

## Appendix A

I am here today on behalf of Hailey Action Group objecting to this application.

The village has had to live with the **threat** of this major development hanging over it for over a year and we hope that the Council is now in a position where it can **serve** our community and **defend** our village from these speculative developments that have been **exploiting** the vacuum of not having a Local Plan to get planning permission in locations that are simply **not appropriate**.

Hailey is one of the **least** sustainable locations in West Oxfordshire. It does not **even** have a **shop**. The Council has produced a league table of villages in the District in order of their **sustainability** and there are **only four** villages **less sustainable** than Hailey in the whole of West Oxfordshire.

The recent appeal decision at **Poffley End** highlighted the **unsustainable** location of Hailey. In the words of the Inspector in that appeal *'Both **Poffley End and Hailey** are located a **considerable** distance away from Witney which contains the wider range of shops and services likely to be relied upon by people living in those settlements for their day-to-day needs'*, concluding that Hailey was in *'an **isolated** location' with **very limited** services*.

The report before the committee invites Members to consider a **number of points** including whether the proposal would represent a **logical extension** to the pattern of development within the village and whether the proposal would represent an opportunity to provide a **softer edge** to the village. It seems to us that these questions are **'no-brainers'**.

Hailey is a staggered village composed of three main elements with the gaps between them forming part of its **intrinsic character**. The gap of which the application site forms a part is also a very attractive **rolling landscape of High Value** that forms the setting of the conservation area and contributes **significantly** to its character that the Council has a legal duty to **preserve and enhance**.

The Council's own officers, the Landscape officer and Conservation Architect have both **objected** to the application, the Landscape officer stating that the site is **very open and exposed**, *that it contributes to the setting of the Conservation Area , that it is **conspicuous in public views**, that it does not appear to form a **natural extension** to the village or be particularly integrated into the existing settlement pattern and that there are no **beneficial aspects** when balanced against such a significant change to the local landscape*. The Council's Conservation Architect stated that the development would **'conspicuously urbanise** the currently rural approach into the village and Conservation Area'.

These were exactly the reasons why this site was **not selected** as a housing site within the Local Plan and it should be **obvious** that the **abrupt edge** to the village and countryside beyond **should remain**. Approval would not allow the new development to assimilate readily with the existing pattern of development, would **significantly urbanise and erode** what is still very attractive **rolling Oxfordshire Uplands** and would re-open the flood gates for new **speculative** developments at a host of other **unsustainable locations** throughout the District.

## Appendix B

Thank you chair – good afternoon Members

I represent **Hailey Parish Council** and the wider community. We **object** to this application.

I sent you an email that made reference to the **QC's legal opinion** on the original officer report of November last year.

The **conclusion** of that **legal opinion** was that the report was **seriously misleading** and would have led the committee to make an **erroneous** decision if its recommendation had been followed. In summary, the flaws within the report were

- i) there was no clear conclusion on whether the proposal **complied** with the Council's policies – (especially those concerning themselves with the supply of new housing),
- ii) the harm to the setting of the conservation area was **not properly assessed**,
- iii) the question of whether the location was a sustainable one was **not addressed** and
- iv) the quality of the landscape and the impact of the development upon it were not **correctly considered**.

Those **four** issues that led the QC to his conclusions were covered **in detail** within a note that was also attached to my email. The note gave **detailed examples** of the **harm** to each of the issues resulting from the development

Since this note was written and the QC's Opinion obtained, **circumstances** have changed **significantly**.

The Council has received the Local Plan Examination Inspector's **letter** advising that the local plan was likely to be **found sound and, in addition**, following comments from the **Inspector**, the Council has **beefed up** its wording of policy **H2**.

I also referred to a March email from **Phil Shaw** to the applicant where he advised that, given the Inspector's findings on the Plan and the amendments to policy H2 mentioned above, officers would now be **recommending refusal** of the application.

In spite of the cautionary approach of the committee report before you, we believe that **full weight** should now be given to the Council's **locational** policies for housing.

The planning application clearly **flies in the face** of the nearly adopted policy H2. We ask that the committee **agrees** with us that it is time to **defend** the villages against this kind of **unsavoury speculative** development. We **appeal** to you to apply **full weight** to policy H2 and state that the development is **contrary** to it. It is in an edge of settlement location and there is no **convincing** evidence to demonstrate that the development is **necessary** to meet identified **housing need**.

Taking that position would be **entirely consistent** with the position that **officers** declared to the applicant in the March email.

## Appendix C

### 11 June: Planning Committee

I live at 22 High Street. In light of the applicants' commentary, I clarify that these comments are my own, and I speak on my own behalf, without collusion.

