

## Appendix A

3 minutes to save 200 trees.

You've read the Planning Officer's recommendation based on HER INTERPRETATION of the applicant's submission and you have also read over ~~NINETY~~ objections.

ONE HUNDRED

OUR interpretation is that a significant number of planning policies have not been complied with.

Firstly: Natural and Built Environment Policies. (BE2, BE4, NE~~1~~ Core Policy 18, NPPF Guidelines)

You've visited the site so you know it is a small wood. Some trees were even planted by the applicant JA Pye in accordance with the 1982 Planning Appeal.

The applicant claims that only 19 trees or groups will be felled and the logs will be retained to assist biodiversity; some fruit trees will be planted.

These will take DECADES to become established.

Do you REALLY think it is credible to build 19 houses, create a new infrastructure and ONLY FELL NINETEEN trees? What this REALLY means is: The loss of mature, natural woodland and the decimation of wildlife habitats of scores of different species. A few logs and fruit trees aren't exactly a fair exchange.

We are astounded by the Planning Officer's decision to give disproportionate weight to the supporting documents prepared by the applicant's consultants over the opinions of WODC's own environment services, the parish council and impartial bodies like The Wildlife Trust and BBOWT.

Secondly: Policy H7: Even the applicant admits that the plans do not comply with the definition of infilling and rounding off. This would be a completely new development that when added to the existing Fruitlands would almost double the number of dwellings.

In the light of new proposals to build 77 dwellings on the Garden Centre and 200 on Chilbridge Road, the retention of this woodland in the middle is critical.

Finally: Loss of Amenity: Public Open Space. (NPPF Guidelines)

The applicant states that the 1982 Appeal Decision relating to the development of Fruitlands and an area of open space is not legally binding or enforceable.

OUR interpretation is that there was NO reservation or time limitation on that proposed public use. The Secretary of State had "good faith in the developer" and felt "there was no reason to enter into a legal agreement". 32 years later, WHERE IS THAT GOOD FAITH?

If you'd gone into the wood, you'd have seen many well-used paths, children's dens, the BMX track; maybe several dog walkers. There isn't a comparable site ANYWHERE in the village. Any development would destroy this site's unique character.

Tonight will you tell your family:

"I voted to destroy an area of natural woodland and wildlife habitat so that a developer could make a quick profit"

Or :

"I voted to save over 200 trees, countless wildlife species and a valuable, much-loved public amenity."?

**REMEMBER, this is the ONLY natural woodland on the western side of Eynsham. Destroy it and you destroy part of Eynsham's heritage.**

**Don't let this unnecessary development through!**

**Protect this land for future generations!**

**Once the woodland is gone, it's GONE, FOR EVER.....**

Thank you Mr Chairman.

I would like to take this opportunity to make a brief statement to Committee this afternoon on behalf of our client.

We welcome and support the recommendation made by your Officers in considering this application.

Our client has worked carefully to consider and respond to the comments that we have received to the scheme before you.

The comments that have been responded to were received during both the pre-application stage where we undertook pre-application consultation and during the consideration of the application.

The scheme has been amended in light of these comments principally to reduce the number of dwellings proposed on the site from 21 to 19.

This amendment to the scheme has allowed for a low-density scheme to be developed that protects the amenity of existing and future residents.

The scheme also allows for those most important landscape and tree features to be retained which results in the existing character of the site and its surroundings being fully protected.

As highlighted by your Officers the scheme therefore represents sustainable development in accordance with the National Planning Policy Framework and therefore we consider there to be no valid reasons that warrant refusal of the application.

Your Officers have proposed a number of conditions that our client considers to be reasonable and appropriate.

I would urge Members to support the Officers recommendation and thank you for your time.

