

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 20th April 2015

**REPORT OF THE HEAD OF PLANNING
AND SUSTAINABLE COMMUNITIES**



**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

Application Number	Address	Page
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Application Number	I5/00320/FUL
Site Address	Park Farm Standlake Road Northmoor Oxfordshire OX29 5AZ
Date	8th April 2015
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Northmoor
Grid Reference	440879 E 202742 N
Committee Date	20th April 2015

Application Details:

Proposed residential development of fifteen dwellings, including garages and sewage treatment plant

Applicant Details:

Park Farm Northmoor Developments Ltd
Park Farm
Northmoor
Oxfordshire
United Kingdom

I. CONSULTATIONS

- | | |
|------------------------------------|---|
| I.1. One Voice Consultations | <p>Highway Objection</p> <p>Officers recommend the application for planning permission is refused for the following reasons:-</p> <ol style="list-style-type: none"> 1. The proposals fail to provide safe and suitable access for all people (NPPF Para 32), taking into account the increased residential use of the site, the characteristics of which are different from current usage and extant permission in terms of the nature and number of users and the likely travel demands. 2. The proposed development is within the flood plain and the mitigation proposed is not suitable <p>Education</p> <p>No objection subject to conditions</p> <p>£73,662 Section 106 required for necessary expansion of permanent primary school capacity in the area. Standlake CE Primary School is the catchment school for this development and has very limited spare places.</p> |
| I.2. WODC Architect | No Comment Received. |
| I.3. WODC Env Services - Engineers | No Comment Received. |

I.4. WODC Env Health -
Lowlands

With reference to the above application I am unable to comment fully as I will require more information on the following:

Air Source Heat pumps. These can give rise to noise problems so further information is required as to the proposed location of the units in respect of the dwellings and details of the amount of noise they produce.

The proposed sewage treatment works. No information is given as to the type of treatment plant proposed and how the long term servicing and maintenance will be convened. It is my experience that if the maintenance is proposed to be carried by an arm's length management company that this can lead to long term problems of continuity. It is suggested that the long term maintenance and servicing be carried out by a management company set up and run by the residents. Potential problems from such units include odour and noise.

With regard to possible land contamination from the lands former use, I have asked the Contaminated Land Officer to respond separately.

Contamination

The design and access statement submitted with the application states that the site was developed by Oxford University for animal testing. The planning statement document text states that since the University vacated the site the buildings on the testing area of the site have been used by a series of different industrial users including B1, B2, B8. It is not clear if fuels, chemicals or other potentially contaminating materials were stored or used at the site as part of its previous use. Given this and the proposed residential development, please consider adding the following conditions to any grant of permission.

I.5. Environment Agency

No Comment Received.

I.6. Mr. Neil Rowntree

No Comment Received.

I.7. WODC Head Of Housing

I can confirm that there are currently in region of 50 households who would qualify for affordable housing in Northmoor were it available today.

Northmoor is situated in a rural location and in accordance with the adopted housing policy; the council seeks to secure 50% provision of affordable homes on this site in line with Policy H11.

In this case the council would be seeking to secure 7 of the completed homes as affordable. Noting the scheme mix as submitted in the application, the most obvious mix of affordable would be 2 x 2BH and 5 x 3 BH for affordable rent.

I.8. WODC - Arts

No Comment Received.

2 REPRESENTATIONS

2.1. Letter from Mr R Burnett

Living beside the drive into the site I have few points on the new proposal for Park Farm, I hope you can have a look at them and bear them in mind.

Re the site plan.

- 1) There appears to be no thought put into access for the waste pumping station access in case it needs maintenance.
- 2) Ditto for the various manholes between the existing houses and the site, these need to be available in case of blockage.
- 3) In light of the increase in traffic affecting my house in particular, could the drive be placed on the other side of park farm, and join the main road, making a crossroads with the Eynsham road .this seems safer, and less likely to congest the rd, feeding 15 houses worth of cars into the thin artery to Northmoor, will also adversely affect the bucolic remote nature of the village.
- 4) If the council is determined to feed the extra traffic into the Standlake rd, perhaps someone could explain how, if there are 5 cars trying to get out of park farm, and 5 trying to get in and there no room to pass, how it's going to work, without someone reversing up the rd towards a sharp dangerous corner, and receiving a car turning in from Eynsham in their boot. (The scenario of park farm gridlock/accidents is not a legacy I would wish to have attached to my term as a district councillor. Not to mention the reduced sale ability of the new houses due to prospective buyers being put off by the congestion potential. It's particularly ironic, since there is already a concrete strip maintenance rd on the west boundary of park farm. (rant over!)
- 5) Judging by the past planning application for park farm , and contemplating the outcome as being similar to before, maybe the drive into park farm could sweep away from my property a little sooner, and a screen of trees/laurels etc., put up to give some sound protection, maybe even a wall.
- 6) Re my gate. I have a pedestrian gate near my house, through which come the postman, and the oil delivery hose, for the tank beside the house. The new plans appear to give no access to these services. What am I to do?

3. APPLICANT'S CASE

3.1. Writing in support of the proposals the applicants have tabled a considerable volume of information that may be inspected in full on line or upon request to the case officer. The main changes and summary of the Planning Statement is reported below:

- Principle of development is already established
- WODC has no 5yls
- Policies are out of date
- Presumption in favour of development applies
- Change to mix of units reflects views expressed by PC on initial application

- 106 monies to AH should be no less than previously offered
- Proposals would reduce traffic and comply with design standards
- Bats and barn owls on site will be accommodated in new integrated wildlife boxes
- Detailed flood modelling shows no development in areas at risk
- Neighbour amenity has been fully considered
- Design reflects local precedents
- New sewage plant will replace existing out-dated model
- The principle of residential development is established on this site. The proposed increase in the number of units complies with the NPPF and relevant policies within the West Oxfordshire Local Plan, and complies with the economic, social and environmental arms of sustainability as defined by the NPPF. It is therefore respectfully requested that the application be approved.

4. PLANNING POLICIES

The policies of the adopted Local Plan still carry some weight albeit can be considered increasingly out of date as the emerging plan proceeds. The policies of the emerging plan now also carry some weight as they get closer to being considered by the Inspectorate.

