

**WEST OXFORDSHIRE DISTRICT COUNCIL**  
**LOWLANDS AREA PLANNING SUB-COMMITTEE**

**18<sup>th</sup> August 2014**

**REPORT OF THE HEAD OF PLANNING  
AND STRATEGIC HOUSING**



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

**Purpose:**

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

**Recommendations:**

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

**List of Background Papers**

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

Please note that 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)

## Agenda Index

Please note that if you are viewing this document electronically, the agenda items below have been set up as links to the relevant application for your convenience.

|   |           |
|---|-----------|
| <b>14/0683/P/FP Freelands Farm Westwell .....</b>                     | <b>3</b>  |
| <b>14/0726/P/FP The Bungalow Blackditch Stanton Harcourt.....</b>     | <b>10</b> |
| <b>14/0727/P/FP The Old Cow Shed Blackditch Stanton Harcourt.....</b> | <b>16</b> |
| <b>14/0891/P/FP Rear of 8 - 10 Market Square Witney .....</b>         | <b>18</b> |
| <b>14/0902/P/FP 30 Home Close Carterton.....</b>                      | <b>20</b> |
| <b>14/0930/P/FP 56 Moorland Road Witney.....</b>                      | <b>23</b> |
| <b>14/0984/P/FP 37 Rock Road Carterton.....</b>                       | <b>24</b> |
| <b>14/1017/P/AC 70 High Street Witney.....</b>                        | <b>27</b> |
| <b>14/1018/P/LB 70 High Street Witney.....</b>                        | <b>29</b> |
| <b>14/1037/P/FP 30 Stoneleigh Drive Carterton .....</b>               | <b>29</b> |
| <b>14/1041/P/S73 1 - 106 The Buttercross Witney.....</b>              | <b>35</b> |

|   |                             |
|---|-----------------------------|
| <b>14/0683/P/FP Freelands Farm Westwell</b> |                             |
| Date  | 09/05/2014                  |
| Officer                                     | Mrs Kim Smith               |
| Officer Recommendation                      | <b>Provisional Approval</b> |
| Parish                                      | WESTWELL                    |
| Grid Ref:                                   | 422615,210019               |

## **APPLICATION DETAILS**

Erection of equestrian centre to include stables, indoor manege, grooms accommodation, outdoor manege, landscaping and creation of an all weather gallop. Change of use of associated land to equestrian.

## **APPLICANT**

Freelands LLP, C/O Agent.

## **BACKGROUND INFORMATION**

This application is for the demolition of existing agricultural buildings which have planning permission for a change of use to stables and an indoor manege and the erection of an equestrian centre. The new equestrian centre includes stable buildings, grooms accommodation and indoor and outdoor maneges. The application also proposes a change of use of associated land for equestrian purposes and the creation of all weather gallops.

The application is accompanied by the following:

- A landscape and visual impact assessment;
- An archaeological assessment;
- An extended Phase I habitat survey
- A Planning Statement

## **1 PLANNING HISTORY**

The most relevant planning history is the grant of planning permission under ref 13/1203 to convert two existing farm buildings on the land to create an indoor manege and stables.

## **2 CONSTRAINTS**

- 2.1 The very southern sector of the application site area which is identified on the landscape proposal accompanying the application as 'grassland' is located in Flood Zone 2.
- 2.2 Barn Owls are known to be present in the locality.

## **3 CONSULTATIONS**

### **3.1 Westwell Parish Meeting**

No response.

### **3.2 Adjacent Councils/ Burford/Holwell**

No response.

### 3.3 OCC Archaeological services

*“The applicant has undertaken an archaeological desk based assessment of the application area and geophysical survey and trenched evaluation of the henge. We were consulted by the archaeological consultant acting for the applicant during all stages of the predetermination investigations. The geological conditions here are very conducive to aerial photography and only the most ephemeral of features or sites will have escaped detection. The application area contains a Neolithic henge and a number of other prehistoric features including two barrows and two long barrows. These are part of an important prehistoric landscape with individually significant prehistoric ritual and funerary monuments within it. Currently the most significant threat to it is ploughing that will, over a period of time, result in the truncation of the monuments and their eventual destruction.*

*Overall the scheme as proposed involves the positive management of the landscape and the archaeological monuments reverting arable land to pasture. This will hopefully ensure the protection of this important resource. The only invasive aspects of the scheme are the construction of the water feature a, the ménage and the all-weather equestrian course. Neither the water feature nor the ménage do not appear to affect any monuments and therefore their construction is not considered as problematic. The all-weather equestrian course goes close and will possibly override Monument MOX24479, a Neolithic long barrow as shown on Drawing 6. We would strongly recommend that the track is moved at this point to completely avoid the monument.”*

### 3.4 OCC Ecologist

No response at the time of writing.

### 3.5 OCC Highways

*“No objections subject to a condition requiring a Construction Traffic Management Plan.”*

### 3.6 West Oxfordshire District Council- Environmental Health

*“No objections.”*

### 3.7 West Oxfordshire District Council – Engineers

No response to date.

## 4 **REPRESENTATIONS**

Comments have been received from Clair Weaver of 4 The Hill and CRM Fox of 5 Mitford Cottages. Their comments are briefly summarised as follows:

- I have no objections and feel that the proposals can only enhance the previously neglected state. The current renewal of fencing, the making good of the stone walls, along with the new tree planting and in time the addition of horses will be a welcome site to the village.
- I would like to draw the planning committee’s attention to the proposed artificial lake.
- The lake is about 1.45 hectares effectively at the top of the whole site, and so there is no natural water available for it, except rain; and as a consequence much of the water will be pumped up.
- This is a very dry area of the farm, and adjoining is a small quarry some 2 metres deep and in my time as manager of Freelands Farm (1965 to 1989), there was never any evidence of standing water in this pit, so the natural water table is always deeper than this pit, therefore the lake will need to be lined.

- There is an existing borehole to the south of the village that supplies most of the village at present.
- I ran the water supply for the village for 35 years , and can confirm that it never ran dry however in 1976I was worried about it and took the precaution of dipping the well, and it is quite clear that the water level was only just above the level of the pump, so there was not much in reserve.
- At that time we supplied all of the houses in the village and about 150 store cattle and a piggery of about 150 sows. A total non household supply of 4250 litres. A similar non domestic supply will be needed .Therefore any use by the lake will be an extra load on the existing borehole.
- I feel that evaporation loss in the summer could be significant and should be evaluated to make sure that there would be sufficient water.
- As there is no natural flow as in most lakes the water could become stagnant which may mean periodic emptying and refilling.
- If Freelands Farm sink another well closer to the lake it is desirable that this should not deplete the aquifer which is a source of our drinking water.
- I should be grateful if the committee would ask the applicant for evidence that there is sufficient water available for the lake before granting permission for this admittedly small part of the whole proposal.

**NB: The lake which originally was part of the application has been withdrawn and no longer forms part of the planning application**

## 5 APPLICANT'S CASE

5.1 The applicants supporting statement in a précised form states as follows:

- The facility would provide a new rural business but would not be a facility for visiting members of the public, rather a dedicated training yard and base for 2 equestrian eventers.
- The submission sets out a proposal to demolish the existing farm buildings at Freelands Farm and erect a new purpose built equestrian facility. At present there is a footprint of around 3200 square metres of agricultural buildings on the site and 2650 square metres of those buildings would be demolished as part of the proposals.
- The proposals seek to consolidate the footprint into a linked series of buildings of a similar size but in equestrian rather than agricultural use.
- Freelands Farm extends to 172 hectares. The parcel to the east is to be dedicated to equestrian use leaving around 80 hectares to the west to be contract farmed. Landscaping and earthworks are also included.
- The field to the immediate east is called Barrow Ground and contains evidence of a henge or similar feature. The proposal includes the provision of a new outdoor manege in the north western corner of that field away from the henge and for works to the henge to better reveal it.
- The remaining land would be used in part as a cross country course and gallops and otherwise for hay production.
- The existing farmhouse and barn are retained as part of this scheme to provide managers accommodation and some of the office and storage requirements of the facility.
- Planning permission already exists for the conversion of some of the buildings on the site to provide an equestrian facility and the proposals would not result in the loss of the existing agricultural business.
- The business will involve the training of eventing horses and particular riders and competing in equestrian events. It is a land based rural business and would employ between 2 and 3 people full time in the training and running of the site, as well as having local linkages with farriers, feed suppliers, vets, grounds, equipment and site maintenance etc.

