

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Tuesday 26 May 2015

Report of Additional Representations



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Application Number	15/01295/FUL
Site Address	Dower House Westwell Burford Oxfordshire OX18 4JT
Date	20th May 2015
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Westwell Parish Council
Grid Reference	422432 E 209986 N
Committee Date	26th May 2015

Application Details:

Erection of two-storey self-contained ancillary dwelling.

Applicant Details:

Mrs Pamela Moore
Dower House
Westwell
Burford
Oxfordshire
OX18 4JT

Letter of support from the Rt Hon Lord Hurd of Freelands, Westwell. The comments have been summarised as;

I understand that the proposals fall within the guidelines which govern the Council's decisions on applications of this kind. I support the application not least because it will provide a house of modest proportions in a village where new houses have been extended or modernised leaving little scope for first time buyers.

Two letters of objection have been received from Mr Angus of 2 Mitford Cottages and Mr Warner of JPPC Architects on behalf of owner of the adjacent Freelands Farm

I object to the application because I believe it contravenes the current local plan, and if allowed, will set an unwelcome precedent for further speculative building development in the village. I refer to previous refusals 06/0007/P/OP and 08/129/P/FP which were ruled contrary to H4 and H5 of the local plan which precludes the erection of new dwellings in Westwell. It seems the applicants' main arguments for overriding this are that the house will provide local employment and security for the Dower House.

Much is made of the additional security that will be afforded by the new house. If security were an issue, which I question, the entrance could easily be secured by automatic gates. Enhanced security has also recently been provided at the main entrance to Freelands Farm, directly opposite the applicants' driveway, with security lights and CCTV.

If the application were allowed to succeed, several Westwell households with adjoining rural plots would be entitled to erect speculative dwellings for financial gain.

The proposed new ancillary dwelling is a new build structure in a location where the Council would not normally allow a new dwelling. The Development Plan makes it clear than in such circumstances there is a clear requirement -the burden being upon the applicant to provide that justification - to set out why such accommodation cannot be provided in any other way. Such

justification should include, amongst other things, reasoning as to why existing buildings cannot provide the necessary accommodation and justification for the proposed positioning relative to the functional link to the host dwelling.

In this case it is difficult to see how any such justification could be provided. There are many existing buildings closer to the dwelling which could be used to provide ancillary staff accommodation and, even if that were not the case, the proposed position so remote from the principal dwelling it is proposed to serve, brings into severe question the ability of the proposal to meet the alleged need it is proposed to serve.

The proposed building is over 300 metres away from the dwelling it is alleged to be required to provide security for - I would suggest that most of the other dwellings within the small village of Westwell are better sited to provide security for The Dower House, than this location - which is neither within sight nor sound of the principal dwelling. In stark contrast the dwelling would be only 45 metres from my client's property - well placed to provide security for Freelands Farm I would suggest but certainly not The Dower House!

It is a long held concept in planning that, should a dwelling be justified in a rural location because of a particular need it would serve (be it animal husbandry, security or for other rural workers to live near their place of work) any such dwelling should be and functionally proximate to the identified need. The common phrase I employ in the preceding paragraph is within "sight and sound". This requirement ensures that any dwelling will adequately meet the need identified. It is also a requirement to investigate whether that need can be met by any other means – such as the use of modern technology including close circuit television cameras. We do not question the need for domestic staff; it is a common feature of larger houses in the countryside and a source of rural employment. We do however acknowledge the Council's policy position that any accommodation required for such staff needs to be carefully considered in terms of its location relative to the principal dwelling. Clearly it is not always possible or desirable to have staff quarters attached to the principal dwelling - but they should be close by, located in existing buildings where possible or otherwise sympathetically sited taking account of the characteristic layout of existing development and the functional and physical links to the principal dwelling.

Clearly, allowing this current proposal would set an undesirable precedent which others would seek to exploit. Indeed, if it is considered necessary to have a staff building in a remote location away from the host dwelling or residential curtilage, to serve the 7 or so hectares the subject of this application then I am sure there will be many other similar applications made, which the Council will find it difficult to resist.

No arboricultural statement is provided to assess the impact of the proposed building on trees. Importantly, we would also raise concerns as to whether the building would lead to future pressure for the removal of some of the trees in the vicinity of the site to provide the new dwelling with adequate and unshaded private amenity space.

The activity that would be associated with the more intense residential use of this area of land would be detrimental to its character. The area reads very much as a transition point between the village and the surrounding countryside. When approaching along the road from Holwell the site is open and very much part of the countryside - some of the buildings on my client's site are visible but these are clearly farm buildings and appropriate to the rural context. Even when the existing gateway comes into view, the experience remains one of a pleasant edge to the village, without any significant development in view. The proposed dwelling would make a marked change to that character, introducing domestic features such as parked cars, bins, washing lines and manicured gardens - features of domestic life that are not currently present as the land is not part of the curtilage of the host dwelling. The effect would be greater from autumn through to spring when the deciduous trees on the frontage shed their leaves and the site becomes more open. Whilst we acknowledge the need that often arises for staff accommodation we do not consider the location chosen in this instance to adequately provide the necessary physical and functional

links to the host dwelling. It has not been demonstrated that this is the only solution to meet that need and in any event, the impact on the character and appearance of the village would be undesirable and harmful. We further consider that the acceptance of this proposal would form an undesirable precedent which would make it difficult for the Council to resist other similar harmful proposals that would certainly follow.