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

5. PLANNING ASSESSMENT

- 5.1. This application relates to the former university research establishment that is located in a well landscaped enclave some distance from the main body of the village. A small enclave of residential properties is located to the front of the site and lies in separate ownership. Members will recall that they made a site visit in the context of the determination of application 13/0695 and that there has been a long history of enforcement concerns on site before the ownership changed.

Background Information

- 5.2. This application is a revised submission following the approval of application reference 13/0695. That application secured consent for 8 units and was approved as a departure from policy as a means to secure planning benefits from the cessation of the non-conforming industrial and unauthorised uses and to reduce traffic generation. The parallel legal agreement secured £2.2 k towards WODC leisure provision, £3k to the PC for playground improvements, £1.5 k to the PC for fencing allotments, £8k to the PC for drainage improvements, £11.1k to the PC for passing places and £640 for a new notice board with the balance up to £230k to WODC for affordable housing provision in the area and a requirement to secure the retention of the balance of the site as open space.
- 5.3. The applicants now advise that they have not been able to secure a sale of the site because of the mix of units, the proximity to proposed mineral workings, the cost of remedial works and the cost of the 106 package. It is now proposed that 15 units are provided as follows: 2 x 2 bed, 7 x 3 bed, 4 x 4 bed and 2 x 5 bed. The scheme has been redesigned in a farmyard style and the applicant indicates that the 106 package will be reviewed when the County Council has determined what monies it requires now that the scheme exceeds 10 units in number.
- 5.4. Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5. The principle of a development of houses in this location has already been approved, albeit as a departure from adopted policy. Clearly when departing from policy there is always a balance to be struck between the harm to policy that an approval causes and the benefits that arise from the scheme itself that justify the departure. In this instance what was approved was what had been applied for but it appears that this is not commercially viable. The addition of further houses both increases the harms to policy and increases the likely traffic generation, the reduction in which was one of the benefits of approval of the scheme. To counter that the design is considered preferable to that approved and the wider mix of units is likely to meet wider housing market needs. Additionally the advice of the NPPF is generally supportive of new development where it can be demonstrated to be sustainable. This scheme passes that test in terms of the social and economic benefits of the scheme and will also secure visual improvements. A key issue is whether the addition of a further 7 units in a location primarily served by the private motor car and where local services are limited can equally be considered sustainable in terms of the transport impacts.

Siting, Design and Form

- 5.6. The form of the development has altered considerably from that shown in an illustrative fashion as part of the outline application. Rather than a very loose and informal cul de sac the scheme is now designed to evoke a converted farmyard similar to many such other farmsteads in the village. The designs show vernacular principles and are to be constructed in traditional materials albeit that some of the barn conversion style dwellings are of a more modern design idiom. The design is considered acceptable and an improvement on the last scheme.
- 5.7. The ecological mitigation required is addressed in the retention of a large area of paddock at the rear of the site along with existing and proposed buildings having bird and bat roosts designed in. This is all as per the last application.

Highways

- 5.8. Members will note that OCC in its capacity as Highway Authority and lead flood authority recommend the application for planning permission is refused for the following reasons:-
1. The proposals fail to provide safe and suitable access for all people (NPPF Para 32), taking into account the increased residential use of the site, the characteristics of which are different from current usage and extant permission in terms of the nature and number of users and the likely travel demands.
 2. The proposed development is within the flood plain and the mitigation proposed is not suitable.
- 5.9. They are citing the car dependant location, the substandard access and the location within the floodplain as key concerns. The access is deficient in that it is poorly constructed, makes inadequate provision for pedestrians and cyclists and there is evidence that its geometry is inadequate. Visibility is very poor and some considerable margin below the 200m required. They also require a flood compensation area.
- 5.10. It is clear that OCC has considerable concerns regarding these technical aspects of the development, notwithstanding that a smaller scheme has already secured consent on the site. At the time of agenda preparation Officers are seeking clarification from the County Council and

agent as to whether there is any means to close the gap between their positions. A verbal update will need to be given regarding this aspect but as matters stand it is not considered that the scheme could be supported on road safety grounds alone.

- 5.11. With regards to the drainage aspect the scheme has been informed by an FRA and covers no greater site area than that previously considered acceptable. Development has been retained in the area comprised in Flood Zone I (least likely to flood) other than the retention of some building required for ecological mitigation. Officers are querying with OCC what is at the root of their concerns in comparison with the last scheme.

Residential Amenities

- 5.12. The scheme is now seeking full planning permission whereas the approved scheme was in outline. In working up the details the layout has been conceived such that the new houses are generally gable end on to existing neighbours and located sufficiently far away that no material overlooking or overshadowing such as could justify a refusal would occur. Clearly there will be some increased traffic noise compared to the approved scheme but this would still be much less than the traffic and activity associated with the former BI use and as such is not considered problematic.

Affordable Housing

- 5.13. It will be noted that the Housing Enabling Officer is seeking an on-site contribution towards Affordable Housing. However the applicants are proposing off site contributions- albeit that the exact amount is not known until such time as the extent of OCC contributions is known and agreed. An update will be required regarding this aspect of the proposals.

Conclusion

- 5.14. The principle of a smaller but similar development has been established but that scheme is apparently not viable. This scheme will deliver more units which would add to the five year land supply and is considered better in terms of its design. It is however more of a departure from policy and even though H4 is increasingly out of date it is replaced with similar sentiments in the NPPF and emerging policy. Critically the increased numbers appears to have triggered an objection from Highways that was not raised in respect of the earlier application. The views of the PC have yet to be received.
- 5.15. Members will need to determine whether the revised scheme still, on the balance of planning considerations, justifies a departure from policy but before that can be properly assessed further clarification is required from OCC as to the causes of their objections and from the agent as to whether they can be addressed. A verbal update will be given at the meeting as to any progress made.

6. REASONS FOR REFUSAL

Officer to report.

As it stands the application is considered to be unacceptable on highway safety grounds as per the recommendation of OCC but negotiations are on-going as to whether this can be overcome and a verbal update will be given at the meeting.

Application Number	I5/00436/FUL
Site Address	159 Abingdon Road Standlake Witney OX29 7RL
Date	8th April 2015
Officer	Kim Smith
Officer Recommendations	Pending Decision
Parish	Standlake
Grid Reference	439343 E 202736 N
Committee Date	20th April 2015

Application Details:

Proposed erection of three detached dwellings with associated access and landscaping works.