While I understand the applicants' wish to build a house for their retirement in their grounds, and am glad it observes ecological requirements, it is a conservation area and the impact of this proposal, especially the fact that the right of way that runs alongside my house and garden would become the only access to the new house, would be severe.

My garden wall is less than a metre from the western wall of no. 24 that will form the boundary of the planned house. The right of way passageway that runs between 22 and 24 is less than a metre wide, and because the path and the land of no. 24 is half a metre higher than part of my land, those passing along the path will see directly into my sitting room, kitchen and garden.

Changing the passageway from its current limited use as rear garden access for numbers 16 to 24, to become the only entranceway to the new house, means it will be in constant use by the applicants, their visitors, delivery men, postmen and so on. Creating a path internal to their western wall from their side door to a back door to the new house, as I discussed with the applicants, would have meant the passageway retained its current level of use. But they did not include this in their application.

The house will rear around 5.5 metres and cast a shadow over my back garden for half the day at certain times of year (as demonstrated in the comparative 10am sunlight models). This overbearing could have been avoided if, as pointed out to them, the house's northern wall was in line with the stone shed at the bottom of no 22. My back garden is south-facing and currently largely sunny; this would not be the case if this application went ahead.

As it stands, the building and its access will be intrusive and an additional security risk, and I urge refusal. Re-siting the house to the south or east, & creating an internal path to the house would reduce its effects on neighbouring properties and allow us all to continue their enjoyment. Should the Council waver, I would strongly urge a site visit.

If the Council *is* minded to grant this application, I would request the following conditions:

- the applicants' raising of my drystone garden wall at their expense, an offer for which I am grateful and would certainly appreciate;
- brick paving and low level lighting of the passageway, as discussed with them
- and, to deter use by non-right of way holders of the path, reinstatement of a lockable gate to the High Street (to which 16 -24 would, as in the past, have keys).
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Jaqueline Mitchell

**Text of spoken submission to the WODC, Lowlands planning committee on 11<sup>th</sup> June 2018 by Graham Bannell (applicant) in support of the planning proposal Application Number: 17/03959/FUL, Address: 24 High Street, Eynsham, Witney, Oxfordshire OX29 4HB**

Before I start can I ask you to refer to the up to date map submitted last week for the current picture. The map at the front of the planning document is incomplete.

The main officer arguments appear to be to the principal of the proposal on the setting of the SAM and conservation area, and on adjacent buildings.

Historic England (who are the guardians of ancient monuments and their settings) have no objection and indeed support the application; also, the conservation officer (who evaluates proposals with regard to settings in the conservation area and listed buildings) has no objection to the proposal.

In our opinion, the benefits of our proposal are what *is* required in Eynsham. This is a self-build proposal, in the heart of the village; a retirement home. Proposals like this one need to be encouraged as they are what **local people need**. Indeed, this has happened in adjacent gardens.

Whilst it is argued that the development in the adjacent garden of 'The Shrubbery' was gained at appeal, **it was only an outline approval**. The **actual** design for this site, now built, was only granted in 2014, and is a large, chalet style house with associated driveway, all within the SAM and conservation area. This was built for the owners retirement.

In addition, the double garage and driveway built for 'The Shrubbery' was only granted in 2013 and did not form part of the appeal decision and is also within the SAM and conservation area.

In 2015, consent was granted for two dwellings in the garden of 4, Oxford Road (the next house east of 'The Shrubbery'), and have the same relationship to the edge of the village scene as those mentioned above. These are currently being built for the owners adult children.

This recent, changing usage of adjacent gardens **has set** the development pattern for this edge of the village.

Reference is made to our proposal setting a precedent – I think that has already been done.

With regard to the affect on adjacent properties, these are minimal. As seen on the two recent CGI images we have submitted, the existing site has very high walls which limit any existing outlook from the neighbour's properties and create significant shading to gardens. The highly contextual design presents a single, pitched roof to the northern aspect, behind a 'garden wall' with no overlooking of any neighbour's house or garden. With regard to No.24, the retained garden will be 20 metres long and be a south facing walled garden – a gardener's dream. There will be **no** loss of amenity to No. 24.

Finally, with regard to the paragraph on highways, we are completely baffled; our proposal clearly allows for parking provision to the High Street frontage. We **deliberately** chose not to create driveway and garaging etc., on our land to the south as this **would** contribute to urbanisation of this edge of the village, which we would not like to see. The only addition to the edge of the village will be the very modest building itself, the design of which many have applauded. Thank you.

## Appendix E

### **Minster Lovell Parish Council – Verbal objections to 18/00544/FUL Jonathan Stowell – Parish Councillor**

Good afternoon Ladies and gentlemen

I'm here to outline Minster Lovell's main objections to yet another opportunistic housing application to build in our Village for which there is no need given the emerging Local Plan and the 124 homes already agreed.