### A Presentation to West Oxfordshire DC Lowlands Area Planning Sub-Committee – 19 January 2015

#### Agenda Item 4 – Fourth Application Ref: 14/01592/FUL – Laurel House, Lew Road, Curbridge

The Case Officer's report [pages 36-41 of your Committee Papers] acknowledges at paragraphs 5.4 and 5.5 that the proposed ménage in the paddock to the rear of my client's property would be acceptable. That view is also shared by the two local neighbours in Well Lane and by Curbridge Parish Council [as referenced at Sections 1 and 2 of the Committee report].

Notwithstanding that general conclusion regarding the proposed ménage, Officer's have nevertheless recommended refusal of the application because they share the opinion reached by the Parish Council and two objectors that any proposed illumination of the ménage would be unacceptable.

I disagree with that conclusion and will explain why in a moment. However, I must first state that if all parties agree that the ménage itself is acceptable then surely planning permission should be granted for it; then, if you agree that illumination is unacceptable, a condition could be attached to any consent that excluded permission for the lights. Such action is within your remit and would then obviate the need for any appeal against refusal of the ménage and could instead focus on a condition restricting illumination.

With respect to that proposed illumination, the Parish Council and neighbours suggested that such lighting would be detrimental to residential amenities and out of keeping with the village. However, the Council's Environmental Health Officer raised no such objection because the lighting would only be temporarily required, would be directionally focussed on the ménage, away from the objector's properties and would cause no significant 'light spillage' off site. He therefore recommended conditional planning permission be granted.

I pointed out in my support documents that: the neighbouring properties were over 200m from the ménage and its lighting; were largely screened by substantial intervening hedgerows and trees; the lighting would only be required whenever the sun sets before 7:30-8:00pm; the lights would be focussed down onto the ménage and away from any neighbours; whenever the lights were proposed to be used they would be seen against a backdrop of the existing security lighting on the adjacent stable building and the farm buildings to the west and the glow on the horizon resulting from nearby RAF Brize Norton.

Insofar as rural amenities from the public footpath are concerned: that path is 110m south of the nearest proposed lighting column at its closest point; only occasional views are afforded between and over two intervening hedgerows; and it is likely that the footpath would only be traversed during the day, when it is light enough to see and when the ménage lighting would not be in use.

At paragraph 5.5 of the Committee report, the Officer suggests that even though the lighting columns would be retractable and only required on dark evenings until about 7:30 or 8:00pm, she thought it unlikely that the lights would be lowered or turned off. However, there is nothing to support such an unsubstantiated contention and the Council would have control and could enforce over such matters.

Given that your Planning Officer didn't contact me or my client to arrange access through the locked site gates, I am surprised how she could possibly have gained any proper appreciation of the proposals or arrived at the conclusions she did, especially when they are contrary to the views of the Environmental Health Officer.

The ménage is perfectly acceptable and the lighting would be appropriate to the use, unobtrusively sited, not excessive, not cause light spillage, have no significant impact upon residential amenities or wider countryside setting and would not affect nature conservation. As such it would be consistent with Local Plan policy BE21 and national NPPF guidance and I would therefore urge you to grant consent, contrary to your Officer's misguided recommendation.

**WODC Lowlands Planning Committee  
2pm Monday 19<sup>th</sup> January 2012**

**Re Application 14/01510/S73 Regarding Annexe 2 The Crescent Witney OX28  
2EL**

**Proposal: Non compliance with condition of planning permission 12/0049/P/FP**

The previous owner of 2 The Crescent was granted planning permission under 09/1571/P/FP for the "Erection of a single storey extension and conversion of garage to form additional living accommodation". The planning condition attached to this approval in 2009 reads:

*"The living accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 2 The Crescent and shall not be occupied separately as a separate dwelling. The REASON the accommodation has to be restricted to ancillary to the main dwelling as it fails to provide adequate privacy and amenity space for separate occupation"*

We moved to Witney in July to be closer to our daughter and her family and obtained pre-planning advice from Mr Phil Shaw. The detailed proposals to create fencing and garden areas are derived from his advice and are intended to provide what we understand is the required amenity, so that this accommodation can be considered separate from 2 The Crescent. The property already has a separate Council Tax charge.