Applicant Details:

Mr John Ledger
159 Abingdon Road
Standlake
Witney
Oxfordshire
OX29 7RL

I. CONSULTATIONS

I.1. Parish Council

Standlake Parish Council makes the following objection and comments on the above planning application:

1. The council objects that the proposed development is back building, does not constitute either infilling or rounding off in accordance with Section H6 of the 2011 local plan (as reinforced by the recent SHLA document) and the nature of the development is contrary to the linear nature of the village.
2. The council is concerned that approval for the development would set a precedent for similar development throughout the village.
3. While the applicant has stressed his satisfaction with the proposed access, the council is concerned that this natural surface, private road will be insufficient to support a further three dwellings with the inevitable increase in private vehicular traffic and access for emergency and waste collection vehicles. Furthermore, there is concern about the increase in traffic exiting onto the busy High Street with uncontrolled parking adjacent to a Public House and a local business.
4. There is continued concern regarding the connection of yet more properties to a sewage system that is unable to cope in times of prolonged or heavy rainfall; in this location, in particular, properties experience sewage back up and flooding during these times.

5. The field to the south west has flooded regularly in the past, winter 2013/14 being the most recent instance, and surface water has come within a very short distance of the proposed development. While the applicant has assured the council that he does not consider this a major problem it must give rise for concern; not only for the proposed development itself, but in respect of other, adjacent, properties if natural surface drainage is affected by the development.

I.2. OCC Highways

Visibility within the red edged area at the access to High St is substandard. However given the low vehicular flows and speeds along the road the proposal, if permitted, would not cause such harm as to warrant the refusal of a pp on grounds of highway safety.

Access is to be taken from a long narrow drive that serves the three adjacent properties. Intensification of vehicular use of the access drive may be undesirable but would not cause such harm as to warrant the refusal of a pp.

No objection subject to - G36 parking as plan

I.3. WODC Architect

No Comment Received.

I.4. WODC Env Services - Engineers

According to the EA flood maps, the site is situated within an area at very low risk of fluvial and surface water flooding. It is within flood zone 1, although flood zone 2 extends up to its southeastern boundary.

The site is more than 20m from a watercourse.

WODC have no recorded history of previous flooding , however letters of objection from bordering residents state that the field / site regularly floods, and the adjacent sewage pumping station has been inundated as a result over the last two winters, resulting in sewage backing up and spilling out.

The Parish Council have also objected to the development, on the grounds that the field regularly floods (e.g. over the 20013/2014 winter) and that flood waters have come close to the proposed development.

According to level contours, the site is located on very flat land, however standing water has been observed and the site is within an area that has a 75 % or more chance of groundwater flooding.

Comments

Ground water monitoring should be carried out to ascertain whether drainage by infiltration is feasible.

If full planning permission is granted, could you please attach the following condition;

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 (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

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).

In these cases the following notes should also be added to the decision notice:

NOTE TO APPLICANT:

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 before March 2014.
- As per the Flood and Water Management Act 2010 (Part 1 Clause 9 (1))

Where communal drainage schemes are proposed approval of the scheme may be required from Oxfordshire County Council sometime after March 2015 and the scheme will need to be adopted under the Flood and Water Management Act.

2. REPRESENTATIONS

- 2.1. At the time of writing three objections have been received in respect of the application from Brenda Smith, Colin Goodall of 163 Abingdon Road and Graham and Kendra Bell of 161 Abingdon Road. Their comments are briefly summarised as follows:

Flooding

Flooding often occurs on the field adjacent to this site, and during the heavy rains last winter this site flooded as well. It is in close proximity to the main pumping station for the village and this facility has been seriously inundated for the last two winters needing tankers 24 hours round the clock to remove sewage and flood water. Bungalows Nos. 163 and 161 have had sewage in the houses on more than one occasion. Therefore I would suggest that the claim on the application form that there is no flood risk to the proposed properties might bear closer scrutiny. Which agency carried out the flood assessment?

The design statement states that the proposed site is not in a flood risk area, but the Environment Agency flood maps show areas at risk coming right up to the edge of the site. In heavy or prolonged rain, the proposed site does become very saturated and we have enclosed a photograph taken last year, showing standing water in the field. Although our house and neighbouring properties have never actually flooded, the gardens and driveways have. The flooded areas do come very close, so we are very concerned that if this site is developed it will greatly increase the risk of our properties actually sustaining flooding in the future. Although provision will be made to provide soakaways or rain water harvesting tanks, these will be ineffectual in high water situations as these will already be below ground/water level.

We object to this development as we feel it would cause problems with flooding of our property as the field has flooded regularly. In the summer of 2007 I feel this field has stopped our property being flooded by holding the water and to continue to hold floodwater in winters up to the present day. Also we have problems with sewage backing up during heavy rainfall and feel adding more properties to this sewage system would cause more problems with the possibility of sewage entering our property. We strongly object to this application for back filling development of three properties.

Drainage

Because we are located so close to flood risk areas, when the water levels are high it affects our mains drainage, which backs up with raw sewage. So much so that Thames Water has now fitted an anti-backflow valve in the drains outside our property in order to try and minimise the problem of sewage spilling out onto our land. However, when water levels are high the sewage system fails and the Standlake pumping station cannot cope with the extra load and trips out and stops working completely. Last year when the water levels were high, this resulted in Thames Water having to use sewage tankers to pump out the drains around the clock; day and night, 24/7 for several months to take it away when the pumping station failed. Therefore we feel any extra development will put extra demand on an already very overloaded system and make this dreadful matter much worse.

Access

It is interesting that access to this proposal will be off a private drive which already serves three properties, one of which is sub-divided into two households. Adding a further three 5 bed-roomed dwellings to this will give a total of 6 (possibly 7). It will also increase the number of vehicle movements considerably. Is this access deemed adequate? If so will a condition be needed to prevent use of this access to any further properties, should the occasion arise if planning is sought at a later date for the infill plot between the new houses and Nos. 95 and 97 High Street?

The plans show the access via a private driveway off of the High Street. This is not a made up road and does not have a kerbed bell mouth with adequate visibility for the increase in traffic. We appreciate that there is only an increase of three houses, but they are very large properties which are likely to own several cars each.

Draft Local Plan

The proposed draft Local Plan recently out to consultation states that, for villages such as Standlake, 'Housing should only be permitted to meet local needs'. I put the question, Are 5 bed-roomed houses meeting local needs? They don't seem to be selling very fast at the moment.