- Its income would be derived in the main from individual patronage and competition prizes rather than the sale of a service or product to the wider public. It's contribution to the local economy would not however differ as a result of such patronage.

## 5.2 Principle of the development

- The development plan is silent on equestrian business proposals and paragraph 14 of the NPPF therefore advocates that such a proposal ought to be granted unless harm can be demonstrated.
- Paragraph 28 of the NPPF sets out national policy in support of economic growth in rural area and the growth and expansion of all types of business and enterprise including through the provision of well designed new buildings.
- The proposals would allow for the creation of a new land based rural business without loss of any existing business and provide direct employment for 2-3 people and local linkages supporting a range of local rural enterprises. This fulfils the economic dimension of sustainable development as outlined in the NPPF.
- The social role would be fulfilled by creating a high quality built environment, replacing outdated general purpose agricultural buildings with an exemplary equestrian development with fully integrated facilities, providing a new land based rural business which would support other rural businesses.
- The environmental role would be fulfilled through the improved design, incorporation of sustainable technologies and the prudent use of natural resources through linking places where people live and work.
- We therefore consider that the principle of a new equestrian centre at Freelands Farm is acceptable.

## 5.3 Design

- The proposed buildings would replace an existing array of buildings of varying quality with a new purpose built quality design. The footprint of the buildings on the site would be consolidated and whilst the maximum height of the structure would increase, the general heights would be reduced. The use of a variety of roofing materials will assist in breaking down the building to appear as component parts.
- The design pays regard to the guidance set out in the West Oxfordshire Design Guide and have been formulated in close consultation with the Council's Conservation Architect and take account of the setting on the edge of Westwell and local distinctiveness.

## 5.4 Landscape

- The application is accompanied by an appraisal and landscape proposals which deals with the visual impact of the building from the public realm and the wider landscaping benefits proposed.
- In terms of immediate visual impact the scheme is contained within the existing farmyard and would replace large modern agricultural buildings. The existing boundary wall is retained and the new buildings have been carefully designed to have the appearance of a cluster of traditional farm buildings with the modern part of the proposal hidden behind the roadside vernacular cluster.
- The landscaping and buildings will draw together to form a single coherent design composition and the proposals for the landscape seek not to screen the buildings, but provide a wider plan for the management and improvement of the entire area that is to be put to equestrian use. Significant areas of new tree planting are included and landscape features to enhance the experience for the users of the facility. These enhancements have a wider benefit in removing

land from intensive arable production and returning it to a more characteristic pastoral landscape.

#### 5.5 Archaeology

- Within the wider landscape there is a proposal to better reveal the heritage asset within the field to the east by forming a circular outdoor manege within the henge feature. The applicants are keen to use the landscaping of the area to identify and celebrate such features and to that end John Moore Heritage were instructed to produce a desk based archaeological appraisal to inform the development proposals.
- The DBA concludes that certain elements of the development have the potential to impact upon below ground archaeology and recommends a series of either pre- commencement investigations or watching brief requirements for different sections of the development.

#### 5.6 Retained dwelling and farm buildings and proposed groom's accommodation

- The existing farmhouse and modern farm building at the southern end of the site will be retained and used as managers accommodation and office/storage space.
- There is existing grooms accommodation within the retained farm building and a caravan on the site. This is to be replaced within the new facility. The removal of the existing grooms accommodation can be secured by use of a negatively worded Grampian style condition preventing occupation of the grooms flat until the existing caravan has been removed and the flat within the barn removed.
- The dwelling to be used as manager's accommodation is presently restricted by condition to occupation by an agricultural worker. A planning application is to be submitted in due course to vary this condition to extend to equestrian workers.

#### 5.7 Conclusion

- The proposals have been carefully conceived. They would provide a new land based rural business which would be of benefit to the rural economy and in doing so provide significant enhancements to the visual amenity of the area and the understanding of local heritage assets. The proposed residential accommodation replaces existing provision on site.

#### 5.8 **The landscape and visual impact assessment** submitted with application can be viewed in full on the Council's website. In summary this detailed assessment concludes as follows:

*'The proposed landscape scheme would retain all important existing trees and includes substantial new tree planting as well as hedgerow replacement works and woodland planting. Once established the appearance of the proposed development would be softened, and from many viewpoints entirely screened from view. These proposals would also deliver improvements to the wider landscape.'*

*'The conclusion of this assessment is that, the proposals would not have any significant landscape or visual impacts on landscape or existing landscape resource.'*

#### 5.9 The desk based archaeological assessment submitted with the application can be viewed in full on the Council's website. In summary this detailed assessment concludes as follows:

*'Any development within the study area must have due regard for the setting of any heritage assets. However, it is considered that there will be no visual impact on any designated heritage assets in the area due to existing trees and hedges.'*

*The main building does have the potential to impact on below ground archaeology and therefore before demolition of the existing buildings and excavation of any footings a watching brief may be required.*

*The placement of gallops should be done to respect the locations of the known archaeological monuments, ideally to avoid these all together. While the cross country course lies close to known crop marks the subsurface nature of these features will not be impacted upon.*

*The development of the manege would have a significant impact on the known below ground assets to avoid the feature the manege has been located to the north of the henge over the area of the known quarry. While part of this proposed structure may lie outside the quarry a watching brief in this area during soil stripping is considered sufficient to mitigate the possibility of surviving archaeological features.*

*A new lake is proposed near the centre of the area close to a known cropmark...It would be prudent to include the excavation of the lake within the scope of the watching brief.'*

**5.10 The draft extended phase I habitat survey submitted with the application concludes as follows:**

*"The overall landscape plan will lead to a net gain in biodiversity value on the site.*

*The bat survey concluded that the buildings do not currently support bats. No further survey work requiring bats will be required. The proposed landscape scheme will enhance the site for bats.*

*The single badger sett recorded to the south will not be affected by the proposed work.*

*Brown hares will continue using the site.*

*The habitats with potential for reptiles will not be affected by the proposals.*

*A breeding population of smooth newts have been recorded in the garden pond 5m from the site boundary. This pond will not be affected by the development. A DNA test for great crested newts has confirmed that great crested newts are not present in the pond.*

*Disturbance to nesting birds should be avoided by carrying out works outside the main nesting season."*

**6 POLICY**

The key local plan policies in respect of this application are:

BE2, BE3, BE12, BE13, NE1, NE3, NE6, NE7, NE10, NE13 and NE15.

Paragraphs 2, 7, 14, 17, 21, 56, 63, 128 – 132 of the NPPF are of relevance.

**7 PLANNING ASSESSMENT**

**7.1** Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

The principle of the development  
The design of the built form  
The impact on the wider landscape  
The impact on ecology  
The impact on archaeology  
Flooding/Drainage  
Highways



### Principle

- 7.2 Under 13/1203 planning permission was granted to change the use of two agricultural barns presently located on the land for equestrian use as part of a farm diversification. Thus the principal of an equestrian use on part of the land, the subject of this application has already been established. Bearing this in mind the replacement of the existing buildings with a purpose built equestrian facility and the use of the adjoining land in association with the equestrian centre is considered acceptable in principle in respect of both local plan policies and the NPPF.

