

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 11th June 2018

Report of Additional Representations



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

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Report of Additional Representations

Application Number	17/03959/FUL
Site Address	24 High Street Eynsham Witney Oxfordshire OX29 4HB
Date	8 th June 2018
Officer	Phil Shaw
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
Grid Reference	443385 E 209240N
Committee Date	11 th June 2018

Application Details:

Erection of two bedroom dwelling with associated parking and garden. Removal of section of wall adjacent to parking provision.

Applicant Details:

Mr & Mrs Graham and Clementine Bannell
24, High Street
EYNHAM
OX29 4HB

Additional Representations

It is understood that all Members have been circulated with a letter from the applicant setting out the merits of the case as they see it and enclosing some visual aids

Additionally further representations have been received from Jaqueline Mitchel raising the following points:

The applicant has made some extensive comments countering various material in representations, and some of the material is new to me.

- a) The applicant implies that whereas supporters' comments were individual and objective, some of those from objectors (since they made the same points) were 'replicated propaganda': it is perfectly possible for more than one person to have similar reasons for not supporting the proposal without it being propaganda, I would have thought?
- b) 3.10 and 3.11: While I understand that the applicant has set back the wall to try to ameliorate the overbearing effect on neighbouring properties, the new building would still be within 2 metres of the garden of no. 22, and as the right of way passageway is higher than the garden of no. 22 the effect is more extensive than it might appear.
- c) 3.13. I am afraid I do not understand this, as the models prepared and shown to me clearly show the reduced sunlight effect in the mornings on the garden of no. 22

whereas the applicant seems to be saying that the new building's effect would be virtually nil (if I understand them correctly).

- d) 3.15 See c) above, but the garden at no. 22 is south-facing and is not 'shady by nature' except at the extreme south end by the stone shed. Again, the effect on the garden is exacerbated by the fact that the land at no. 24 is considerably higher than that of no. 22 - as would be obvious on a site visit, if that could take place.
- e) 3.16 I appreciate of course that the applicant has done their best to keep the passageway clear and serviceable, but the gate is important in discouraging the general population (i.e. those who do not have right of way) from using the path. I understand that the applicants now plan to remove the gate and this would be a grave concern regarding both privacy and security.
- f) 3.17: While there has been a right of way for many years, the pathway is used principally for back garden access (nos 16 to 24) and for bin removal by no. 24. During the past two years it has only however been used about 3 times by those at nos. 16-20. Change of usage to the passageway being the only access for those living and visiting no. 24 would be very different, and as the land at no. 22 is lower than the pathway those passing by would overlook the property and see through the adjacent windows. The applicant did at one time offer to create a path internal to their existing western wall leading to a new back door to the new house and this would have been much preferred since it would have enabled a continued level of disturbance limited to the original right of way usage. In the event, they decided not to include this in their planning application, a source of great disappointment to me.
- g) 3.18: I am grateful for the offer to build some sort of raised garden wall (or I understand fencing) and would ask that this be made a condition at the applicant's expense if the Council is minded to grant the application.
- i) 3.26: I am thankful that the applicant has made certain improvements over the years, but would ask that the barrier between the house and the passageway is not entirely removed as it would open up the view to all who pass by, increasing security risk.
- j) There is no mention of lighting of the passageway or its materials, but I understand it would be brick paved and lighting would be low level. Again, I would ask that this made a condition of approval if the Council is minded to grant the application.

I appreciate that the applicant would like to build their own house in their grounds for their retirement and am pleased to see the attempts to make it ecologically sound. They have, it appears, done much to renovate the garden, and as a gardener myself I can empathise with their wish to retain the garden as it stands for the new house. However, moving the house just a couple of metres south would, as discussed with the applicants at an early stage, make all the difference to me and my own small garden as the effects of the new building were its northern wall to be more or less in line with the stone shed at the bottom of no 22 (which belongs to no 20) would be much more limited. I wonder if they would reconsider this, since such a compromise together with the internal path mentioned above would go a long way to ameliorate the effects of the application and allow the garden of no. 22 also to flourish.

Finally, prior to any decision being made, given the different levels of land, I would strongly recommend a site visit so as to fully understand the permutations of the planning application.

Application Number	18/00922/FUL
Site Address	21 - 23 Market Square Witney Oxfordshire OX28 6AD
Date	5 th June 2018
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435633 E 209618N
Committee Date	11 th June 2018

Application Details:

Change of use from existing retail storage area on first floor in Unit 1 to two flats including new access stairs. Insertion of new windows at first floor level on North and West elevations.

Applicant Details:

Perrers Properties Ltd
The Corn Exchange
Brunswick Street
Liverpool
L2 0PJ

Additional Representations

Following the officers report to committee further comments from the applicant's agent have been received. They have been summarised as;

1. We have indicated an area under the stairs of 7.5sqm with a separate door for bin storage on the ground floor which could also be used as a cycle store, additionally there is 2sqm store indicated for each flat on the first floor.
2. In respect of the right of way issue, before the building was redeveloped previously there was an existing flat that was accessed via Langdale Court.