Consultation

We are upset not to have been contacted by WODC regarding this new application.

Appeal

We have only recently bought our home and despite being on a relatively busy road, we bought this property primarily because it was not overlooked. We were of course concerned that in the future the paddock at the rear could be developed but were reassured by our solicitors that not only had planning permission previously been sought and refused, but had also been refused at Appeal. This application was for just one large home, but Planning Officers set out reasons why this land should not be built on. Therefore we find it difficult to understand that if permission was not granted before for one house why Planning Officers would alter their opinion of the site so much as to allow three houses now. We understand that there is pressure being applied by Government to allow additional 'much needed' housing, but surely the same reasons for it being refused last time, should still apply and there must be question marks over whether three large 5 bedroom houses are fulfilling the local housing need.

Amenity

We acknowledge that the applicant has redesigned the layout of the site and that the proposed dwellings have been sited within the plot to ensure that there is a satisfactory distance between the proposed development and the existing surrounding residential area, and that they are no longer overbearing on our property, however, after objecting last time, to two windows looking onto our property, the new application would mean we would have several windows looking in, albeit at a longer distance.

- 2.2. 5 letters of support have been received from Tom Nabarro of The Limes, Chris Ledger of Paddock View, Mr and Mrs Alonzi of 159a Abingdon Road, Amelia Massingham of 159 Abingdon Road and Mark Turner of 167 Abingdon Road.

Their comments are briefly summarised as follows:

- I would like to register my approval of the application.
- We have no objections and are of the opinion that this scheme is actually an improvement from the last one that was submitted. Considering this, we could support this application.
- My wife and I would like to add our support for this plan. We expressed our support for an earlier proposal on the same site some months back and see no reason to change our views on the revised plan.
- Our house backs onto the land and whilst we have enjoyed the views over the paddock, it is our opinion that this plan makes sensible use of the space.

- We feel that a lot of consideration has been given to the surrounding neighbours and aesthetically, the new homes will not detract from the appeal of the area

3. APPLICANT'S CASE

3.1. The applicants' case submitted with the application concludes as follows:

- The current proposals seek permission for the erection of three detached family dwellings within the village of Standlake.
- Whilst there is a history on the site for an earlier refusal and dismissal at appeal, significant changes have occurred since that date with regard to planning policy at both national and local level.
- Firstly the National Planning Policy Framework was published in 2012 which replaced the previous raft of Planning Policy guidance notes. Within the NPPF the key theme is that sustainable development should be a presumption in favour of sustainable development, in sustainable locations, especially where there is a clear need for such development, in this case housing.
- As is evident from the Council's own Housing Land Position Statement that the Council are currently unable to demonstrate an up-to-date 5 year housing land supply, meaning that there is a growing need to find suitable sites to accommodate much needed housing developments. What's more, due to the lack of a 5 year housing land supply, paragraph 49 of the NPPF is applicable which means that the Council's own housing policies should be considered out of date.
- Paragraph 14 of the NPPF makes it clear that where policies are out of date, planning permission should be granted unless there would be any adverse impacts of development that would significantly and demonstrably outweigh the benefits (my emphasis). In this instance there will be no significant environmental nor visual impacts therefore should be a presumption in favour of development.
- Furthermore the previous refusal reasons for the proposed development on the site only referred to Local Plan policies H2 (a) and H6 and H6 can currently be considered out of date. No other policies (including those relating to highway or landscape issues) were referred to suggesting that the Council had no objections in this regard. It is considered that the proposals accord with the general residential standards as set out within Policy H2.
- In terms of the relevant planning policy framework the scheme also accords with the general guidance found within the NPPF, in that it proposes a sustainable redevelopment of an existing site within the settlement boundary. Housing development on this site will help maintain the services and facilities within Standlake.
- The layout and design of the dwellings has been influenced by the overall scale and character of the surrounding development, with the overall design and materials proposed being influenced by the guidance found within the West Oxfordshire Design Guide.
- As discussed above the planning application which is the subject of this statement is considered to accord with the relevant policy framework in the West Oxfordshire Local Plan 2011 and the Design Guide and the existing and emerging national planning policy.

- The provision of 3 additional dwellings within a settlement such as Standlake will create a sustainable form of development which can help support the local services and facilities.

3.2. The applicants' case also makes comments in respect of the planning history and the SHLAA as follows:

- This site, together with others across the District, has been put forward as a possible development site which has been considered within the Strategic Housing Land Availability Study over recent years. In July 2014 a draft SHLAA was published, which now takes into account the findings of the 2014 Strategic Housing Market Assessment (SHMA) which was published earlier this year. In response to the SHMA, and other relevant evidence, the Council is proposing to increase the overall target to at least 9,450 homes from 2011-2029 (525 dwellings per annum). The application site is contained within the draft SHLAA, and is identified as site 139. The assessment for the site concludes that it is suitable and available for residential development however concludes that the site is not currently developable. The supporting text states: "While, by careful design and layout to minimise landscape impact and impact on the character of the village, housing could be accommodated on this site, it is unlikely that an acceptable, safe vehicular access can be achieved to this site".
- Prior to the above most recent planning history for the site an outline planning application was submitted in 2010 for the proposed erection of a dwelling with outbuilding and vehicular access, the application reference is 11/0035/P/OP. This application was refused for the following reason on the 22nd February 2011:
- 'The proposed dwelling by reason of its siting does not conform to the definition of rounding off as defined by Policy H6, the relevant housing policy for Standlake as it is not previously developed land and would not be a logical complement to the existing pattern of development of this part of Standlake, which is more linear in character. In addition if allowed it could set an undesirable precedent for other sites where in equity development would be difficult to resist and where cumulatively the resultant scale of development would erode the character and environment of the area. Therefore the proposal is contrary to Policies H6 and H2 of the West Oxfordshire Local Plan 2011'
- An appeal against the above decision was dismissed in July 2011, within his appeal decision the Inspector concluded that the key issue in considering the appeal was whether the use of the site for housing was acceptable in principal, and whether the site complied with the Council's definition of rounding off
- Also of reference to the consideration of the current application is an appeal which was allowed on the 2nd June 2014 on a site at 139-141 Abingdon Road, Standlake (appeal reference APP/D3125/A/14/2213981). This was following the Councils refusal of application 13/1485/P/FP which sought permission for the erection of two detached houses with associated parking, turning and landscaping. This site is within very close proximity to the current application site.