Application Number	15/01335/FUL
Site Address	7 Bridge Street Mills Industrial Estate Witney Oxfordshire OX28 1YH
Date	20th May 2015
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	435908 E 210269 N
Committee Date	26th May 2015

Application Details:

Demolition of Unit 7. Erection of 9 residential units, parking and landscaping (existing access used)

Applicant Details:

Mr P Young
Queensgate Homes Ltd
Winter Hill
Cookham
Berkshire
SL6 9TN

2 further objections have been received raising the following summarised points:

Will increase flooding

We need to ensure it will not increase flood risk elsewhere

Water went inside the bed shop

Will this be the iceberg for further development?

Application Number	15/01150/FUL
Site Address	Bints Yard Chapel Lane Northmoor Witney Oxfordshire OX29 5SZ
Date	20th May 2015
Officer	Phil Shaw
Officer Recommendations	Approved subject to Legal Agreement
Parish	Northmoor Parish Council
Grid Reference	442060 E 202951 N
Committee Date	26th May 2015

Application Details:

Demolition of existing commercial buildings, erection of 2 x 2 bed houses and 3 x 2 bed bungalows (Affordable Housing), and 3 x 3 bed houses (Market Housing). Alterations to existing access, provision of access drive with turning head, car ports, parking spaces, cycle storage, bin storage and landscaping.

Applicant Details:

Mr Adrian White
Oxford Garden Centre
South Hinksey
Oxford
Oxfordshire
OX1 5AR
United Kingdom

6 additional letters of objection have been received raising the following summarised concerns:

- Village cannot support additional houses
- Sewers cannot cope
- There is no natural gas supply to the village
- Access roads are single track with blind spots
- Danger to children
- Loss of privacy and way of life
- Precedent
- Plans do not accurately show adjoining properties
- We will be overlooked
- Design is poor
- It is too dense
- Access conflicts with existing bell mouth
- Harm to conservation area
- Previous refusals on site
- Not a sustainable location
- Contravenes covenants
- Disturbance during construction
- Inadequate parking is provided
- Too much affordable housing
- Too small to enhance village facilities

Whilst reuse for authorised purposes would be intolerable plans are too dense
Will block views out of village
Impact on setting or heritage assets
Roads have no footpaths
Concerned funding may be generated towards AH from Park Farm development

4 letters of support have been received raising the following summarised points
I have lived here for 5 years and wish to put down roots
With affordable housing this could become a reality
I fully support this proposal
Land is currently unsightly and derelict
Would enable villagers to stay in the village
People shouldn't be nervous about social housing as it will serve public sector professionals such as nurses
Design would ensure that it fits in with little negative impact
This is needed to help the village thrive
This would clear up the existing mess
Much better than a working yard
Newer residents do not appreciate how disruptive the yard was and could be again

Environment Agency
No objections subject to conditions regarding decontamination

WODC Contaminated Land
Given previous use as a coal yard I support EA request for decontamination conditions

Application Number	15/01433/FUL
Site Address	43 Burford Road Witney Oxfordshire OX28 6DP
Date	20th May 2015
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	434785 E 210283 N
Committee Date	26th May 2015

Application Details:

Erection of 2no. 3-bed semi-detached dwellings (Resubmission of 15/00087/FUL)

Applicant Details:

Mr Stephen Holborough

Mr Frank and Fiona Heeley of 2a Davenport Road and Dr Janet Boullin of 51 Burford Road have commented as follows:

The amended designs seem just as cramped and unsuitable for the area as those in the original proposal and would be out of keeping with the area.

Despite the lack of objection from the OCC Highways Department, the proposal is likely to result in parking of cars just around the corner in Davenport Road. Other vehicles will then have difficulty turning into Davenport Road from the busy Burford Road and larger vehicles such as the 215 bus could have problems with turning out.

As someone who lives on Burford Road, I often experience difficulty in turning into our drive from Burford Road when another vehicle is following immediately behind at speed. If the exit into Davenport Road is in any way impeded, there is the risk of collision.

Although the revised plans for these houses show them to be smaller than the original proposal, (application No. 15/00087/FUL), we still have concerns about the development. As the houses will be two storeys at the front and three to the rear there will still be the problem of neighbouring properties being overlooked to a great extent.

No. 41, Burford Road and Kinsale on Davenport Road will have absolutely no privacy whatsoever in their gardens, and as our rear garden at 2A, Davenport Road runs parallel to Kinsale we will also be overlooked. There is also a concern that several windows in all of these properties will also be overlooked by the proposed new houses.

We feel this is unacceptable - surely everyone is entitled to a certain amount of privacy.

We still think this is a case of overdevelopment on a fairly small site. Surely the building of one single storey dwelling with adequate parking and garden space would be a much more sensible option, as it would not have such a negative impact regarding problems for existing residents and extra traffic near a very busy road junction.

We would also like to point out that our bungalow (next to Kinsale) is No. 2A, not No. 28 as shown on the plans.