### **Application 14/01631/OUT Old Nursery Site, Standlake Road, Northmoor**

#### **Statement of Michael Ryan, Brookfield, Standlake Road, Northmoor.**

My name is Michael Ryan and I live at Brookfield on the Standlake Road in Northmoor, and my house is immediately adjacent to the proposed development.

Planning Consultant Graham Soame has already submitted a written objection on my behalf, and my wife Valerie has also written giving her objections to the development.

Having read the papers that have been prepared for this hearing there were a small number issues I wish to raise.

First I read that this has been brought to the Lowlands Area Planning Subcommittee (Item 5.1) by Councillor Good because of his stated concern that there are too many vested interests, and Northmoor Parish Council used a set of planning policy guidelines that they had developed to assist them in determining whether the application should be approved or not.

I know of no vested interests that Mr Good is alluding to, and the Parish Council guidelines were developed to ensure that any planning application was dealt with fairly, consistently, without favour, and in total transparency.

Secondly in item 3.2 the Applicant's agent refers to remnants of the former nursery buildings remaining including glass, metal stanchions, building foundations and concrete across the site, making it unsuitable for any other purpose, being unsafe for animals etc.

On the contrary, during the period that the Applicants have owned the site, they have turned it into an extension of their garden, with a vegetable patch, fruit trees, and a chicken enclosure. The majority of the site is nicely mown grass where their children play ball games and ride a quad bike etc.

Finally I note that this is a request for outline consent. A development site at Park Farm, also on the Standlake Road, currently has outline consent for eight houses. The company owning Park Farm have recently approached Northmoor Parish Council to seek their approval for the number of houses to be increased to fifteen.

If outline consent is given for this application in just a small part of the Old Nursery site, what is the likelihood for that consent if given, and the precedent established, for the detailed application to be increased from one to five or six homes, and other applications following, eventually making the Standlake Road more like a built up extension of the village, rather than the start of the rural Conservation Area that is Northmoor.

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## **14/01631/OUT, The Old Nursery, Northmoor**

### **Committee Presentation on behalf of the Applicant**

Good afternoon,

I speak on behalf of the applicant Mr and Mrs Cope who are residents of Northmoor and owners of the Old Nursery site. Their proposal is to construct a single dwelling which they intend to make available to family members should this be needed in the future.

I would highlight that the application is in outline, the design will remain subject to your further approval and that yours officers are satisfied that the likely impact on neighbours is acceptable. It is noted that some have commented that a sewer crosses the site – this has been identified and the dwelling can be sited to avoid it or the sewer diverted at the detailed design stage.

The key issue is the principle of a house in this location. It is accepted that Northmoor is a small village where many trips are likely to be made by car. However, there are similarities with the recent Ramsden case where a dwelling was allowed in that small village and held to accord with planning policies.

Then, as now, there is a need to increase the housing land supply and even single dwellings make a valuable contribution.



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As highlighted in the Design Guide, Northmoor village has a linear form with dispersed elements. The site is within a dispersed part of the village. It is adjacent to an existing row of housing and within the village sign and speed restriction – it is within the village and not an isolated site.

The submitted plans show that the dwelling is a logical complement to the village form as it respects the build line and preserves the rural, dispersed character. A significant gap of some 100m to Fairacre Farm will be retained which cannot be built on as it is in flood zones.

The site is unusable at present even for keeping animals due to glass and other old nursery building debris. It is akin to brownfield derelict site and the proposal will facilitate a clear up and the site's productive use.

The proposal achieves many of the objectives of the Parish's Planning Policy – it is small scale, does not affect flooding, and the sewer can be accommodated in the design.

In this case it is hoped that the Committee feel able to grant permission. The proposal is for a single dwelling within the village. The benefits of the proposal in terms of housing provision, employment of a local builder and the reuse of this derelict site clearly outweigh the limited disbenefit with regard the likely reliance on the car.

