

Good afternoon,

This application has been submitted following the grant of permission on the site just over a year ago for 10 dwellings retaining the existing house. A payment of £100,000 has already been made to the Council towards the provision of affordable housing. Unfortunately there has been little interest in the site for the 5 bedroom houses granted, as the sale values are too limited in Carterton to make the development commercially viable.

In order to ensure the houses come forward, a mixed scheme including a number of much smaller units across the site and including the site of the existing Linden House, is proposed. The density will however remain low at 20/hectare, and with a proportion of larger houses in larger plots at the northernmost part of the site to reflect this edge of settlement location.

A comparison of the impact of the outline scheme for 10 plus Linden House and the current proposal for 28 houses and demolishing Linden House, has been provided to highlight the limited difference in impact on the surrounding area and with the proposed planting. It should be remembered that the scheme for 10 larger houses on the site remains extant and despite the delays to the extended David Wilson Homes site, could come forward. However this proposed scheme is considered to represent a better use of the available land and a more varied mix of houses to the area.

A contribution to affordable housing has already been made in respect of the earlier permission and given the existing high land value and limited increase in value to the current site, provision on site of any affordable housing or towards the County Council requirements would not be viable. A detailed assessment has been provided to your officers which clarifies this fact. Nevertheless, my client is a long standing resident of West Oxfordshire and a past teacher at Henry Box School. He is aware of the issues relating to funding in education and accessing affordable housing. (Aside) AND incidentally the Witney Gazette last week headlined on the lack of smaller houses at more affordable costs.

It is on this basis that the applicant has offered to make additional financial contributions or the provision of two starter homes on the site, as well as a financial contribution towards education.

The issues relating to ecology on the site have in our view been addressed in the proposed mitigation measures proposed. The existing permission permits the majority of the trees to be removed. The unattractive boundary leylandii hedging is not protected in any way and the proposal seeks to add native species planting to improve biodiversity and provide a long term visual improvement from all public vantage points. If the standard conditions of 5 years are not considered long enough to secure the planting, my client will accept a longer term and as part of a Section 106 agreement. Furthermore, if considered necessary a condition can be imposed to seek the retention of specific groups or individual trees.

Overall the changes to the number of units on the site will secure the additional delivery of units to this area where there is an extant consent, no opposition from the Town Council and provides the opportunity to provide some affordable housing either on or off site. In this case it is hoped that the committee feel able to grant permission.

Appendix B

My name is Nicky Brooks and I am the chair of south leigh parish council. I would like to thank you, for the opportunity to speak at this meeting, and would particularly like to thank the Councillors for their work in trying to get this situation to a satisfactory conclusion for all.

I would like to just draw your attention to the site plan on your desk, which shows the current layout of the main pub and the landlords accommodation. I only bring it to your attention, because the plan used in the papers for today's meeting on page 33, doesn't accurately show the connection between the two buildings, which is the very essence of our case. Whilst the previous owner had the pub, it was always possible to walk from the bar through the kitchen and into the accommodation – so from bar to bedroom was all connected, the same as if he had lived upstairs in the main pub building.

I would also like to point out that the planning application has the title - **Change of Use from Ancillary Pub Accommodation** - to use as an Independent One Bedroom Dwelling. Thus seemingly accepting, that it is not a dwelling at the moment. Many landlords accommodations consist of a bedroom, lounge, kitchen, bathroom. I don't understand when and how this annex morphed into an independent dwelling.

We strongly feel that, if today's permission is granted that the Mason Arms will never reopen and in a few years time all we will have are a number of new houses, which will offer our community very little.

The different arguments from both sides have been well rehearsed and I apologise for the stream of e-mails to councillors and officers but it is an indication of how passionately we feel about this matter as is the number of villagers here today.

Normally we are a laid back village who just want to get on with life!

All I want to do today is to restate, that all we want is our pub to remain a licenced premises, to act as a centre of the community – a view that our current government is trying to promote.

Villages like ours don't have a lot of facilities and next to no public transport. People can become isolated.

With the pub reopened, anyone can call in at any time without prior arrangement, and meet others on an equal footing. It would provide employment – practically all the teenagers in the village either worked in the kitchens or as waitresses, in those tricky years

before they get driving licences, whilst others without cars or with other responsibilities, would have a chance of employment. It would give the village back its heart. It would promote tourism and it will be great to have an employer back in the village now all the farms are run by contractors.

There is an asset of community value listing, on the whole site, and one wonders, if the whole site is of community value, how come half of it can be broken off, and new residential accommodation agreed –this offers nothing to the community and adds hugely to the possibility of the pub never reopening, thus damaging our community

No offers have been received on split site – all have felt that its not viable on its own. Whilst a fantastic, above asking price offer, has been made for the whole site from an experienced operator. This is yet to be accepted.

Finally I would like to suggest that if this application is refused that any enforcement action decision is delayed until the May meeting to allow the potential purchasers and the developers a chance to come to an agreement.

For all the above reasons, I would ask you to refuse these applications and allow us to have a chance of getting a pub back open in the village allowing us to build our community.