4. PLANNING POLICIES

BE2 General Development Standards
 BE4 Open space within and adjoining settlements
 BE3 Provision for Movement and Parking
 H2 General residential development standards

H6 Medium-sized villages

BE13 Archaeological Assessments

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

5. PLANNING ASSESSMENT

- 5.1. This application proposes three detached dwellings of generally vernacular design and materials on land to the rear of existing dwellings that front onto the Abingdon Road. Access to the site is by a track off of the High Street that serves 'The Limes' and a number of other dwellings.

Background Information

- 5.2. Planning History - The most recent planning history on the site was a refused application under reference 11/0035 which was an outline application for one unit with access taken off of the track serving 'The Limes'. The application was refused on the grounds that it was not rounding off because it did not constitute a logical compliment to an existing pattern of development. The Inspector at appeal concurred with this view and opined that even if the site were to be considered within the built up limits of the village that one dwelling represented an isolated form of development poorly integrated in relation to the existing pattern of development.
- 5.3. Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4. In respect of the contention that the Council's housing policies are out of date I would advise as follows. Based on the assumptions set out in the most recent position statement, Officers of the Council consider we can claim to have a 5-year housing land supply. Bearing this in mind policy H6, the relevant Local Plan policy for new dwellings in Standlake is considered to have weight when considering proposals for new dwellings. This policy allows additional houses in Standlake subject to the sites falling within the definition of 'infilling' or 'rounding off'. In light of the fact that the Local Plan is not up to date, whilst policy H6 has weight it needs to read in association with relevant paragraphs of the NPPF which advocate a presumption in favour of sustainable development and which would allow for residential development in villages with facilities, such as Standlake, where it will enhance and maintain the vitality of rural settlements. This policy position is reflected in the housing policy of the emerging local plan which defines Standlake as a village suitable for limited development which reflects the village character and local distinctiveness and would help maintain the vitality of the village community.
- 5.5. Bearing the above in mind, if Members are of the opinion that the development proposal for three dwellings constitutes a logical compliment to the existing pattern of development in the area, which integrates well with the existing development surrounding it, allowing three additional units to help maintain the vitality of the village, can be considered compliant with existing and emerging Local Plan policies and the housing policy of the NPPF.

Siting, Design and Form

- 5.6. The three five bedroomed dwellings are 8.5m to ridge with subsidiary wings and are to be constructed in natural stone with plain tile roofs. The dwellings are aligned in a linear form

across the site in order to ensure that the open views across and through the site are retained when seen from the A415 and the local road network. In order to ameliorate the visual impact of development the applicants are offering to plant and maintain a 6m wide planting belt along the whole of the eastern boundary of the land. An amended plan is to be submitted prior to determination of the application in order to clarify the exact positioning of the planting belt and the realignment of the residential units in order to accommodate the requisite planting.

- 5.7. In your officers opinion , unlike the relatively recently dismissed appeal for one dwelling on the site that was considered to be 'isolated' and poorly integrated , this proposal is of a form that is more of a logical compliment and given the present housing policy position can be supported at officer level.

Highways

- 5.8. OCC Highways has raised no objections to the proposal subject to conditions.

Residential Amenities

- 5.9. The buildings are designed and sited such that neighbouring properties will not be adversely impacted by the development.

Flooding

- 5.10. The representations received raise major concerns about flooding which your Engineers have paid regard to in their consultation response. Notwithstanding the concerns that have been raised the recommendation is one of approval subject to conditions and an informative.

Foul Water Drainage

- 5.11. In response to concerns about the adequacy of the sewerage system to cope during times of heavy and prolonged rainfall, if Members are concerned about such matters a condition could be attached to any grant of planning permission subject to it being reasonably imposed.

Conclusion

- 5.12. In light of the above planning assessment the application is recommended for provisional approval subject to a scaled amended plan indicating the extent of the planting area to the east and the re-alignment of the dwellings on the land to accommodate the planting.

6. CONDITIONS

A list of recommended conditions will be provided in the late representations report.

Application Number	I5/00579/FUL
Site Address	Post Office Royston House Main Street Clanfield Bampton Oxfordshire OX18 2SH
Date	8th April 2015
Officer	Miranda Clark
Officer Recommendations	Provisional Approval
Parish	Clanfield
Grid Reference	428451 E 201890 N
Committee Date	20th April 2015

Application Details:

Part change of use of post office to incorporate a deli/bistro including erection of front and rear extensions and formation of car park with new access.

Applicant Details:

Mr & Mrs Cooper
Post Office
Royston House
Main Street
Clanfield
Oxfordshire OX18 2SH

I. CONSULTATIONS

- I.1. Parish Council
Clanfield Parish Council has considered the above planning application and has no objections or comments to make.
- I.2. OCC Highways
The proposal, if permitted, will not have a significant detrimental effect on the adjacent highway network.
No objection subject to
- G11 access specification
- G36 parking as plan
- I.3. WODC Env Health - Lowlands
No objection in principle to this proposal and I note that the applicant has taken advice on the minimisation of odour from the proposed extract ventilation system.
However no mention is made of the noise levels emitted by the proposed extract flue ventilation system. I note that the premises do not plan on opening later than 22:00hrs which should negate most noise problems.
However I would ask for a condition to incorporate the following to be attached to any consent granted.

The design of the extract ventilation system shall be such as to minimise the level of noise produced as far as is reasonable practical. Attention shall be given to the minimising of noise breakout from any ducting and suitable silencers/attenuators shall be employed to reduce the level of noise emitted. Details of the proposed system, including measures taken to minimise noise and odour, shall be submitted to, and approved by, the Local Planning Authority prior to commencement of any works.

2. REPRESENTATIONS

2.1. 34 letters of support have been received, with the comments being summarised as;

- We support the expansion of this local business which will have a positive effect on the village community. The conversion of the garden to a car park will reduce the need to park on the road.
- Great idea. This development will make the village more attractive to residents and visitors alike. Without the improvements, the existing post office and shop may not have a long term future and it would be a big loss to the community if it were to close.
- I fully support the application to develop the current post office into a deli/bistro. It is very important for our village community to continue to have a thriving shop and post office. The addition of a coffee shop/bistro will also be a big bonus and very popular. The provision of some off street parking is an excellent idea.
- I believe that this will make a positive impact on the village
- We need all of the amenities we can get to support an expanding community and it will improve the appearance of the village.
- I have only recently visited the shop since hearing about it online and was thoroughly impressed with the changes. I would not have visited the village if it was not to visit the shop and I will definitely be visiting again in the future on my way to work to support this shop to buy food rather than a chain store.
- Village businesses used to be the entry point to employment for schoolchildren through which they learned life skills, vocational skills and acquired self-esteem. This business will offer products and services that meet a market demand.
- This development in Clanfield should be welcomed and celebrated.