First and most important is that this application represents another attempt at backland development. As you know, ML is a linear village with former Chartist plots stretched out all along both sides of the Brize Norton Road. Behind nearly all of these dwellings there is 'backland' that serves as a buffer between the built environment and the open fields beyond. This backland is constantly under threat from applications such as this one. In fact in recent memory there have been three attempts to develop backland – all of which have mercifully been turned down by various Government Inspectors.

Critical to these rejections have been the various inspectors' concerns about sideways 'creep' and the impact that this would have on the linearity and character of the Village, and the dangerous precedent that approval of any such scheme would set, thereby making it much harder to resist a rash of similar future proposals.

We object to this proposal on exactly the same grounds. In our Planning Policy Statement we urge against any form of backland development – a view that is well known to your Planners and should be well known to you. It is a policy that the Lowlands Planning Committee has firmly endorsed in the past and should be upheld now – especially in the light of the latest Local Plan

Now to our second objection. If this housing estate does go ahead it will tip well over 40 vehicle movements a day onto the already busy Brize Norton Road. The proposed estate exit is almost directly opposite Wenrisc Drive with its primary school located just 100 metres away. It could hardly be a worse position given the current volume of traffic that uses Wenrisc Drive – particularly at school drop and collect times. In addition, this traffic is likely to increase sharply when the 100 or so homes are built on the Burford Road as it is the direct link to this development.

Finally, contamination

This site was used as a general scrapyards for many years until 1997. All sorts of materials and contaminants would have entered the site at a time when there were very few, if any, environmental controls. It is highly likely that these contaminants entered the ground.

Now the proposal, supported by your Planners is to build homes here just so long as the developers do a bit of a safety check and clean up what they must. The Parish Council knows the site and its history well, and believes that this is entirely the wrong way round. In our view it is very irresponsible to even contemplate building homes until the site is demonstrably and verifiably safe. Planning permission should be postponed until this groundwork has been done to everyone's satisfaction and the results published.

For these reasons we urge you to reject this application for a backland site that has never featured in any version of the Local Plan, and for which there is no need given the new land supply, and the 124 homes already approved for the Village.

**Lowlands Planning Meeting – 11<sup>th</sup> June 2018 (2pm)**

(Ref: Retrospective planning application: 18/00869/HHD – 107 Queen Emma's Dyke, Witney)

Firstly, thank you for allowing me to speak today.

We moved to Queen Emmas Dyke in January last year having lived in Witney all our lives. We have an Autistic daughter whos biggest love is her piano, and thought the garage could be put to better effect by converting it to living accommodation with space for her beloved piano, and an additional utility room on the back. Our daughter is now in remission having had kidney cancer.

The existing garage was in a poor state of repair and the old asbestos roof leaked badly.

As you are aware we made our enquiries to the planning department in February 2017 and, based on my estimated measurements, we were advised that planning permission was not necessary. We were **not** advised that we would need planning permission if our conversion rose above the eaves of the existing bungalow.

We therefore proceeded to arrange building regs control and work started. It was not until the conversion was nearly completed that we became aware that the new roof would be a little higher than expected. Although the joists of the conversion are 5 cm lower than the original bungalow joists, the addition of a solid robust wooden roof with adequate insulation has increased its height a little. The addition of a 20cm raised fascia around the front of the conversion does unfortunately make the building look higher than it actually is. In addition the front view of the property from the road is downhill from the conversion so this also makes the building look higher.

The building work has been completed to a very high and structurally safe standard and comments that it is structurally unsafe are in variance with building regs control and our master builder.

We liased continuously & sympathetically with building regs and our neighbour throughout the build and in keeping with the local colour scheme, we used a pale yellow render for the frontage to match alterations and extensions to other properties along the close.



I have spoken with our builder and it appears it **would** be possible to reduce the front façade by 20cm. Though this would involve disturbing the roof, and there would be considerable costs involved, we would be happy to do this in order to appease the planning department and ask that you please consider this option when making your decision here today.

The conversion has cost us around £30,000 and to lower the roof back to its original height would entail removing new kitchen units from the utility room, taking down the roof and brickwork, removing the new flooring, digging up the floor and starting again. This would be a great upheaval to my family and cost well in excess of £30,000 which is money we simply do not have at this time in our lives.

Please may I remind you that there has been no objection to our application from Witney Town Council. We ourselves are not builders or developers, we have no experience in this field and we ask you kindly to look sympathetically upon our application here today.

We have complied helpfully and timely throughout the whole process and rather naively fallen foul of planning regulations through our lack of experience and knowledge of planning laws for which **we are deeply sorry**.

Eddie & Elizebeth Puffitt