This application is predominantly retrospective and relates to a dwelling and outbuildings that were originally part of the curtilage of Mason Arms and were occupied ancillary to that building by the former landlord. The whole site is subject of an Asset of Community Value designation. The dwelling was created some 20 years ago by the former landlord without planning permission and has all the features of a separate house.

As such the dwelling was created in excess of 10 years ago it is now exempt from enforcement action and as a result policies relating to conversions of buildings to dwellings are not suitable to be applied to this case. The unit already exists and located within a relatively sustainable location in proximity to Witney where the new unit could help to support village facilities. So from a sustainability perspective the application is considered to be acceptable.

It is noted that the Council has received third party representations and an objection from the Parish on grounds that the separation of the cottage from the main pub would impact on the viability of the site. In a functional sense the pub previously enjoyed large gardens, a large car park and a range of ancillary storage buildings along with the landlords accommodation. In its subdivided state the pub still benefits from substantial external areas, a large car park with the potential for that to be expanded if required and a smaller amount of ancillary storage space. The 1st floor area of the building would provide satisfactory living space for and future publican whilst still providing facilities for at least one letting room. This arrangement of a landlord living above the public house is far more common than to have a separate unit of accommodation for this purpose. Indeed, from reading the third parties comments and the Parish Council's objection there appears to be agreement that the facilities which remain at the public house are suitable for the pub to operate and function. As has been documented in your case officer's report the Parish has stated "The Masons is capable of operating on a reduced site (with storage issues) but could it be financially viable on a reduced site....if the asking price were reduced it may become viable too"

The functional ability of the pub to trade appears to be accepted by all

parties and it is only the sale price of the pub that would generate the requirement for potentially retaining the residential unit. It is your professional offers opinion and ours that the issues raised relating to the viability of the pub are, to a greater extent, more pertinent to an application seeking to change the use of the pub. This application is not seeking to do that.

When the application is assessed objectively against existing and emerging policies and the provisions of the NPPF it is considered it should be supported. The cottage is considered to enjoy good residential amenity, has a safe access, is agreed by all parties to not be functionally necessary for the ongoing utility of the pub nor will it cause damage to the fabric or setting of the listed buildings. We agree with the professional assessment made by your planning officer and we hope members will grant permission for this application.

Appendix D

16/00408/FUL – First floor rear extension to Merryfield, New Yatt Road, Witney

Statement to Planning Committee 18/04/2016

Good Afternoon Ladies and Gentlemen and thank you for the opportunity to speak to you today.

I am Anil Dhanani, the proprietor of Merryfield and of Peverell Court Care. . Merryfield provides personalised elderly care in a wonderful setting. The care is delivered by talented and compassionate people with a reputation for an uncompromising standard of care and a focus on the happiness of our residents, their families and our staff.

Merryfield has consistently been reviewed by its users as being in the top 10 Homes out of 140 in Oxfordshire, receiving a review score of 9.7/10. Indeed Peverell Court Care has this year been awarded a top twenty national care home group award. and also my family business. Can we have a little more about the family business started by Mum etc

We really are a good Home, providing a very valued service to the community and we strive tirelessly to be so.

Merryfield itself is a listed building built in 1927 in the Arts & Crafts style and when we took it over, was in need of extensive repairs. We have recently had to undertake major repairs to the main house, including re-roofing the NW elevation with stone slates at a cost of over £50,000. We now need to secure the profitability of the home, and to pay for future repairs, including the re-roofing of the remainder of the Home at a cost of well over £125,000

Merryfield is a very popular care home and we currently have 19 individuals on our waiting list, and in need of care, almost all of whom are from Witney or the immediate surrounding area.

The home originally provided room for 24 residents, but legislation changes in room sizes reduced this to 19. Restoring the Home to its original 24 residents, as proposed by the loft conversion would certainly ensure its viability.

The single storey wing was constructed in the grounds of Merryfield building in 1993. This faces the listed building and provides 10 bedrooms. The proposal is to extend into the roof above these rooms to provide a further five bedrooms and a staff room, leaving the foot print completely unchanged

The extension would be to the back of the building and although flat roofed, would have a tiled pitched roof at the east and west elevations. This will have the effect of making the whole loft conversion appear to have a pitched roofed, with the flat roofed portion not visible from the rear, due to the proximity of the tall mature deciduous hedge. The altered design greatly enhances the appearance of the proposed loft conversion

The tall deciduous hedge to rear of extension would screen it from nearby neighbours. Only rooflights are proposed in the rear elevation so there would be no overlooking of neighbouring dwellings. One of the neighbours has referred to requests for the trees to be cut, the trees they are referring to are the tall deciduous trees specifically protected by a Tree Preservation Order to the rear of the site.

The conversion would not be visible from the main listed building of Merryfield and the only views of both the extension and the listed building would be from access or the rear garden, where both the tiled, pitched roofs would be seen.

Ladies and Gentlemen, we are attempting to ensure the future of Merryfield, a lovely Home to 19 elderly residents and with your approval a prospective Home for 5 more.

I therefore urge you to approve this application in order that Merryfield can continue to provide genuinely high quality care for the frail elderly in Witney in a building that we treasure ourselves and remain committed to maintaining to the highest standard.

Thank you