2.2. Officers have also received 3 letters of objection from Mr and Mrs Cole of Forge Cottage, 1 Manor Lane and Mrs Sue Bartlett of Main Street Lyndhurst. The comments have been summarised as;

Our property is adjacent to Post Office and would like to make following comments.

1. We are concerned about plan to extend opening hours particularly on Friday and Saturday night and extra hours on Sunday. This will increase noise and traffic outside our house. Also concerned about traffic parking on main road and blocking people's driveways.
2. The planning application is for 'change of use to Post office incorporating a deli/bistro'. There is no mention in plan of retaining the shop but many people supporting application appear to be under impression that shop and Post office will continue

alongside Deli/bistro. Will there be some way of safeguarding Post office and Shop when Janet Dry decides to retire.

3. We do not believe drawings show a true reflection of the current property and the size and position of proposed extension.
4. There is no mention about deliveries - what time they will come and where they will be made to (front or rear of building).
5. We would like to show our support for Mr and Mrs Cole who will be most affected by this planning.

The proposed development for car parking in the front garden of the Post Office would be up against the edge of a listed building and wall which forms the boundary of my property. This would be an eyesore as well as noisy as the car park is proposed to be covered in gravel particularly in summer when the windows are open and the car park is only a few yards from the house. Parking on Main Street would be a better option as now as it contributes to regulating traffic flow through the village. There is already a speed warning sign opposite the property.

The proposal to turn the Post Office/village shop into a Post Office/deli and bistro, and to extend the opening hours particularly on Friday and Saturday evenings until 10pm and to open Sundays will significantly increase the footfall and inevitably lead to more noise/disturbance. This will be particularly true of the canopy area near to my property as this will be used as a smoking area. No indication has been given of applying for a drinks license though serving food until 10pm would suggest this is likely.

The siting of the refuse bins suggests the removal of the Leylandi hedge which currently provides significant privacy for my back garden which is a few yards from the smoking area.

Whilst the proposed increase is 5 sq. mtrs from 52 to 57 sq. mtrs is modest the description of the industrial scale extractor fan for the proposed kitchen implies a large chimney (stainless steel?), potential unpleasant odours and extractor fan noise for long periods every day.

-In 2007 the garden of my property and the applicant's property next door to Royston House were flooded.

-The proposed car park is within 20 metres of the stream which runs alongside of the road.

-The non-residential floor space does not indicate the change in use from village shop to deli/bistro i.e. café.

-The property hence changes are visible from the road.

Having been advised of some changes to the property before the application was made the scale of the changes in the proposal have come as a surprise and disappointment.

- They could reposition the parking so that there is no need to park up against our wall
- There are 2 existing entrances to the side of Royston House which could be used as in/out for vehicles, this too would prevent a new entrance being constructed
- there will be deliveries from early morning papers from warehouse which now arrive before 6:00am to staff leaving at 11:00pm, weekends all using the gravel car park to gain access to building. This is unfair, as it is proposed at the moment, with parking against our lovely house.

3. PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE8 Development affecting the Setting of a Listed Building

H2 General residential development standards

TLC12 Protection of Existing Community Services and Facilities

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

4. PLANNING ASSESSMENT

- 4.1. The application is for the part change of use of post office to incorporate a deli/bistro including extensions and formation of car park and access. The existing building is located within the village of Clanfield, not within a Conservation Area, but adjacent to a Listed Building at Forge Cottage. The application has received many letters of support, but has also received objection letters with regard to the positioning of the car parking and noise disturbance. Although officers support the application in principle, requests have been made to the applicant for further information and revised plans to attempt to address some of the concerns raised.

Background Information

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

Principle

- 4.3. Officers consider that in principle the change of use of part of the Post Office and shop to a bistro is acceptable. The plans show that the Post Office is to be retained and together with the proposed bistro will retain a community facility for the village. However, what is not clear from the application, is how much of the shop will be retained as this would then raise a question of whether there would be an actual loss of a community facility. Officers have requested information from the applicant to ascertain how much of the shop will remain.

Siting, Design and Form

- 4.4. The proposed extension will take the form of the existing flat roofed extension. As such officers consider that it is not ideal, but given that it is set back from the main road and set away from the neighbouring listed property at I Forge Cottages, that on balance it is acceptable.
- 4.5. The new parking layout will see a removal of lawn which currently is an attractive feature within the streetscene, however the village is not within a Conservation Area, and as such officers do not consider that the impact to the streetscene or to the setting of the Listed Building is so significant as to justify refusal.

Highway

- 4.6. Currently, users of the Post Office park on the highway and walk to the building via a footpath. It is proposed to create a new access off Main Street and also to provide gravel car parking for 4 spaces and an additional space for staff parking. In terms of highway safety, OCC Highways officers have no objection to the proposal.

Residential Amenities

- 4.7. Officers note the comments received from the adjacent occupiers at I Forge Cottage, and note that there would be some issues arising from the positioning of the proposed parking. Officers have suggested to the applicant, that the proposed car parking is set slightly away from the boundary with I Forge Cottage to allow additional planting and to alleviate some noise from car parking, and for an alternative material to be used to surface the access and parking area instead of gravel. In addition comments have been raised regarding the smoking area and the canopy, and officers are obtaining further information regarding this element of the proposal.
- 4.8. Officers are also requesting from the applicant that the bin location could be moved away from the rear boundary with I Forge Cottage.
- 4.9. WODC EHO has no objection to the proposal, but has requested a condition regarding the flue details. If the application were to be approved officers would add this condition to enable officers to ensure that the design also does not have an adverse impact upon the setting of the Listed Building. Officers would also suggest conditions for restricting opening times and areas including the rear yard to be used only for staff members.

Conclusion

- 4.10. In view of the above comments, officers consider that the use is acceptable in this location subject to receiving the additional information and revised plans. Officers are anticipating that this information will be received prior to the meeting, where a full verbal update will be given by officers.

