance to read our letter of objection, and particularly to look at the photos; if not, I have some copies here. As time is short I won't repeat all the points made in the letter but make three additional ones. I would also urge you to consider a site visit, since it is hard to describe things clearly.

The first point is that *the impact on our property has been explicitly acknowledged by the applicants and their architect*. When they first came round to look at things from our side, he was clearly surprised, and said words to the effect that he had not realised how much the extension would impact on us. Second, after the plans had been submitted, Mr and Mrs Hart-George came round to discuss things, and said, kindly but tellingly, that they would feel exactly the same as we do if they were in our position. And, when we asked them why the pitch needed to be so high for a kitchen, we thought it somewhat ironic when they replied that they wanted a light airy feel. We believe this to be essentially at our expense.

The second additional point is that when we asked the Planning Department informally about a minor alteration to a rather tatty part of the back of our house last Autumn, Mr Wheeler who visited told us and our architect that he would have concerns about *any* plans that might affect the appearance of Church Farm House, and said we should work *within the current line and height of the existing (single storey) part of our house*. He also told us that 'tidying up' part of a listed building was not a relevant issue. *These opinions seem to be diametrically opposed to the opinion taken regarding the present application*.

Lastly, we would respectfully question some of the statements made in the Planning Officer's report. It says that the impact is mitigated by the pitch of the roof sloping away from the boundary wall. However, *this mitigation is limited; we estimate the peak height will be only 2.7 metres or so away from the boundary*; the fact that the eaves are relatively low is therefore of limited benefit to us. And, the peak height is enhanced for us by the change in ground level between the properties. Also, the report states that the extension is away from the 'main living room windows' and from the 'heart of the garden', being situated 'half way down the garden'. However one does the calculation, the extension is much closer to the house than that; in fact, the extension begins at the point where our lawn begins, *and does sit absolutely in the 'heart of the garden'* and is thus overbearing there. And, perhaps most importantly, though impact on our living room windows would be limited (because these are mostly to the front of the house), *there would be significant impact on our kitchen, the room we spend most time in*. Because of the position and size of the proposed extension to the

southwest, it would impact on this area and the adjacent patio (as well as the proximal part of the lawn), and shade it for most of the afternoon. Obviously the extent of this would depend on the time of year, but in April, when we first saw the plans, it is no exaggeration to say that effectively no sunlight would fall onto this key area of our property until after about 6pm. Our house (and proximal garden) is already dark as a result of our rear north-west aspect, and the existing Church Farm House. The saving grace has been our ability to access sun from the south west; these plans would close off the light even further. So, whilst in other situations such an extension might be considered to be of only moderate impact, in this case and spatial context we suggest that is much greater, and that the overall overbearing effect, and the overshadowing, need to be taken fully into account.

In summary, we really do not mean to be difficult or unreasonable neighbours, (and we are finding this whole process extremely uncomfortable.) However, we cannot see how the size and location of the proposed extension can be considered as anything other than *significantly* overbearing, *and* overshadowing, and we feel frankly rather perplexed by the Planning Officer's conclusion (given the various points made here and in our objection letter). We would be delighted to show Committee members the view from our property in case you are in any doubt.

## Appendix E

It was more than a year ago, on the 11<sup>th</sup> June 2013, *3 months before we even owned the property*, that I first contacted WODC and spoke with conservation officer Richard Wheeler about his thoughts regarding a potential kitchen extension at Church Farm House.

Our early engagement with WODC was much appreciated and showed that we were venturing forward with a dream of restoring a Grade II listed farmhouse with our eyes open, fully aware of the restrictions, difficulties and expenses associated with restoring such a valuable heritage asset.

Following that conversation, we appointed our architects, who were chosen specifically due to them being both local to the area and having the highest RIBA qualifications regarding the repair and conservation of historic buildings.

What followed were numerous months of engagement getting our application into a condition that, was not just acceptable to the conservation officer, but was deemed actively beneficial. There were multiple site visits, by both Richard Wheeler and planning officer, Alex Cresswell. There were numerous design iterations, including reducing the length and ridge height of the proposed kitchen extension to a point that was deemed in keeping with the existing buildings.

After 9 ½ months of continual design, engagement and re-design we submitted our planning application to WODC. Our extensive pre-application engagement seemed to be pay dividends- as the application raised no objections from any of the statutory consultees. We personally visited all 6 of our neighbours to talk them through our proposals. We are pleased to report that they were all fully supportive of our application, other than the residents of Harcourt house, our immediate neighbour, who whilst having no objections

with the proposed garage or barn conversion did object to our proposals for the kitchen extension, specifically regarding the speculative shadowing of part of their lawn.

Following their written objection, which contained unrepresentative and misleading visualisations, I contact 5 independent light surveyors, explained the situation, provided them with the plans and elevations and asked them to provide a quote for assessing the impact of our proposal on the neighbouring property. Their initial assessments were unanimous and they could immediately tell that in planning terms there would be no impact on the residential amenity of the neighbouring property due to the fact that our proposals sit half way down their garden which at its longest point measures over 130ft. They went as far as to suggest that a light survey would be a complete waste of money.

This was, however, something I did not want to take any chances on and I contacted Kim Smith and Richard Wheeler, offering to have a professional independent light survey completed. Following this, both Kim Smith and the Area Development Manager, Phil Shaw, visited the property to assess the situation and concluded that a light survey would *not* be necessary. This was confirmed in writing by Richard Wheeler.

Following their visit, and as documented in the Committee Report, they rightly concluded that the single-storey extension was set some distance away from the main living room windows, approximately half way down the garden. It is set back from the existing boundary wall of 1.5m with an eaves height of 2.3m - only marginally higher than the permitted development allowance and a roof line that slopes *away* from the boundary wall. Critically, their assessment was in agreement with the 5 independent light surveyors -that the proposed kitchen extension will *not* impact on either the windows or the private patio area serving that dwelling.



Following the site visit, I was informed by Kim Smith that she would be writing the application up for approval under the Council's Scheme of Delegation. However, a few days later I was informed that ward councillor Barry Norton had called the application in, to be decided at this Committee in order to allow the residents of Harcourt House "to publically participate". This is their democratic right, of which I am fully supportive, however, when making your decision I urge you to take into consideration the following 4 points:

1. This application is the product of extensive engagement with WODC's conservation officer who is fully supportive of all aspects of the application.
2. The application has no objections from any of the statutory consultees.
3. Following site visits by the Case Officer and Area Planning Manager to assess all aspects of the application, but specifically the concerns raised by the residents of Harcourt house, this application has their full support.
4. Despite voluntarily offering to have an independent light survey commissioned, at our own expense, we were instructed in no uncertain terms by WODC that this would *not* be necessary.

In summary, the objection, surrounding loss of residential amenity by this single storey kitchen extension, has been shown to lack substance and the case officer has made it clear in the committee report that a refusal on this basis is neither warranted or could be sustained at appeal.

By approving this application you are allowing a young family to join a wonderful village and ensure that Church Farm House's heritage and charm is maintained for another generation or two. I urge you to approve this application.

Three Minute Talk – Lowlands Sub-Committee Monday 16<sup>th</sup> June 2014  
Planning Application Ref. 14/0529/P/OP

We'd like to give you an impression of how many people see this site.

The proposed site has a beautiful setting, but it also has a very special atmosphere. First with the historic farmhouse and its barn, giving a traditional village setting, and the view of distant hills from the road. People step off Park Road straight into open countryside. Such access is rare. The footpath leads gently towards the brow of the hill where the land drops away dramatically, revealing the wonderful vista of St.Mary's Church with its Saxon tower – ancient views hardly changed since medieval times.

Furthermore, this is the last remaining wide “green” gap on this side of the village, its loss would seriously degrade the quality and semi-rural character of this part of North Leigh forever. It would also result in the loss of an important feeding ground for barn owls.

There is a marked difference between the 20<sup>th</sup> Century suburban development on the south side of Park Road and the historical buildings routed in the landscape to the north. The sound and atmospheric contrast between the Park Road frontage and land rear of nos. 71-81 is dramatic; this proposal would destroy the quiet rural atmosphere that exists.

Park Road is used as a main route for vehicles accessing major roads. It is relatively narrow and awkwardly aligned, and was never intended to accommodate the amount of traffic and on street parking that currently exists – 20 more houses in one group would simply make this far worse.

The application states 20 car spaces, but 20 houses means an absolute minimum of 40 car spaces as far as current parking standards are concerned. At least twice as much traffic would be generated as suggested on the application form.

If I may quote from the recent Appeal decision, *“The land...is important in providing a gradual transition between the built form of the settlement and the more open landscape beyond,”* which clearly relates to this site as well.

This application is therefore unsustainable, because of impact on the proposed site's special and unique open character. Particularly when viewing the District as a whole, other sites will be more sustainable than this in terms of settlement, location and effect upon surrounding rural land.

SPEAKING

MRS. DONNA SMITH

MRS. SARAH TAYLOR

**Planning application 14/0529/P/OP – Outline application for residential development to the north of Park Road, North Leigh – Speech to Planning Committee 16.6.2014 by Tony Doyle, Associate. LPC(Trull) Ltd (agents)**

I am speaking on behalf of the applicant, Cover Construction, a small building company based and operating in this District for years 50 years. They employ local people and wish to keep their workforce active but are experiencing great difficulty in finding suitable sites, particularly in villages where there appear to be few houses for sale.

This site is on the edge of North Leigh, a settlement that contains a wide range of facilities and various built development to three sides. The proposal would represent a logical rounding off on land that cannot be used for agricultural purposes as it is crossed by a public footpath, is of poor quality and due to difficulties in making it stockproof.

The proposal seeks to provide smaller dwellings and affordable homes targeted at the local community. All services are available and access is appropriate, as confirmed by the highways authority.

The layout is illustrative only and the applicants would be happy to work with the officers to produce a scheme appropriate to this site. They would also be happy to enter into an agreement with the Council regarding the proportion of affordable housing and the other matters that are outstanding.

Mention is made within the report of the housing shortage, which means that the policies of the Local Plan are out of date. This situation is referred to in the appeal decision quoted when the Inspector said that one dwelling would only make a limited contribution towards resolving the deficiency. However, 20 units would have a greater impact and would provide homes in a location where they are needed, close to employment opportunities and with good public transport services nearby.

When there is a housing shortage, paragraph 49 of the NPPF is engaged and there is a presumption in favour of sustainable development. For decision taking this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The site is not within a nationally designated area or even one referred to in the local plan. It is open land but is so well related to surrounding development that it represents an appropriate location for a sensitive housing scheme that will take account of the footpath users and the local landscape.

The architect states that the site will be seen, which is not disputed, but the applicant disagrees that housing here would be prominent or problematic. Rather, it affords the opportunity for sensitive, quality new development that will be well related to the settlement, its facilities and employment opportunities and would help address the housing shortfall. This would all be done in a way that would be harmonious with adjoining properties and the context of the site. I would therefore urge you not to accept your Officer's recommendation and resolve to grant planning permission subject to the resolution of the outstanding concerns.

Thank you for your time.