### Design

- 7.3 The site is fairly prominent in the village setting and the replacement of the existing utilitarian buildings with an alternative equestrian facility provides scope for aesthetic betterment.
- 7.4 What is proposed is a range of relatively small scale single storey and one and a half storey structures which take their scale and design reference points from other buildings within the village. These units provide stabling facilities, storage facilities and grooms accommodation. The largest of the proposed structures is an indoor riding arena located to the rear of the site. This building has a large footprint and is two storey in height, although in the closest views along the roads it would be partly masked by the smaller scale frontage development (proposed), the existing dwelling and retained agricultural building and existing landscaping. Bearing in mind that the proposed indoor arena is located more or less on the footprint of three existing large sheds and a group of tall silos on the site, officers consider that the scale of the proposed can be justified.
- 7.5 In your officers opinion, the overall design of the buildings is thought to be carefully considered with the proportions and junctions all well resolved.

### Impact on the wider landscape Are considered

- 7.6 The proposed landscape scheme submitted with the application seeks to retain all of the important existing trees and includes substantial new tree planting as well as hedgerow replacement planting and woodland planting. It is considered that these landscape proposals not only deliver improvements in the wider landscape but will also, once established the additional planting will soften the appearance of the new buildings within the landscape.
- 7.7 The proposed gallops and outdoor manege will in your officer's opinion not appear as highly visually intrusive features within the landscape and as such can be supported in association with the equestrian use.

### Ecology

- 7.8 The ecology report submitted with the application has confirmed that the development proposals will not result in harm to any protected species or habitat

### Archaeology

- 7.9 The County archaeologist has confirmed that there are no objections to the proposals from an archaeological point of view subject to the alignment of the gallop being moved at one point to avoid the henge.

### Flooding/Drainage

- 7.10 Given that part of the site is located within Flood Zone 2, the views of West Oxfordshire District Council's Engineer have been requested but have not been received at the time of writing.

### Highways and parking

- 7.11 County Highways has raised no objections to the proposal subject to a condition requiring a Construction Traffic Management Plan.

### Conclusions

- 7.12 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is likely to be acceptable on its planning merits subject to there being no objection from West Oxfordshire District Council's Engineer in respect of flooding or drainage issues.

- 7.13 If the Engineer raises no objections it is anticipated that the application will be verbally recommended for approval with conditions relating to the following matters:

Time frame for implementation;  
Amended description/additional plans received  
Materials/Samples/Sample panels;  
Architectural Detailing;  
Hardsurfacing details;  
Details of enclosures;  
Archaeology;  
Cessation of residential uses in the existing barn and caravan on the land;  
Drainage;  
Highways;  
Limiting the use to that described in the application

## **RECOMMENDATION**

Provisional Approval.

|  |                                     |
|--|-------------------------------------|
| <b>14/0726/P/FP The Bungalow Blackditch Stanton Harcourt</b> |                                     |
| Date   | 21/05/2014                          |
| Officer  | Mrs Kim Smith                       |
| Officer Recommendation                                       | <b>Grant, subject to conditions</b> |
| Parish   | STANTON HARCOURT                    |
| Grid Ref:  | 441106,205745                       |

## **APPLICATION DETAILS**

Removal of existing bungalow and erection of two dwellings with associated parking and new vehicular access.

## **APPLICANT**

Mr David Bury, Warners Farm, Stanton Harcourt Road, South Leigh, Oxon, OX29 6XQ.

## **BACKGROUND INFORMATION**

This application was deferred consideration at the July Sub Committee for a site visit.

In response to the Committee's debate the applicant's agent has provided an amended rear parking plan with a reduced parking area (4spaces), a paved surface rather than gravel and a revised boundary treatment to reduce overshadowing, together with a street scene elevation.

The agent has also provided a layout for an alternative design of dwelling set further back in the plot with parking to the front. Officers have advised the agent that this scheme is materially different to the application under consideration and as such the plans cannot be considered as an amendment to this application but rather would need to be the subject of a further planning application.

This application proposes the demolition of a two bed rendered bungalow on a plot of land that sits adjacent to a substantial open space at Bury Mead, Blackditch and replacement with two detached dwellings of materials and design indicative of the local vernacular. Car parking to serve the development is located to the rear of the site with access taken from an existing access that serves an existing garage parking court. The site is located within the Stanton Harcourt Conservation Area. A Design and Access statement and Bat Survey have been submitted with the application.

## **I PLANNING HISTORY**

13/1681- Planning application for removal of existing bungalow and replacement with two dwellings was withdrawn prior to determination.

## **2 CONSTRAINTS**

The site is located within the Conservation Area.

## **3 CONSULTATIONS**

### **3.1 Highways**

*“No objection subject to conditions.”*

### **3.2 Parish Council**

*“Object as it is against West Oxfordshire District Council policy. This is a Category A village- no new building or infilling especially in a garden in a rural setting. The building is within a conservation zone.”*

### **3.3 West Oxfordshire District Council (Engineers)**

*“No objection subject to conditions.”*

### **3.4 OCC Archaeologist**

*“No objections subject to conditions in respect of an archaeological watching brief.”*

## **4 REPRESENTATIONS**

4.1 Letters have been received from Mr and Mrs D Cradock as owner of 1 Bury Mead and Sean Kelly the occupant of 1 Bury Mead.

4.2 Their comments are very briefly summarised as follows:

- Object to the proposed parking of 6 vehicles to the side of our property and small rear garden;
- It would be better for the new properties to have parking near to the main road;
- Our property will be affected from noise and pollution from vehicles entering and leaving;

- We feel that it is insufficient for the leylandii trees to be retained and refurbished as necessary, as stated in the plans, because our concern is that the hedge /trees are of a size that is difficult to manage and are encroaching on our garden;
- The hedge is currently 4 m high which is effecting the amount of sunlight reaching our house;
- The root structure will also become a problem for our property foundations if it is allowed to grow in an unmanaged way;
- If this area becomes a parking area we are sure that no one will readily take on maintenance of the nuisance trees;
- A large fir tree closest to our property is also of a concern because of its potential to cause damage to our house foundations. It would seem a fitting time to remove this tree prior to the development starting. This tree serves no purpose other than to provide a roost for numerous pigeons and it is a prime candidate for toppling in high winds.

## **5 APPLICANT'S CASE**

Writing in support of the proposals the applicant's agent advises (in summary/conclusion):

- The proposed development is entirely in accord with key national policy guidance and the adopted Local Plan;
- It constitutes an acceptable form of development on land within the existing built up area of the settlement. It is sited in a sustainable location close to the village centre and its facilities and close to public transport routes;
- It would be a logical compliment to an existing pattern of development in the area, which is characterised by linear development along Blackditch and back land developments in the form of small residential cul- de- sacs, larger housing estates and individual dwellings;
- The Bungalow is a plain modest dwelling screened by dense planting and as such, makes no positive contribution to the character of the street scene or the Conservation Area;
- In contrast the proposed dwellings are well designed and sited so as to respect the design, scale, pattern and character of the surrounding area;
- The development does not overlook, overshadow, overbear on adjoining dwellings;
- It is not detrimental to highway safety;
- The bat survey has revealed no bat activity on the site;
- No affordable housing is triggered;

## **6 POLICY**

Policies BE2, BE3, BE5 and H2 of the WOLP and the paragraphs of the NPPF are of most relevance.

## **7 PLANNING ASSESSMENT**

- 7.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle  
 Design/Impact on the Conservation Area  
 Highways  
 Neighbours  
 Ecology

### Principle

- 7.2 Whilst not located within the most sustainable settlements within the District, Stanton Harcourt does score reasonably well within the 'Sustainability Matrix' appended to the 'Settlement Sustainability Report'. Bearing this in mind and in the current position where there is a lack of a 5 year housing land supply, it is considered that the presumption in favour of sustainable development set out in the NPPF applies and that, in principle, the development can be supported provided that there are no substantial and demonstrable harms that would outweigh the presumption.
- 7.3 The redevelopment of the site for one additional dwelling does not attract an affordable housing contribution.

### Design /Impact on the Conservation Area

- 7.4 The two dwellings are of the local vernacular in terms of both design and materials. The siting and scale of the units replicate similar development within the vicinity of the site. Bearing these factors in mind, officers consider that the houses will sit comfortably within the Conservation Area street scene. Conditions have been attached to the recommendation of approval to ensure that the key trees/shrubs peripheral to the site are safeguarded through the development process and that appropriate boundary treatments are achieved. This will ensure that the present leafy green setting of the site will be retained in the interests of preserving the character and appearance of this part of the Conservation Area.