5. CONDITIONS

Officers will update Members on the suggested conditions once the required information is received.

Application Number	I5/00581/FUL
Site Address	220 Burwell Drive Witney Oxfordshire OX28 5LT
Date	8th April 2015
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Witney
Grid Reference	434871 E 209196 N
Committee Date	20th April 2015

Application Details:

Two storey extension to provide self-contained residential accommodation ancillary to the existing dwelling. New dropped kerb.

Applicant Details:

Mrs Jennifer Bolster
220 Burwell Drive
Witney
Oxfordshire
OX28 5LT

I. CONSULTATION

- | | |
|-------------------|--|
| 1.1. OCC Highways | No objection |
| 1.2. Town Council | Witney Town Council has no objection to this application but believe it should be considered as a separate dwelling. |

2. REPRESENTATIONS

No letters of representation have been received.

3. APPLICANT'S CASE

- 3.1. The proposed alterations have been designed with due consideration to the West Oxfordshire Local Plan and in particular the following relevant planning policies: BE1, BE2, BE3, and H2.
- 3.2. The applicant's intention is to provide self-contained living accommodation for the applicant's son and young family with its own front door. The internal door linking it to the existing house will provide a degree of flexibility for day to day living without a complete loss of independence. The garden will be shared by both parts of the property.
- 3.3. The proposed extension has been designed to be subservient to the existing house while using similar materials and details to ensure it remains in keeping with the character of the area.
- 3.4. To help maintain the subservience of the extension and make sure it does not dominate the front elevation, the width of the extension has been designed to be no greater than half the

width of the existing elevation. Similarly, the height of the roof has been designed to be no higher than the roof of the existing house.

4. PLANNING POLICIES

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

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

5. PLANNING ASSESSMENT

5.1. The application proposes a part two storey part single storey extension to the main house to create ancillary accommodation and a new dropped kerb.

Background Information

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

Principle
Design
Impact on neighbouring amenity
Highways

Principle

5.3. The applicant has stated in their design and access statement that the ancillary accommodation is required for the applicant's son and family. Policy H2 considers the creation of self-contained accommodation acceptable subject to a condition ensuring the accommodation remains ancillary.

5.4. The application shows that there will be an internal link between the annexe and main dwelling. The properties will also share a garden and parking area. The Town Council raise no objection to the application but believe it should be considered as a separate dwelling. Officers are of the opinion that since there would not be sufficient amenity and separate parking arrangements the development would not be acceptable as a separate unit but would be acceptable as ancillary accommodation; because of this a condition will be added to ensure the extension remains ancillary.

Siting, Design and Form

5.5. The application site is located in a highly visible corner position on the street scene. The extension will be set back from the main dwelling and the materials proposed will match those of the existing dwelling creating a visually appropriate relationship. Openings were added to the side elevation to break up the massing of this prominent elevation. A number of the properties located down Burwell Drive have been extended in various forms and so the design of the extension is not considered to have an adverse impact on the character and appearance of the area.

Residential Amenities

- 5.6. The extension will be located to the side of the existing property, the extension is considered sufficiently distanced from neighbouring properties so not to have an overbearing impact, Impact the outlook or light available in an adverse way. In terms of overlooking and loss of privacy the extension will feature openings in both the front and rear elevation. There is always a level of mutual overlooking in built up residential areas. The front and rear windows are proposed in elevations that already benefit from openings and the side windows face on to green public space, therefore it is considered that the application would not increase the level of overlooking to unacceptable level.

Highways

- 5.7. The application proposes a new dropped kerb; highways have been consulted on the application and have no objections to the application.

Conclusion

- 5.8. Given the above, the application is considered to be acceptable, subject to conditions, and is in accordance with Policies BE2, BE3 and H2 of the West Oxfordshire Local Plan 2011.

6. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
3. The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
4. 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.

Application Number	I5/00741/FUL
Site Address	Land North Of Finial Coach House Broadwell Oxfordshire
Date	8th April 2015
Officer	Kim Smith
Officer Recommendations	Refuse
Parish	Broadwell
Grid Reference	425215 E 203904 N
Committee Date	20th April 2015

Application Details:

Construction of detached 4 bedroom dwelling.

Applicant Details:

Mr P Anderson
C/O Agent

I. CONSULTATIONS

- I.1. Parish Council No reply at the time of writing
- I.2. OCC Highways No reply at the time of writing.
- I.3. Thames Water Waste Comments
 - Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water
 - It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.
 - Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
 - Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

2. REPRESENTATIONS

- 2.1. Dr Anna Coull of Bowling Green Cottage, Broadwell, Lechlade has written and her comments are as follows:

We have no objection as long as the building is constructed in local stone and stone roof and in the character of the village. We think it should be set back off the road in line with the neighbouring house to the north.

We object if it is to be low cost housing.

3. APPLICANT'S CASE

- 3.1. The application site comprises a 0.134 hectare parcel of land between Finial House and Glebe House to the East of the main road through the village. It is currently occupied predominantly by a disused tarmac tennis court belonging to Finial House. To the rear (East) is open farmland and opposite, to the West, is Buckle Cottage. A public footpath runs across the field at the rear from its North West corner towards its South East corner (144/10 on the map extract below).
- 3.2. The site does not lie within a Conservation Area nor is Finial House listed. The closest Listed Building is around 200m away.
- 3.3. Development of the site clearly represents a natural complement to the linear pattern of development in this part of the village and the proposed dwelling would be set back approximately 11m from the front boundary - a similar distance to Glebe House and Finial House.
- 3.4. The proposed dwelling would be traditional in appearance with natural stone walls under a slate roof, similar to other houses in the area. The proposed garage will be of similar construction and will be set back from the front elevation of the house.
- 3.5. An application for outline planning approval for a single dwelling on the site (ref. 38/81) was refused although the details of this and exact location have not been investigated.
- 3.6. A pre-application enquiry was submitted to W.O.D.C Planning Dept. on 7th October 2014 and a response received on 5th December. This is attached at Appendix A.
- 3.7. The Planning Inspector's report in a recent appeal decision dated Aug 2014 ref. APP/D3125/A/14/2220555 in relation to a new detached dwelling in Ramsden, a village similar to Broadwell in that it is not listed in table 5.2 of H4 in the Local Plan and where infill development would normally be permitted. The appeal was allowed principally because the Inspector

concluded that the Local Plan policies are out of date due to W.O.D.C's current failure to meet their housing land supply target.