**Paul Slater BSc(Hons) MSc MRTPI**

**EDGARS LIMITED**



# Planning Committee Remarks

John Holden  
19 January 2015

### 1. Thanks

Firstly thank you for the opportunity to speak to you today. I'd like briefly to make the case for the removal of the holiday let occupancy restriction, and then to put that case in a wider context.

### 2. Barns worthy of retention

Firstly I think its fair to say that all parties agree that the barns are worthy of retention:

- These buildings are early 19<sup>th</sup> Century, possibly 18<sup>th</sup> Century if they were built at the same time as the house.
- They are described by the WODC Architect as having considerable merit, both in terms of their historical association with the farmhouse, which is Grade II listed, and in terms of their wider agricultural setting.
- Based on their style, location and documented history, we say that the barns are clearly a heritage asset and also that they make an important contribution to the setting of the farmhouse. Each of these is a criterion for retention under the NPPF Guidelines
- The Council has of course already granted permission for residential conversion, albeit with the holiday let restriction. And the Council's own Design Guide says that where change of use of a rural building is approved "the primary purpose is to secure the retention of the building and its contribution to the character of the surrounding area.

### 3. Holiday lets not viable

By their nature these buildings will always cost a lot to restore. They are large and of traditional construction, which

means mostly using traditional building techniques. After at least 30 years of neglect they are still in relatively good condition but they will need a complete overhaul of the stone walls, underpinning in key areas and complete re-roofing, as well as any refitting.

On top of that the shape of the barns – a big E-shape – means that the amount of walls and roof is quite a bit larger than an ordinary rectangular building. So the build cost, for whatever use, will always be high.

In terms of holiday lets, you will have read the numbers in the original application, and also in the report from Moore Allen, in the letter sent out on Friday. These demonstrate that the barns are not viable as holiday lets.

We also have first hand experience of why the barns are not viable as holiday lets. In 2010 following the grant of permission for holiday lets we set out to convert the barns into holiday homes. We engaged builders, various consultants, bat and owl people, and a bank, in this case Handelsbanken in Swindon.

Perhaps inevitably if you watch Grand Designs, the cost of the project crept up, until six weeks before construction was due to start the bank pulled out, and we were left with no project and nearly £100k of costs. Subsequent debriefing with the bank uncovered that what made the difference was that they had not fully understood the impact of the occupancy restriction on the security value of the barns.

So for us this is not an abstract issue. We know that this is the reality and, from the advice we have received, not much has changed since then.

#### **4. Other uses for Barns**

In practical terms, though, and as I hope we have now demonstrated for the other suggested uses – community use, offices, light industrial, storage and others – most are not really suitable, some have no real demand locally, and all fall well short of supporting the conversion cost, not just for residential, but for each use on its own.

If the Moore Allen report serves a purpose in providing independent confirmation of this, they also confirms that these points are fairly self evident.

## 5. Why residential use makes renovation possible

So, what this boils down to is that without full residential permission, there is no practical or viable alternative use, and these barns will continue to deteriorate until they have to be taken down.

It is worth reinforcing that there have been no objections to the application from our neighbours, and those who have spoken to us about it have all been supportive. Our ward member, Councillor McFarlane, is keen to see more smaller scale rural housing development in the area, and we certainly wouldn't argue with that.

But the irony for us here is that, although we are asking for full residential permission, it is not our intention to sell the barns. We live next door to the barns and we want to control their use, and having made the effort to convert them and taken on the financial liability, to generate an income from them.

But to do any of these things, holiday lets, long term rental or sale, we and reasonably speaking, anyone would need to need to borrow to do so. And the holiday restriction makes that impossible. So whatever we end up doing, if we are to do anything that restriction needs to be removed.

## 6 Summary

In summary, then:

- the buildings are worthy of retention;
- there is a use which would allow that to be done;
- we believe its within the current policy; and
- we are keen to take on this project.

So please give us the opportunity to restore these buildings and give them a future. **Thankyou!**