### Neighbourliness, pollution and Environmental Health

- 7.5 Concerns have been raised by both the owner and occupier of 1 Bury Mead, a dwelling to the rear of the application site, in respect of the impact of the car parking area to serve the dwellings on their residential amenity by way of noise and fumes associated with vehicular movements. They have also raised issues about an existing 4m high leylandii that runs along their boundary and that is to be retained as part of the scheme.
- 7.6 In terms of the impact on their amenity, it is accepted by officers that vehicular and pedestrian movements associated with parking on this land will be different in character to those activities associated with the former use of the land as a garden. However, this activity will be limited in its extent to the private use of the two new dwellings and the adjacent property known as 'The Old Cow Shed'. In addition the neighbouring property is shielded from this activity by a refurbished physical enclosure, the details of which will be the subject of a condition and established screening. Further the car parking areas are set off of the boundary with 1 Bury Mead by approximately 2 metres. In light of these ameliorating factors officers consider that on balance, the parking of cars for private use in this location will not be so harmful as to warrant refusal of this application.
- 7.7 Notwithstanding the above, officers have imposed a planning condition which seeks a revised parking layout to improve the ability of cars to manoeuvre around the car park in the interests of seeking to further reduce noise and disturbance from vehicular movements. In addition an alternative hard surface to gravel has been conditioned.
- 7.8 The other issue raised by the neighbour relates to the impact of the leylandii hedge on their property in terms of loss of light and root encroachment. A recommended condition in respect of this matter requires precise details of the works to all of the planting peripheral to the site to be provided and agreed with the LPA prior to the commencement of development.

### Ecology

- 7.9 A bat survey has been submitted with the application which concludes that 'The Bungalow' was not identified as a bat roost and as such, no mitigation measures are considered necessary.

### Highways and parking

- 7.10 OCC Highways has raised no objection to the application subject to conditions.

### Conclusions

- 7.11 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is **acceptable** on its planning merits.

## **RECOMMENDATION**

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) 1325 008 A, 1325 009 A and 1325 010 A.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls shall be constructed of artificial stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before development commences and thereafter retained until the development is completed.  
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external doors, windows (including cills and heads), eaves/verges, ridges, chimneys and rainwater goods at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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.
- 6 No building shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
  1. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

II. include a timetable for its implementation; and

III. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To secure an adequate and sustainable means of disposing of surface water from the site and to avoid flooding.

7 An archaeological watching brief shall be maintained during the period of construction/during any ground works taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a written scheme of investigation that has first been approved in writing by the LPA.

REASON: To safeguard the recording and inspection of matters of archaeological importance on site.

8 Following the approval of the Written Scheme of Investigation referred to in condition 8, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the LPA, as agreed in the written scheme of investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF.

9 Notwithstanding the car parking layout annotated on drawing No 1325 008A, the car parking layout and surface materials shall be amended in accordance with details to be first submitted to and approved in writing by the LPA and the said approved details shall be retained as such thereafter.

REASON: In the interest of the residential amenity of adjoining occupiers.

10 Notwithstanding the details on drawing No.1325 008 A, a detailed scheme in respect of both the means of enclosure and proposed landscape works to the shrubs/ trees along all of the boundaries of the site shall be submitted to the LPA and approved in writing prior to the commencement of development and the said approved details shall be completed prior to first occupation of the dwellings hereby approved and retained as such thereafter.

REASON: In the interests of both visual amenity and residential amenity.

11 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2005: "Trees in Relation to Construction" and has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To safeguard features that contribute to the character and landscape of the area.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions including roof alterations, outbuildings or means of enclosure {other than those expressly authorised by this permission}} shall be constructed.

REASON: Control is needed in the interests of the character and appearance of the Conservation Area.

|  |                                     |
|--|-------------------------------------|
| <b>14/0727/P/FP The Old Cow Shed Blackditch Stanton Harcourt</b> |                                     |
| Date   | 21/05/2014                          |
| Officer  | Mrs Kim Smith                       |
| Officer Recommendation   | <b>Grant, subject to conditions</b> |
| Parish   | STANTON HARCOURT                    |
| Grid Ref:  | 441098,205730                       |

## **APPLICATION DETAILS**

Alterations and erection of two storey rear extension.

## **APPLICANT**

Mr David Bury, Warners Farm, Stanton Harcourt Road, South Leigh, Oxon, OX29 6XQ.

## **BACKGROUND INFORMATION**

This application was deferred consideration at the July Sub Committee meeting for a site visit.

This application is for a two storey rear extension on a property which adjoins the redevelopment of 'The Bungalow' the subject of planning application 14/0726, also for determination on the Sub Committee Agenda.

By reason of the orientation of the existing dwelling the extension reads as a side extension in the street scene.

## **1 PLANNING HISTORY**

13/1676 – Alterations and erection of two storey rear extension – Withdrawn.

## **2 CONSTRAINTS**

The site is located within the Conservation Area.

## **3 CONSULTATIONS**

### **3.1 Parish Council**

*“We would like to point out that the development is within a conservation zone – we would recommend that the roof should be matched with the existing and the windows should be wooden. We feel that the new build should be the same height as the existing. Basically, we feel that the new build should mirror the existing.”*

### **3.2 OCC Highways**

*“No objection.”*

## **4 REPRESENTATIONS**

Mr and Mrs Dyer of 2 The Close have objected for reasons of loss of privacy and daylight.

## **5 POLICY**

The key policy considerations are BE2, BE3 and BE5.



## 6 PLANNING ASSESSMENT

- 6.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Impact on character and appearance of the area;  
Impact on neighbour amenity;  
Impact on highway safety.

### Design /Impact on the character and appearance of the Conservation Area

- 6.2 The gable ended extension is constructed of materials to match the existing dwelling and is of a design and scale appropriate to the host building. Bearing this in mind officers consider that the proposed development will preserve the character and appearance of this part of the Conservation Area.

### Neighbourliness

- 6.3 The neighbour at 2 The Close has raised objections to the proposal in terms of overlooking .The block plan submitted with the application evidences that the only overlooking from the proposal relates to a dormer window which is in excess of 21m from the rear face of 2 The Close. Bearing this in mind officers do not consider that the development is unneighbourly.

### Highways and parking

- 6.4 OCC Highways has raised no objections to the proposal.

### Conclusions

- 6.5 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is **acceptable** on its planning merits.

## RECOMMENDATION

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) I325 102 A and I325 103 A.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls of the extension shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before development commences and thereafter retained until the development is completed.  
REASON: To safeguard the character and appearance of the area.
- 4 The roofs of the extension and dormer windows shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.  
REASON: To safeguard the character and appearance of the area.

- 5 The cheeks and pediment of the dormer window(s) shall be rendered in a colour and texture the specification for which has been submitted to and approved in writing by the Local Planning Authority.  
REASON: To safeguard the character and appearance of the area.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all windows (including cills and heads), eaves/verges, at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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.

|   |                                     |
|---|-------------------------------------|
| <b>14/0891/P/FP Rear of 8 - 10 Market Square Witney</b> |                                     |
| Date  | 16/06/2014                          |
| Officer   | Mrs Kim Smith                       |
| Officer Recommendation                                  | <b>Grant, subject to conditions</b> |
| Parish  | WITNEY                              |
| Grid Ref:   | 435564,209717                       |

### **APPLICATION DETAILS**

Change of use of a storage building and covered storage area to provide space for Community Projects.

### **APPLICANT**

Mr Easy Chalmers, C4 New Yatt Business Centre, New Yatt, Witney, Oxon, OX29 6TJ.

### **BACKGROUND INFORMATION**

This application is for a change of use of a storage building and covered storage area for a community project.

The aim of the project is to introduce 5 to 15 year olds in West Oxfordshire to the pleasures and positive advantages of music creation and performance

The project is to be run by the 7C's Foundation who operate a policy of absolutely no anti social behaviour.

There will be no parking at the barn and all visitors will be directed to nearby public parking areas.

There will be no external noise from music making as headphones are used and no speakers.

The main activities of the project in school term time will take place between the hours of 4pm and 8pm on weekdays and 9am to 7pm on weekends. During the holidays the weekend times will apply.

In addition to music creation, video and film facilities are offered for the community. A wall for 'street art' will also be provided within the building. This is to offer an alternative to doing graffiti and to help reduce the instances of illegal graffiti locally.

The application has been referred to the Sub Committee for consideration because the building is owned by a District Councillor and the same Councillor is the agent for the applicant.

## **I PLANNING HISTORY**

The most recent planning history relating to the site is for the demolition of existing outbuildings and erection of four dwellings 13/0146, 13/014 – Granted.

## **2 CONSTRAINTS**

The site is located within the Witney Conservation Area.

## **3 CONSULTATIONS**

### **3.1 Town Council**

*“No objections.”*

### **3.2 WODC (Environmental Health)**

*“No objections.”*

### **3.3 WODC (Conservation Architect)**

*“No objections.”*

### **3.4 OCC Highways**

No reply.

## **4 REPRESENTATIONS**

Neighbours notified - no representations received.

## **5 APPLICANT’S CASE**

See background information.

## **6 POLICY**

The key policies for consideration are BE2, BE3 and BE5 of the adopted West Oxfordshire Local Plan.

## **7 PLANNING ASSESSMENT**

### **7.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:**

The impact of the proposal of local amenity;

The impact on highway safety

The impact on the Conservation Area

#### Impact on local amenity

### **7.2 Given the Town Centre location, the predominantly commercial context of the site and the nature of the proposed use, officers do not consider that the community project use will adversely impact on the general amenity of the area.**

### Highway Safety

- 7.3 Whilst OCC Highways have not yet commented on the application, your Officers consider that given the Town Centre location and that fact that onsite visitor parking is not proposed as part of the application, that the development will not have an adverse impact on highway matters.

### Conservation Area

- 7.4 In light of the fact that the proposal does not involve any physical changes to the building and the relatively low impact of the use, your Officers consider that the character and appearance of the Conservation Area will be preserved.

## **RECOMMENDATION**

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No 09.026.3.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 That the 'Community Project' use hereby permitted shall only be operated in accordance with the 'project overview' dated 12 June 2014 submitted with the application.  
REASON: In the interests of amenity.

|   |                             |
|---|-----------------------------|
| <b>14/0902/P/FP 30 Home Close Carterton</b> |                             |
| Date  | 17/06/2014                  |
| Officer                                     | Miss Miranda Clark          |
| Officer Recommendation                      | <b>Provisional Approval</b> |
| Parish                                      | CARTERTON                   |
| Grid Ref:                                   | 427641,206911               |

## **APPLICATION DETAILS**

Erection of single storey rear extension.

## **APPLICANT**

Oxfordshire County Council, Joint Commissioning Team, 4th Floor, County Hall, New Road, Oxford, OX1 1ND.

## **BACKGROUND INFORMATION**

Councillor Mrs Crossland has requested that the application is to be heard before the Committee for the following reason:

*"I would like the committee to consider whether the proposed extension could have an overbearing and intrusive effect on the neighbouring property, particularly reducing light to the already small garden and possibly also in winter to the main living room of the adjoining property."*

## **I PLANNING HISTORY**

14/0212/P/FP - Change of use and single storey rear extension to create small residential care unit – withdrawn. This application was withdrawn due to the description & plans being incorrect.

## **2 CONSULTATIONS**

### **2.1 Town Council**

*“Council had no objections but questioned whether or not the pitched roof is appropriate because it could cause significant shading to the adjacent property.”*

### **2.2 OCC Highways**

No comments received.

## **3 REPRESENTATIONS**

One letter has been received from Mr & Mrs M.Teagle of Inkerman Cottage, 14 Home Close. The comments have been summarised as:

- Assistants, along with any visitors, will significantly increase the volume of traffic using the un-adopted driveway that currently serves 4 other properties. One of the previous residents arranged for the drive to be re-surfaced several years ago at the expense of the local residents. We are concerned that any increase in traffic will cause rapid deterioration of the driveway that is already in a poor state of repair. We feel that this is something that should be considered by the Highways Department before any increase in traffic is allowed. The application states that there is parking for 4 cars. The local residents believe that only 2 parking spaces are available for No 30 which is the block paved area installed by English Churches when they had control of the property. We believe that ownership of this piece of land requires clarification.
- We believe that to have a gable end protruding into the rear garden will be completely out of keeping with the adjacent properties; in fact it will spoil the whole look of this old row of cottages. Number 12 has had a recent extension added to the rear of their property.
- We are also concerned that a full height extension would result in a severe loss of light to No 28 this would be alleviated by the construction having a flat roof.
- Although we are not against the change of use in principle and would welcome the building which has been vacant for well over 18 months being brought back into use, we believe that the above points should be addressed prior to any planning approval being granted and that consideration should be given to the character of one, if not the, town's oldest areas.
- I feel that we must also pass comment on the quality and clarity of the 2 photographs shown on the design and access statement. These photographs are extremely poor and bear little resemblance to the actual properties. I would have thought that a company employed by the WODC would treat any application made on behalf of the WODC much more professionally and at least include photographs that show a true representation of any buildings referred to. The photographs included seem to show that the properties curve and that the roofs are stepped.

## **4 APPLICANT'S CASE**

A Design and Access Statement & Care Statement has been submitted with the application and has been summarised as:

- The proposal is to extend the building and use it as a dwelling. The building will be used as a 3 bedroom residential unit for adults with learning disabilities.
- The extension is at the rear of the property.
- The appearance of the extension is a fair faced brick, single storey extension with a clay pitched roof with a gable end. It is keeping with the subject property and the adjacent properties.

## **5 POLICY**

Policy BE2 – General Development Standards

Policy BE3 – Provision for Movement and Parking

Policy H2 – General residential development standards

## **6 PLANNING ASSESSMENT**

- 6.1 The application relates to a terraced, single storey property located within Carterton. It is not located within a Conservation Area, and the property itself is not Listed. The listed building is located further to the east of the application site.
- 6.2 The proposal is for the erection of a single storey rear extension to provide additional accommodation which will comprise of a larger kitchen and lounge area. The extension is to be set off the boundary with No 28 by 0.2m and from ground level to the eaves height is 2.2m. The design of the extension is a modest gable and therefore the roof will slope away from No 28. As such officers consider that due to the modest depth of the extension, 2.4m, and the design of the roof that no undue loss of amenity, in terms of overbearing or loss of light will result to the adjoining neighbour's residential amenities.
- 6.3 In terms of the design on the character of the buildings, the flat roofed extension which is referred to within the representation received is assumed to be carried out under permitted development rights. Unfortunately due to the design and the work that has been done, it is not considered that the proposed extension should be of the same design or type.
- 6.4 Officers therefore consider that the extension is of a simple traditional form and does respect the form of the host dwelling.
- 6.5 The parking available on site seems acceptable, as the dwelling is to be a 3 bed, instead of 4, however officers are awaiting final comments from OCC Highways regarding this issue.
- 6.6 In terms of the issues raised regarding ownership of land, this is a civil issue and officers have advised the agent of this.
- 6.7 Comments from OCC Highways are expected to be received prior to the meeting, and officers will update Members at that time.

|   |                             |
|---|-----------------------------|
| <b>14/0930/P/FP 56 Moorland Road Witney</b> |                             |
| Date  | 13/06/2014                  |
| Officer                                     | Miss Miranda Clark          |
| Officer Recommendation                      | <b>Provisional Approval</b> |
| Parish                                      | WITNEY                      |
| Grid Ref:                                   | 434985,210022               |

## APPLICATION DETAILS

Alterations and conversion of roof space to include dormers to front elevation (to allow conversion of garage to additional living accommodation and erection of link to existing dwelling) (Part Retrospective).

## APPLICANT

Mr R C H Oddy, Christmas Cottage, West End, Combe, Oxon OX29 8NP.

## BACKGROUND INFORMATION

This application seeks consent for changes to the existing garage to allow additional living accommodation to the existing dwelling for an occupant with disabilities. The applicant is a member of WODC staff.

### 1 PLANNING HISTORY

13/1563/P/FP – Alterations and conversion of roof space to include dormers to front elevation – Grant.

### 2 CONSULTATIONS

#### 2.1 Town Council

“No objections.”

#### 2.2 OCC Highways

No comments received to date.

### 3 POLICY

The most relevant policies of the West Oxfordshire Local Plan 2011 are considered to be:

Policy BE2 – General Development Standards  
 Policy BE3 – Provision for Movement and Parking  
 Policy H2 – General residential development standards

Relevant paragraphs of the NPPF have also been considered.

### 4 PLANNING ASSESSMENT

#### 4.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Impact to neighbouring properties’ residential amenities  
 Impact to the visual amenity of the streetscene  
 Car parking on site

- 4.2 The existing host dwelling is located within a mature residential area of Witney and is single storey. It is positioned on a corner site with a detached garage and outbuildings.
- 4.3 The previous approved planning application included the insertion of two dormer windows to the front and two roof lights to the rear slope to enable the use of the attic space. Minor alterations to the external appearance of the dwelling and changes to the layout of the dwelling were also included within the application. These works have been commenced on site.
- 4.4 This proposal is for the conversion of the existing garage to a bedroom and wet room and a small link extension to connect the accommodation to the main dwelling. Officers do not consider that the alterations will adversely affect the adjacent neighbouring dwellings, due to the positioning of the existing garage, and the distance between the garage and the properties to the rear.
- 4.5 The design of the link extension is considered acceptable in terms of its impact to the host dwelling and as it will not be significantly visible it is not considered to detract from the visual character and appearance of the streetscene.
- 4.6 Although officers consider that there is sufficient parking on site, officers are still awaiting comments from the Local Highway Authority Area Liaison Officer. It is anticipated that the comments will be received prior to the meeting, where officers will update Members at the meeting.

|  |                                     |
|--|-------------------------------------|
| <b>14/0984/P/FP 37 Rock Road Carterton</b> |                                     |
| Date                                       | 03/07/2014                          |
| Officer                                    | Sarah De La Coze                    |
| Officer Recommendation                     | <b>Grant, subject to conditions</b> |
| Parish                                     | CARTERTON                           |
| Grid Ref:                                  | 427745,207183                       |

## **APPLICATION DETAILS**

Erection of a single storey extension.

## **APPLICANT**

Mr R Kelman, 37 Rock Road, Carterton, Oxfordshire, OX18 3BL.

## **BACKGROUND INFORMATION**

The application proposes a single storey extension. The application is to be heard before the Committee as the applicant is a member of staff.

### **1 PLANNING HISTORY**

There is no relevant planning history.

### **2 CONSULTATIONS**

#### **2.1 Carterton Town Council**

*“No objection to this application if neighbours are content. However, Council are concerned that the extension should not be used as a separate dwelling and asked for the officer to place a condition upon it to ensure it remains part of the original property and is not used or sold as a separate dwelling.”*



## 2.2 Oxfordshire County Council Highways

*“After reviewing the supplied plans and documentation, the Highway Authority has No Objection to the proposal on the basis of Highway Safety.”*

## 3 REPRESENTATIONS

No letters of representation have been received.

## 4 POLICY

Policy BE2 – General Development Standards  
Policy BE3 – Provision for Movement and Parking  
Policy H2 – General residential development standards  
National Planning Policy Framework

## 5 PLANNING ASSESSMENT

- 5.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Design and impact on the street scene  
Impact on neighbouring amenity  
Highways and Parking

### Principle

- 5.2 Officers consider that in principle, building a single storey extension is an acceptable form of development. The plans show that the extension will have the potential to form a separate living area. Policy H2 states that forming a self contained unit of accommodation is acceptable but may be subject to a condition ensuring that the extra accommodation remains ancillary. The site does not lie within a conservation area and is not a listed building.

### Design and impact on the street scene

- 5.3 The extension will be located to the side of the property and will replace the existing garage; the extension will be highly visible from the street scene. The extension has been designed to reflect the design of the existing house by continuing the form of the roof and by creating a gable end rear extension to match the existing.
- 5.4 The scale of the development is considered acceptable in relation to the size of the plot and the existing dwelling. The materials proposed will match those of the existing dwelling to allow for a visually appropriate relationship. It is therefore considered that the proposed extension would not have an adverse impact on the street scene or the wider area.
- 5.5 The layout of the extension has the potential to be used independently to the existing dwelling. The Town Council has commented on the application and is concerned about the extension being used as a separate dwelling. Officers are also of the opinion that a separate dwelling in this location would be inappropriate due to its location and impact on the existing and neighbouring dwellings. A condition will therefore be added to ensure it is not occupied as a separate dwelling.

### Impact on neighbouring amenity

- 5.6 The extension will be located on the East side of the dwelling and will be located close to the boundary the property shares with no. 35. The extension will have an eaves height of 2.75m and the rear gable end will have an overall height of 4.9m.
- 5.7 The extension will be located in close proximity to the boundary fence but due to the layout of the site, the extension would be located approximately 13m away from the neighbouring house. Given the distance between the properties and the relatively low eaves height, the proposed extension is considered not to have an overbearing impact on the neighbouring property or have an adverse impact on the light afforded to the property.
- 5.8 The extension will feature three windows in the side elevation; the windows will be directly facing the neighbouring garden. The boundary treatment between the properties consists of a fence with a height range of 1.8m -2m. The position of the fence allows the windows to be relatively well screened with only a small portion of the window being visible over the fence line. There is always the potential for mutual overlooking in built up residential areas and it is considered that the introduction of the 3 windows due to the distance from the property and boundary treatment would not create unacceptable levels of overlooking or have an adverse impact the level of privacy. Notwithstanding this, a condition will be added to ensure that a fence of no less than 2m in height is erected between the properties and retained thereafter to safeguard neighbouring privacy.

### Highways and parking

- 5.9 Oxfordshire County Council Highways have assessed the proposal from parking and safety perspectives and has not objected to the scheme. Therefore, officers do not consider that the proposed development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway.

### Conclusions

- 5.10 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

## **RECOMMENDATION**

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) 1, 2, 3 and 4.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.  
REASON: To safeguard the character and appearance of the area.
- 4 The extension hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.  
REASON: A separate dwelling in this location would be inappropriate in relation to residential amenity and contrary to Policy BE2 and H2 of the West Oxfordshire Local Plan, 2011.

- 5 The existing fence along the East boundary of the land shown on plan no.2 shall be retained at a height of not less than 2 metres following first occupation of the extension and be retained thereafter.  
REASON: To secure a reasonable standard of privacy for occupants of the neighbouring property.

|   |                                     |
|---|-------------------------------------|
| <b>14/1017/P/AC 70 High Street Witney</b> |                                     |
| Date                                      | 11/07/2014                          |
| Officer                                   | Mrs Kim Smith                       |
| Officer Recommendation                    | <b>Grant, subject to conditions</b> |
| Parish                                    | WITNEY                              |
| Grid Ref:                                 | 435720,210010                       |

**APPLICATION DETAILS**

Erection of non illuminated fascia sign, externally illuminated hanging sign and internally illuminated menu case (Retrospective) **(to allow installation of illumination to approved fascia sign)**.

**APPLICANT**

Arzoo Witney, 70 High Street, Witney, Oxon, OX28 6HJ.

**BACKGROUND INFORMATION**

Under 13/1048/1049 advertisement consent and listed building consent was granted for various illuminated signs and a non illuminated fascia sign on the premises. This application is seeking permission to illuminate the fascia with a continuous black circular linear fluorescent fitting on 200mm brackets.

**1 PLANNING HISTORY**

See background information.

**2 CONSTRAINTS**

Witney Conservation Area; Grade II listed building.

**3 CONSULTATIONS**

3.1 Town Council

*“Objects to the external illumination on the hanging sign.”*

**4 REPRESENTATIONS**

Neighbours consulted - No representations received.

**5 APPLICANT’S CASE**

*“The reason for the proposed lighting is that in the evening the gold lettering on a black painted fascia, originally chosen as appropriate for the listed building, becomes difficult to identify for potential customers of the restaurant. The lighting proposed consists of a pair of black circular section fluorescent linear fittings, hung from simple 200mm projecting black powder coated brackets. This will provide low brightness lighting to the fascia board and lettering.”*

## 6 POLICY

The key policies for consideration are BE2, BE5 and BE7 of the adopted WOLP 2011.

## 7 PLANNING ASSESSMENT

- 7.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

The impact of the proposal on the character and appearance of the Conservation Area;  
The impact on the architectural integrity of the listed building.

### Character and Appearance of the Conservation Area

- 7.2 Whilst there is very little fascia illumination in the vicinity of the site, there is a nearby A3 use which has an illuminated fascia by way of 'swan-neck' fittings. In light of the precedent that has been set for a similar use which operates during the hours of darkness in the winter months, your officers consider that it is difficult to resist this application for a similar illuminated fascia sign. Further, the lighting and fittings proposed in this case will have less of a visual impact on the character and appearance of the Conservation Area than the 'swan-neck' fittings.

### Impact on architectural integrity of the Listed Building

- 7.3 The proposed black powder coated trough type light, bracketed out by 200mm is considered an acceptable light fitting to the front façade of the listed building in that it does not adversely impact on the architectural integrity of the building.
- 7.4 In light of the above the application is recommended for conditional approval.

## RECOMMENDATION

Permit subject to the following conditions:

- 1 This consent shall operate for a period of five years from the date of this notice.  
REASON: By virtue of R.13 (5) of the above regulations.
- 2 That the development be carried out in accordance with the plans and information submitted with the application.  
REASON: For the avoidance of doubt as to what is permitted.

### NOTE TO APPLICANT

Notwithstanding the above condition(s), consent is granted subject to the conditions set out in schedule 1 of the attached notes to the applicant.

|   |                                     |
|---|-------------------------------------|
| <b>14/1018/P/LB 70 High Street Witney</b> |                                     |
| Date                                      | 11/07/2014                          |
| Officer                                   | Mrs Kim Smith                       |
| Officer Recommendation                    | <b>Grant, subject to conditions</b> |
| Parish                                    | WITNEY                              |
| Grid Ref:                                 | 435720,210010                       |

### APPLICATION DETAILS

External alterations to include fascia sign, hanging sign and menu case (Retrospective) (to allow installation of lighting to approved fascia sign)

### APPLICANT

Arzoo Witney, 70 High Street, Witney, Oxon, OX28 6HJ.

### BACKGROUND INFORMATION

See report under ref 14/1017/P/AC.

### RECOMMENDATION

Grant subject to the following conditions:-

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.  
REASON: To comply with the requirements of S.18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 That the development be carried out in accordance with the plans and information submitted with the application.  
REASON: For the avoidance of doubt as to what is permitted.

|   |                                     |
|---|-------------------------------------|
| <b>14/1037/P/FP 30 Stoneleigh Drive Carterton</b> |                                     |
| Date  | 16/07/2014                          |
| Officer   | Miss Miranda Clark                  |
| Officer Recommendation                            | <b>Grant, subject to conditions</b> |
| Parish  | CARTERTON                           |
| Grid Ref:   | 427577,208319                       |

### APPLICATION DETAILS

Erection of two flats with new access and associated works.

### APPLICANT

Mr & Mrs T Pritchard, 30 Stoneleigh Drive, Carterton, Oxfordshire, OX18 1ED.

### BACKGROUND INFORMATION

The application is for a detached building to accommodate two flats adjacent to No 30 Stoneleigh Drive. The application is to be heard before the Committee, as officers have yet to receive comments from Carterton Town Council at the time of writing.

## **I PLANNING HISTORY**

11/1739/P/FP – Construction of new access and parking area – Withdrawn.  
12/0314/P/FP – Construction of new access and parking area – Grant.

## **2 CONSULTATIONS**

### **2.1 Town Council**

No comments received at the time of writing.

### **2.2 OCC Highways**

*“This application should be granted but the suitable conditions applied (as below).*

#### Conditions

*I suggest the following conditions:*

- *The surfacing to the parking area should be permeable paving and a condition should be applied to any permission to ensure that prior to occupation the parking area is constructed SUDS compliant. Reason to accord with Sustainable Drainage Systems (SUDS).*
- *Prior to occupation of the dwelling vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level. Reason In the interest of highway safety.*

#### General Observations

*The proposal seeks the creation of 2 x 1 bedroom units adjacent to no.30 Stoneleigh Drive with an access taken from Manor Road.*

*A previous application (12/0314/P/FP) was for the provision of a parking area along with turning opportunity in this location in which the Highway Authority did not raise objection too.*

*The proposal has demonstrated a sufficient level of car parking in which to meet the required standards.*

*However, it has been recommended that the fencing along the parking space for unit 1 should be suitably splayed so as to achieve pedestrian vision splay requirement. It is possible for this to be achieved.*

*The proposal is unlikely to have a significant adverse impact on the highway network.*

*After investigation and reviewing the supplied documents, the Highway Authority has no objection subject to the above condition(s) being applied to any permission which may be granted on the basis of highway safety.”*

### **2.3 WODC Engineers**

*“No objections subject to condition & notes.”*

## **3 REPRESENTATIONS**

One letter has been received from Mr and Mrs Shorten of 32 Stoneleigh Drive. The comments have been summarised as:

- There is no mention of the applicant having applied to the OCC Highways dept. to apply for planning permission to construct an access across the public highway prior to starting work on site, which was part of the decision notice given for planning permission granted for two parking spaces in 2012. (12/0314/P/FP) part of the Notes to Applicant at the bottom of the decision notices, in that the granting of the permission does not override the personal property rights of neighbours, landowners and other interested parties. This refers to a public right of way (footpath) to the rear of these houses in which we can access our garage, which is currently located in a block.
- We have concerns that a house has already been erected within a garden at the end terrace of our row of houses (all be it granted retrospective)... in that this property also has parking spaces allocated within its grounds which, since occupation be either tenants, or as is the case now, the owners of the house, fail to use and as such leave their vehicles on the road, which in turn has caused a further increase in vehicles parking up safely and sensibly within our cul de sac.
- We feel that the same will occur once this is constructed as the current residents of Manor Road already gang up on people who choose to park in their "private road" and as such I fear that because of this happening to the new flat owners, they will leave their vehicles in our cul de sac in Stoneleigh Drive and walk to their flats up the current footpath leading to the front of the properties.
- There is also a mention of bin stores and cycle stores, again these have been part of the planning permission granted for the house at the end of our row of terraces and again the residents use the cycle stores as a garden shed as well as the bin storage, they use these to keep their children's toys inside, and leave their bins out in what should be their car parking area.
- Thames Water has a few concerns about the drains and its impact on them for sewage and waste water.
- The mention of public transport is incorrect, as we do not have a regular bus service serving this part of Carterton, as this was a reason why our neighbour who was elderly and couldn't drive, wasn't able to access town to shop, visit her GP, etc. without having to call a taxi service.
- Concerns about the construction company, if planning was permitted, in where will they be parking whilst the build takes places and deliveries of materials. Will there be strict restrictions put in place to prevent them from parking in Stoneleigh Drive/Manor Road?
- We would request that you take our concerns seriously and recommend that this application be refused, as we are also about to experience a further 371 dwellings within this area in the near future by David Wilson Homes so feel this is not necessary as I'm sure if the need to supply a one bed flat it is going to be an option which has already been granted planning permission in the land adj. to this property.

#### **4 APPLICANT'S CASE**

A biodiversity report, Daylight & Sunlight Assessment, FRA, Landscaping Report, and Design & Access Statement has been submitted with the application. Full versions can be viewed on line or via officers. The Design & Access Statement has been summarised as:

- The site currently forms a side garden area to the existing property, with part enclosed by a 2000mm high close boarded fence to create the private garden area to the side and rear of the property, which is mainly laid to grass with a paved terraced area and an external store. The front garden area is open plan.
- The existing property is the end dwelling of a terraced block and access is via a main footpath to the front which serves all dwellings.

- The scheme comprises of a two storey rectangular building, with a single storey front projection. Separate entrance doors are provided to each apartment. Pedestrian access to the new apartments will be via the existing public footpath with private paths to each door.
- A new vehicle access will be provided via Manor Road previously approved under 12/031/P/FP. Within the site, parking bays will be provided, one space per new apartment, plus an additional space to serve the existing property. A secure area for bicycles and bin storage is provided.
- The site is set in a residential area and is neither in a Conservation Area or affecting the setting of a Listed Building.
- The design demonstrates that a modest scheme with small units (a much sought after dwelling within the towns community) can be provided on this site without compromising the appearance or character of the area or indeed having any detrimental impact on adjoining properties.
- The use of matching materials will also blend in with existing dwellings so that the new build is not an overly strident feature.
- The size of the site and available garden area restricts any larger development.
- Any new hard surfacing (paths and parking bays) will be of suitable porous materials to aid surface water drainage.

## 5 POLICY

The most relevant policies of the West Oxfordshire Local Plan 2011 are considered to be:

Policy BE2 – General Development Standards  
 Policy BE3 – Provision for Movement and Parking  
 Policy H2 – General residential development standards  
 Policy H3 – Range and type of residential accommodation

Specific paragraphs of the NPPF have also been referred to.

## 6 PLANNING ASSESSMENT

- 6.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle of the development  
 Design  
 Impact to the neighbouring properties  
 Highways and Parking

### Principle

- 6.2 The application site lies within a mature residential area of Carterton, and is adjacent to a line of terraced dwellings, located off a small cul-de-sac. As such officers consider that the principle of development is acceptable.

### Design

- 6.3 The design of the building follows the existing terraced block in terms of footprint, scale and materials. A small front extension will be included but will have a pitched roof instead of the flat roof, seen at No 30 Stoneleigh Drive.
- 6.4 The building will be detached and separated from 30 Stoneleigh Drive by a small gap, and on balance officers consider that due to the location of the building, being on the end, it will not be



significantly visible within the streetscene to adversely affect the existing character of the immediate area.

#### Impact to the neighbouring properties

- 6.5 As the new building will be in line with the existing at No 30 Stoneleigh Drive and does not propose any rear extensions, officers consider that no adverse impact in terms of overlooking or overbearing issues will result.
- 6.6 In terms of increase noise and disturbance to existing occupiers of Manor Road in terms of highway traffic, officers consider that as the existing properties front onto Manor Road; their rear residential amenity areas will not be unduly affected.

#### Highways and parking

- 6.7 Oxfordshire County Council as Highways Authority has been consulted as part of the planning process of the application, and they have no objection subject to conditions as stated previously within the report. Officers have repeated the note that the comments made within the representation section make regarding that the applicant needs to submit a separate application for permission under Highways Act 1980 to construct an access across the Public Highway prior to any works starting on site.
- 6.8 Officers consider that the new occupiers would make use of the parking spaces available to them on site, given that it would be of a much closer proximity to the flats rather than parking within Stoneleigh Drive, then walking to the new property.
- 6.9 In addition officers do not consider that the proposed development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway.

#### Conclusions

- 6.10 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

### **RECOMMENDATION**

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) 1330-02, 1330/3 & 1330-05.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.  
REASON: To safeguard the character and appearance of the area.

- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the use hereby permitted is commenced.  
REASON: To safeguard the character and appearance of the area.
- 5 The building shall not be occupied until the parking area shown on the approved plans has been surfaced with permeable materials & SUDS compliant in accordance with a specification that has been submitted to and approved in writing by the Local Planning Authority. The area shall be retained thereafter and shall not be used for any purposes other than for the parking and manoeuvring of vehicles.  
REASON: To ensure that a usable parking area is provided and retained & SUDS compliant.
- 6 Prior to occupation of Unit 1, vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6 metres as measured from carriageway level.  
REASON: In the interest of highway safety.
- 7 That, prior to the commencement of 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 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 (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

#### NOTES TO APPLICANT

- 1 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  
The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after June 2014. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)).
- 2 A separate application must be made for permission under Highways Act 1980, Section 184, to construct an access across the Public Highway prior to any works starting on site. Contact Licensing and Streetworks on 0845 310 1111.
- 3 The grant of planning permission does not override the personal property rights of neighbours, landowners and other interested parties.

|   |                      |
|---|----------------------|
| <b>14/1041/P/S73 I - 106 The Buttercross Witney</b> |                      |
| Date  | 26/06/2014           |
| Officer   | Mr Phil Shaw         |
| Officer Recommendation                              | Provisional Approval |
| Parish  | WITNEY               |
| Grid Ref:   | 435416,208898        |

## **APPLICATION DETAILS**

Variation of condition 35 of Planning Permission 11/1198/P/FP to allow demolition and construction works and associated activities audible beyond the boundary of the site to be carried out between the hours of 0730 to 1800 on Monday to Friday, 0800 to 1300 on Saturdays except for the zone of the site highlighted pink on the attached plan where Saturday working can only be carried out between the hours of 0800 to 1600, but at no times on Sundays or Bank Holidays.

## **APPLICANT**

Bower Mapson Limited, Willow House, 7 The Avenue, Stanton Fitzwarren, Swindon, Wiltshire, SN6 7SE.

## **BACKGROUND INFORMATION**

This application relates to the development site located in Station Lane that is currently being built out as a care facility and private dwellings. As part of the enabling consent a condition was imposed that restricts Saturday operations to 0800-1300. This application seeks to allow Saturday operations to extend to 1600 for an area of the site located away from the immediate neighbours.

### **1 PLANNING HISTORY**

11/1198 Consent for 106 dwellings and 80 bed care home.

### **2 CONSTRAINTS**

The site lies within the Conservation Area and with rights of way surrounding it.

### **3 CONSULTATIONS**

#### **3.1 Town Council**

*"No objection."*

#### **3.2 WODC Environmental Health**

No response to date.

### **4 REPRESENTATIONS**

None received at time of agenda preparation. Consultation period expires 14/8/2014.

### **5 APPLICANT'S CASE**

Writing in support of the proposals the agent advises (in summary):

- Three hour extension will assist working patterns as many trades will not travel for a half day.
- Area applied for lies furthest from neighbours.
- It will help in meeting Help to Buy quotas and meet mortgage offers.
- It is not about making more money but about meeting demand.

## **6 POLICY**

Policy BE2 BE19 and the provisions of the NPPF are of most relevance.

## **7 PLANNING ASSESSMENT**

- 7.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issue is:

Whether the extended hours will unduly harm neighbour amenity

- 7.2 The condition was originally imposed to seek to protect the amenity of existing neighbours in The Leys. There were some minor infringements of the working hours that led to complaints and the breaches ceased. The new houses nearest to the neighbours are now nearing completion and would act as a buffer against the area where the extended hours are now being sought. Allowing additional working hours now would also shorten the overall work programme and bring the nuisance from building activity to an end sooner than would otherwise be the case. To set against this the relaxation would mean that there was only one day a week when neighbours could expect peace and quiet and given the current season it is a time of year when more use would be expected in adjoining gardens which might be adversely impacted by noisy activity on site.
- 7.3 At the time of agenda preparation there has been no response from either neighbours or the Environmental Health Officer. Clearly their views will be critical as to the likely recommendation. As such your officers are not in a position to make a formal recommendation but are recommending provisional approval subject to the receipt of outstanding consultation responses.

## **RECOMMENDATION**

Provisional Approval.