- 3.8. This is clearly a comparable proposal and the comments and conclusions of the Inspector should be fully considered in determining this application.
- 3.9. Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. As mentioned earlier, WODC is currently not able to demonstrate that it has a five year housing land supply and, accordingly, the locational policies for housing in the Local Plan should not apply to this application. The effect of this guidance means that Policy H4, which precluded new dwellings in small villages such as Broadwell unless they were required for agricultural or other rural needs, is no longer applicable. Accordingly, this application has to be considered on its merits and, particularly, whether it represents sustainable development as set out in the NPPF.
- 3.10. Paragraph 14 of the NPPF also states that the presumption in favour of sustainable development means, for decision-taking where a Development Plan is out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole or specific policies in the Framework indicate development should be restricted.
- 3.11. In view of the above, the proposed dwelling in this location would represent a sustainable form of development that would accord with the NPPF and with the relevant housing and built environment policies of the Local Plan 2011.
- 3.12. The village of Broadwell is in the process of preparing a Neighbourhood Plan and, it is understood, has been in consultation with WODC in this respect. The draft plan acknowledges that there is scope for small-scale housing development within the village and would welcome this in a controlled way so as to preserve its character and environment. It is thought that the proposal site is one such site that has been identified as suitable for development.
- 3.13. The site is flat, forming part of the garden of Finial House. It currently accommodates a tennis court (approved under WODC Planning app ref W91/0187). Finial House coach house lies immediately to the South.
- 3.14. The site does not form part of the main garden area of Finial House (although linked to it) but is clearly an area of infill between the property and Glebe House to the North.
- 3.15. The site is bounded at the front (onto the Highway) by a natural stone wall approximately 1.8m high that it is proposed to retain, including the vehicular access and gates.
- 3.16. The site does not lie within a flood zone when checked against the Environment Agency's flood map.
- 3.17. Design references have been taken from similar properties in the village which are predominantly detached with natural stone external walls under blue slate or stone/recon stone pitched roofs.

- 3.18. The proposed dwelling is set back in line with Glebe House and Finial House, centred on the plot to retain open space between the properties, typical within the village.
- 3.19. Materials will comprise natural stone external walls, stone slate roofs, and painted timber flush-casement windows. It is proposed to use stone lintels and cills to the windows/doors. With regards to scale, the building sits comfortably on the site and does not dominate Glebe House to the North or Finial Coach House to the South.
- 3.20. The design has been kept simple which is typical for the area.
- 3.21. The principal consideration in Policy terms is whether the Local Plan policies are out of date, therefore allowing infill development in Broadwell. Recent appeal decisions indicate that they are and therefore the principle policy for consideration of this application should be the National Planning Policy Framework, and in particular para 14.
- 3.22. The location may require the use of a car to reach local services but it is fundamentally sustainable when assessed against the criteria in the NPPF.
- 3.23. The design gives careful consideration to the local environment and will make a positive contribution to the street scene.
- 3.24. Bearing in mind the above it is argued that the proposal is worthy of Local Authority support and subsequent approval.

4. PLANNING POLICIES

H2 General residential development standards

H4 Construction of new dwellings in the open countryside and small villages

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

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

5. PLANNING ASSESSMENT

- 5.1. This application proposes a detached dwelling on an 'infill' plot located between Finial House and Glebe House. The land is presently part of the garden serving Finial House and accommodates a tennis court. The proposed dwelling will be two storey and constructed with natural stone with a stone slate roof.

Background Information

Planning History

- 5.2. Under reference 1371/78 outline planning permission was refused for a dwelling on the land. This was subsequently dismissed at appeal with the Inspector not only raising concerns about principle but also about the loss of gaps within the village street scene to development, and the adverse impact that such changes will make to the character and charm of the village.
- 5.3. Under reference 38/81 outline planning permission was refused for a dwelling on the land.

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

Principle

- 5.5. In respect of the contention that the Council's housing policies are out of date I would advise as follows. Based on the assumptions set out in the most recent position statement, Officers of the Council consider we can claim to have a 5-year housing land supply. Bearing this in mind policy H4, the relevant Local Plan policy for new dwellings in Broadwell is considered to have weight when considering proposals for new dwellings. That policy precludes additional houses in Broadwell unless there is an overriding operational or agricultural need. In addition paragraphs of the NPPF are relevant which advocate a presumption in favour of sustainable development. In your officers opinion, Broadwell, by reason of the limited services available to the settlement and its distance from more sustainable communities, is one of the lesser sustainable villages within the District. Bearing the above matters in mind your officers do not agree with the applicant's claim that the proposal for a dwelling on the site is either Local Plan or NPPF policy compliant.

Siting, Design and Form

- 5.6. In terms of the design and siting of the proposed dwelling, officers are of the opinion that by reason of its height and scale and the loss of the gap between Glebe House and Finial House that the new dwelling will appear as an over dominant, highly intrusive feature within the village streetscene to the detriment of the visual character and appearance of the area. As such, the proposal is considered contrary to policies H2, BE2 and BE4 of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF.

Highway

- 5.7. OCC Highways has not commented on the proposal at the time of writing. A verbal update in respect of highway issues will therefore be given at the meeting.

Residential Amenities

- 5.8. The dwelling has been designed and sited in such a way that there will be no adverse impact on the residential amenity of adjoining occupiers.

Conclusion

- 5.9. For the reasons raised in the main body of this planning assessment, officers consider that the planning application fails to comply with both national and local planning policies in respect of sustainable development and as such should be refused.

6. REASONS FOR REFUSAL

1. In light of the Council's contention that we can claim a five year housing land supply the proposed development, by reason of the limited services available to the settlement and its distance from more sustainable communities, is located within one of the lesser sustainable villages within the District and as such, is considered to represent an unsustainable form of development which is contrary to policy H4 of the adopted West Oxfordshire Local Plan , policy H2 of the emerging Local Plan and paragraph 55 and 14 of the NPPF.
2. In terms of the design and siting of the proposed dwelling, officers are of the opinion that by reason of its height and scale and the loss of the gap between Glebe House and Finial House that the new dwelling will appear as an over dominant, highly intrusive feature within the village streetscene to the detriment of the visual character and appearance of the area which consists in the main, of linear development fronting on to the road with gaps in between buildings. As such, the proposal is considered contrary to policies H2, BE2 and BE4 of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF.