

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 12th August 2019

REPORT OF THE BUSINESS MANAGER – DEVELOPMENT MANAGEMENT



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
<u>18/03244/OUT</u>	<u>Land South of The Hollies, New Yatt Lane, New Yatt</u>	3
<u>19/00684/FUL</u>	<u>Manor Bungalow, 41B High Street, Standlake</u>	12
<u>19/01030/HHD</u>	<u>9A West End, Witney</u>	20
<u>19/00875/RES</u>	<u>Land East of Mount Owen Road, Bampton</u>	26
<u>19/01364/FUL</u>	<u>Queens Head, 17 Queen Street, Eynsham</u>	38
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<u>19/01642/FUL</u>	<u>Air Liquide Uk Ltd, Pink Hill Lane, Eynsham</u>	72

I CONSULTATIONS

- I.1 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
G18 Junction specification
- I.2 WODC Drainage Engineers Soakaways may not be suitable due to the soil type identified for the postcode, this will need to be established by soakage testing. If infiltration is feasible, soakaways should be designed to withstand a 1 in 30 year + 40% climate change event.
- The site should contain surface water for all return periods up to and including the 1 in 100 year + 40% climate change event.
- An exceedance flow plan should be provided for storm events in excess of 1 in 100 yr + 40% cc, based on proposed ground levels and directing runoff away from neighbouring properties.
- No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- I.3 WODC Planning Policy Manager The scale of the development proposed in this location, especially in relation to paucity of existing services and facilities and ability to achieve safe and convenient access to nearby services and facilities, means it is contrary to Policies OS1 and OS2. As the proposal does not, in my opinion, comply with Policy OS2, it is therefore also contrary to Policy H2. A specific local need for this development in this location has not been put forward. The only criterion that the proposal could fulfil is the fact that the site is a proposed allocation in the Neighbourhood Plan. If the allocation is not approved, the proposal fails to comply with Policy H2.
- I.4 Thames Water No Comment Received.
- I.5 Biodiversity Officer I still recommend that the site layout needs to be re-considered so that the southern boundary hedgerow does not form domestic curtilage - this is an "important" hedgerow under the Hedgerow Regulations 1997, and once it becomes domestic curtilage, it will be exempt from the Regulations and therefore not protected. This is not acceptable. If the hedgerow does become domestic curtilage, then a full compensation scheme would be required for new hedgerows to be created elsewhere.
- I assume that the northern boundary hedgerow would not form domestic curtilage, as it is still fronting the road and the new access road will run along most of its length inside the application site. However, this needs to be confirmed. A boundary plan showing the extent of domestic curtilage should be provided.

The loss of priority grassland habitat should also be minimised as much as possible in the first instance, and then compensation provided if necessary. If there will be a residual loss of habitat, then a compensation scheme will be required - to be agreed before a positive determination of the application.

A possible way forward would be for the adjacent orchard habitat to be restored with species rich grassland and hedgerows, which may fulfil the requirements of the compensation scheme for all habitats. However, further information is required in order to ensure no net loss of biodiversity, and the provision of net gain if possible, in accordance with paragraphs 170 – 175 of the NPPF and policy EH3 of the Local Plan.

- 1.6 Parish Council Hailey PC has no objection to this planning application provided that the style is commensurate with the style of the village i.e a ribbon not a cul de sac.
Hailey PC would also ask if a Section 106 contribution towards their new village hall was possible (estimated cost £800,000)?

2 REPRESENTATIONS

- 2.1 One letter of objection has been received raising the following comments:

- Highways
- Landscape
- Neighbourliness
- Policy / Principle
- New Yatt is a small hamlet with no facilities and no public transport. Three houses have been built recently in the village that have taken years to sell, with one still remaining unsold after 2 years. This indicates no desperate need for houses locally. The road through the village is being used more and more as a rat run to avoid Witney, and with the new housing developments up the road at North Leigh this will become even more so. Combined with the Industrial Estate with its associated traffic, poor little New Yatt is losing its identity as a little backwater, and becoming swamped in cars.
- If the new developments in North Leigh are having difficulty selling their new builds, why allow any more to be built?

3 APPLICANT'S CASE

The applicant tabled a covering letter at the point that the application was made (before the results of the Neighbourhood Plan process were known). The conclusion is reported in full below:

- This statement has examined the planning background of the site and the relevant national and local planning policy framework in respect of the outline planning application for residential development off New Yatt Lane, New Yatt.
- The proposed development will be in accordance with the emerging Hailey Neighbourhood Plan which seeks to allocate the proposed site for residential development.

- The above demonstrates that there would not be any conflict with national or local planning policy and the Council is therefore respectfully requested to approve the application.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

EH2 Landscape character

EH3 Biodiversity and Geodiversity

WIT6NE Witney sub-area strategy

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 Outline planning permission is sought for the residential development on the land on the north-west edge of the Village of New Yatt to comprise eight units with associated garden, parking and access, and green space. The application site comprises undeveloped agricultural land located on the southern side of the New Yatt Lane, opposite The Hollies. The site is irregular shaped but generally a rectangular parcel of land and enclosed by dense mature hedgerow and mature trees/woodland along its perimeter particularly to the front (north) and rear (south) of the site, with dense copses at its norther western end.
- 5.2 The site is bounded by New Yatt Lane to the north, by the vacant public house to the east, and by agricultural land to the west and to the south.
- 5.3 The applicant has submitted a new site plan showing the blue line boundary to incorporate the copse to the north western part of the site.
- 5.4 New Yatt village forms a linear pattern of development along each side of New Yatt Lane culminating on its southern side at the former public House, with the application site forming a definable limit to the built-up area.
- 5.5 The application was deferred from last month's Lowlands Area Planning Sub-Committee at the request of the applicant's agent.
- 5.6 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

- 5.7 The West Oxfordshire Local Plan 2011-2031 ("the Local Plan") was adopted on 27 September 2018. It is the LPA's statutory development plan and, in accordance with S38 (6) of the Planning and Compulsory Planning Act 2004, and national planning guidance, it is the starting point for all decision making. Full statutory weight is afforded to the policies of the Local Plan because the Council can demonstrate a full deliverable 5 year housing land supply ("HLS").
- 5.8 The adopted Local Plan provides for a 5 year supply using a staged delivery and the "Liverpool" calculation (this approach is endorsed within the wording of policy H2 within the Plan) and a 20% buffer requirement. Using this method the LPA's most recent HLS figures, published November 2018, indicate a 6.7 year HLS.
- 5.9 Moreover, on 12 September 2018 a Written Ministerial Statement ("WMS") was issued dealing with Housing Land Supply in Oxfordshire) that effectively reduced the requirement to demonstrate housing supply from 5 years to 3 years until such time as the Joint Statutory Spatial Plan for Oxfordshire is adopted, which is intended to be the year 2021.
- 5.10 The Council is not therefore obliged to support housing development that would not comply with the relevant parts of the Local Plan.
- 5.11 New Yatt lies within the Witney Sub-Area, the anticipated housing land supply in this sub-area as set out in the Local Plan (Table 9.2b) is set at over 4,700 new homes, the majority of which are expected to come forward through existing commitments and allocations with only 276 units from windfall.
- 5.12 Policy WIT6 sets out the overall strategy for the sub-area and states that outside of Witney, 'New development in the rest of the sub-area will be limited to meeting local community and business needs and will be steered towards the larger villages.'
- 5.13 New Yatt is not one of the larger villages but is classified in the Plan as a small village settlement where typically there are limited services and facilities and/or other development constraints. While New Yatt does possess some small industrial/employment units (in the adjoining parish of North Leigh), there is no school, shop or post office, the local pub has been shut for many years and the bus service is restricted. The village lies about 1 mile from the centre of North Leigh and 2½ miles from the centre of Witney - higher order settlements with a wider range of services and facilities - but access from New Yatt is along unlit rural lanes, without a pavement, meaning that there is be a high-reliance on the use of the private car by most residents.
- 5.14 Policy OS2 of the Local Plan - Locating Development in the Right Places - sets out the overall spatial strategy for the District including the distribution of new development over the plan period to 2031, focusing the majority of new homes, jobs and supporting services in the main service centres, with development in villages such as New Yatt being limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area.
- 5.15 Policy OSI and Policy OS2 refer to the presumption in favour of sustainable development and the latter includes a series of general principles which all development is expected to accord with. Of particular relevance for consideration of this specific proposal are the following general principles. Development should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
 - Form a logical complement to the existing scale and pattern of development and/or the character of the area;
 - As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
 - Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
 - Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
 - Conserve and enhance the natural, historic and built environment; and
 - Be supported by all necessary infrastructure, including that which is needed to enable access to superfast broadband.
- 5.16 Since New Yatt is a small settlement with very limited services and facilities residents rely on Witney and other higher order settlements for their day to day needs. With limited access to public services, unlit connections and distances that make walking unlikely, residents are reliant upon the motorised travel. The proposed development would add significantly to the settlement, and, set against the paucity of services and facilities and ability to achieve safe and convenient access to those nearby, the cumulative impact of development would be to exacerbate reliance on motorised travel to meet every day needs. The proposal would not constitute sustainable development.
- 5.17 Furthermore, the site serves as a visual and functional limit to the built up area. The extension of the village beyond this limit would be too transformative and would urbanise the rurality of the local environment in which the development would sit, which would impact negatively the wider landscape. The proposed development would not therefore form a logical complement to the existing scale and pattern of development and impact negatively the character of the area.
- 5.18 Site access would require loss of established hedgerow and mature wooded boundary, and it is unclear as to the treatment of the hedgerow with some possibly incorporated into residential curtilage. The loss of the existing meadow would detract from the character and appearance of the area. The proposed development would not serve to protect or enhance the local landscape. The site in its current state makes a considerable contribution to the appearance and context of the settlement, particularly to denote the edge of the built up area and the transition to countryside.
- 5.19 The proposed development would not conform to Policies OS1 and OS2.
- 5.20 Policy H2 sets out the main policy considerations for the delivery of new homes in smaller villages like New Yatt, and under this policy, new homes will only be permitted where they comply with the general principles set out in Policy OS2 and in a limited number of specific circumstances, including 'where there is an essential operational need or other specific local need that cannot be met in any other way...' and 'on sites that have been allocated for housing development within an adopted (made) neighbourhood plan.'
- 5.21 A specific local need for this development in this location has not been put forward. The only criterion therefore that the proposal could fulfil is the fact that the site was a proposed allocation in the Hailey Neighbourhood Plan.

- 5.22 The submission draft of the Hailey Neighbourhood Plan was submitted to West Oxfordshire District Council (WODC) in August 2018, and following a 6-week consultation which closed on 20th December 2018, an Examination of the Neighbourhood Plan was undertaken by way of written representation. The Examiner published his report on 25th March 2019, and found the proposed allocation (application site) not to be in general conformity with the plan, having not considered the development of the site to be "... a proportionate and appropriate scale to its context having regard to the potential cumulative impacts of development on the locality". Furthermore, it was concluded that the development of the site would not form a logical complement to the existing scale and pattern of development and or/ character of the area.
- 5.23 The NPPF makes clear full weight cannot be given to the Neighbourhood Plan until it is 'made' and provides that weight placed on emerging plans should be informed by the stages of preparation. Given the Examiner has now published his report the decision to not allocate in the Submission Draft of the Hailey Neighbourhood Plan should be given appropriate material weight.

Ecology

- 5.24 The original application proposal and that submitted as a New Yatt housing allocation in the Submission Draft of the Hailey Neighbourhood Plan included the adjoining copse on the north-western edge of ten site/ village. The Corpse is now removed from the redline boundary.
- 5.25 The existing copse/orchard and hedgerows contribute to the character of the area, the context and setting of the site and the soft/rural approach to the village. The development would intrude into the rural setting of New Yatt and, even with the retention of the existing trees and hedgerows on the site, would be out of character.
- 5.26 The Planning Statement accompanying the application states that the woodland will be retained and the illustrative layout shows the woodland and hedgerows all being kept, other than where access is to be created. However it is not clear how this will be achieved.
- 5.27 In addition, some of the plots, especially the plot closest to the copse/orchard, are close to the existing hedgerows and mature trees. This proximity will impact on the residents. Overshadowing and bough and leaf drop may well lead to pressure for tree removal. Factoring in likely climate change, there may be benefits of cooling through shading but higher winds could lead to tree instability. Developing within and in close proximity to a well-established woodland and hedgerows needs special care.
- 5.28 The site forms part of an identified Woodland Habitat Network. Not only does this woodland have value in its own right, it provides a wide range of ecosystem services, including providing a soft setting to the village, providing a valuable habitat and forming part of a wider woodland/GI network.
- 5.29 EH3 relates to biodiversity. All development is expected to protect and enhance biodiversity, including: protecting and mitigating for impacts on priority habitats, protected species and priority species; avoiding loss, deterioration or harm to locally important wildlife, UK priority habitats and species; and ensuring development works towards achieving the aims and objectives of the Conservation Target Areas (CTAs). The NPPF and Policy EH3 require development to show how a net gain in biodiversity will be achieved and, ideally, to show this in a quantifiable

way through the use of a Biodiversity Impact Assessment Calculator. The planning application does not address this.

- 5.30 The site lies within the Wychwood and Lower Evenlode CTA.
- 5.31 An ecological report accompanies the planning application. This report highlights the biodiversity value of the site, identifying, for example: species-rich, important hedgerows under the Hedgerow Regulations 1997; all hedgerows being habitat of 'principal importance'; the grassland being semi-improved, MG5 grassland Lowland Meadow of 'principal importance' under the NERC Act 2006; the adjoining copse/former orchard as having ecological value; bird species of principal importance; and a high likelihood of bats, hedgehogs and reptiles. One of the conclusions of the report is that a significant impact of the development would be the loss of a significant area of semi-improved grassland. The report, in section 5.2, sets out a number of potential mitigation and enhancement measures.
- 5.32 The rural nature of this site and the value of the habitats and potential species mean that careful consideration will need to be given to the ecology and natural capital of the site and its wider context. If development were to go ahead the issues to be addressed should include retaining and enhancing ecological networks, providing sensitive lighting of the site, retaining and protecting existing trees, woodland and hedgerows, providing new planting of indigenous species with a high proportion of berry bearing plants, ensuring suitable connections within and through the site for hedgehogs and provision of bat roosting and bird nesting opportunities (NB these need to be located in appropriate locations), together with the measures identified in the ecologist's report.

Siting, Design and Form

- 5.33 The application is in outline with all matters other than the principle and the means of access reserved for future determination. The access plan details that a section of the frontage hedge will need to be removed to create the access and future maintenance will be required to ensure that adequate vision splays are provided and retained. This is likely to result in a much more "managed" appearance in contrast to its existing rural character. The houses are detailed strung out along the road in a linear fashion that broadly mimics the linear character of the settlement. In contrast however they are set behind a service road and all of the parking is located in front of rather than between the dwellings such that the public elements of the development would be highly car/ road dominated which again given the transitional nature of the site at the edge of the settlement would not sit comfortably with the prevailing rural character. A number of the units and elements of the highway infrastructure are also within or too close to existing boundary hedges and trees such that their long term survival would be severely compromised. The scheme as presented is in light of these concerns not considered a suitable basis upon which to build out the site.

Highways

- 5.34 OCC has raised no objections to the ability to create a safe access. Notwithstanding that this may have additional hedge loss implications in light of the comments received there is considered to be no basis upon which to base a highways objection

Conclusion

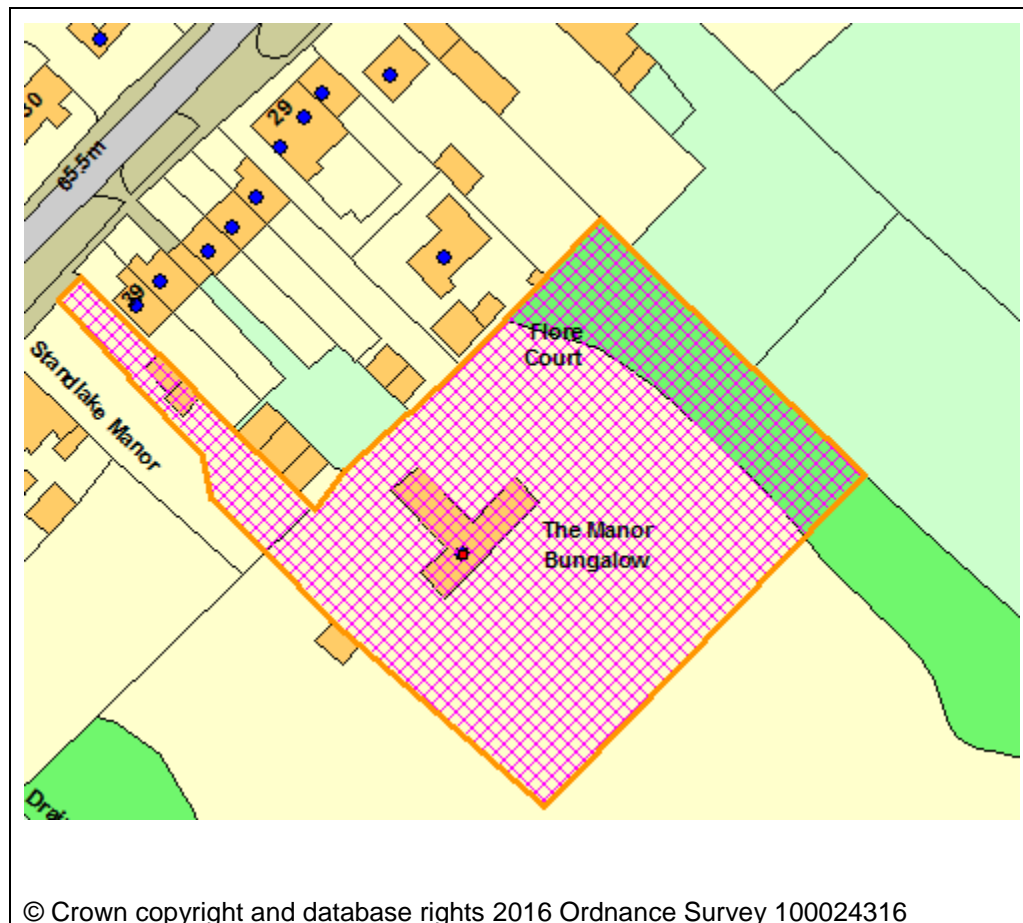
- 5.35 This application site would not form an appropriate location for development given the sensitivities of the site itself, including its biodiversity value and its contribution to the area's character, and the very limited range of services and facilities in the village combine to make the proposal unsustainable development. Development of the would be contrary to policies OS1, OS2, OS3, OS4, H1, H2, T1 and T4, EH2, EH3 and WIT6.
- 5.36 Furthermore, proposed development was considered by the Examiner in his examination of the Submission Hailey Neighbourhood Plan who concluded that development of the site would not be in conformity with the Adopted Local Plan and recommended the site be deleted from the Neighbouring Plan. This too must be given material weight.
- 5.37 As such, the recommendation is that planning permission be refused.

6 REASON FOR REFUSAL

- I The proposed development would not represent sustainable development given the very limited range of services and facilities within New Yatt, combined with the sensitivities of the site itself, including its biodiversity value and its contribution to the landscape character of the area and village setting. The applicant has failed to demonstrate justification for this development proposal as either essential operational or other specific local need that cannot be met in any other way, and, neither has the site been allocated for housing development within the Adopted Local Plan or an adopted (made) neighbourhood plan. The proposed development would therefore, be contrary to policies OS1, OS2, OS3, OS4, H1, H2, T1 and T3, EH2, EH3 and WIT6 of the Adopted West Oxfordshire Local Plan 2018, and the provisions of the National Planning Policy Framework 2019.

Application Number	19/00684/FUL
Site Address	Manor Bungalow 41B High Street Standlake Witney Oxfordshire OX29 7RH
Date	31st July 2019
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439774 E 203054 N
Committee Date	12th August 2019

Location Map



Application Details:

Demolish existing bungalow and erection of four dwellings with associated garaging and works.

Applicant Details:

Mr Nicholas Blakemore, c/o Agent.

I CONSULTATIONS

- I.1 Parish Council
- The council saw this before (18/03379/FUL Nov 18) but for 5 houses; the application was withdrawn. The council sees no material difference except that there is one less dwelling and our objections then still apply as follows:
Standlake Parish Council objects to this development on the following grounds:
The proposal is contrary to the Local Plan 2031 Policy H2; specifically:
" There is no essential operational or specific local need for this development
" It is not of demonstrable benefit to the community
" It does not form a logical component to the existing scale and pattern of development and character of the area. In particular, it impinges on the immediate surroundings of a much valued listed historic building - Standlake Manor
" The vehicular access, while adequate for a single dwelling, is neither safe nor of sufficient width for the proposed number of dwellings and predicted traffic volume. The fact it crosses a busy pedestrian path and emerges onto a road which is frequently blocked by parked vehicles should be taken into consideration; adherence to standard sight lines does not address these concerns. The proposal constitutes overdevelopment of the site.
The sewage system capacity in Standlake is already exceeding the limit stated by TW in 2014. The proposal will set a precedent for yet more development behind the current building line of dwellings on the High St.
- I.2 OCC Highways
- For the previous application on this site (8/03379/FUL - 5 dwellings) I commented as follows :
"Refuse that the application as submitted will result in the unacceptable intensification of a sub standard access lacking adequate pedestrian awareness visibility. Detrimental to the safety and convenience of highway users.
- During my site visit I observed a number of pedestrians walking along the footway across the proposed access to the development where the frontage boundary walls obstruct any pedestrian visibility awareness visibility. Vehicles emerging from the access across the footway will do so without the ability to see pedestrians. It may be possible to overcome the objection by the demolition of the short section of frontage boundary wall and the construction of a narrow access within the opening.
Whilst the full 2.0 x 2.0m pedestrian awareness visibility may not be achieved the amendment will represent a significant improvement. Any subsequent access improvement across the highway verge must not cause damage to the root system of the adjacent highway tree - the applicant should seek advice from OCC's Tree Officer."
Drawing no P833-01 of the Access Appraisal of the present application 19/00684/FUL shows the relocation of the footway

fronting the site to provide adequate pedestrian awareness visibility at the proposed access together with the new dropped kerb and access construction.

The proposed footway relocation would require the removal of 2 trees within the highway and passes very close to the 3rd that affords the highest amenity contribution. There does not appear to be a related BS5837 survey, AIA or AMS to determine the impact of the relocation and access works.

The provision of 2 new bollards as shown on the plan is unlikely to deter pedestrians from walking the direct desire line. It has not been demonstrated therefore that the relocation and access works are a viable and possible proposal - refuse as above.

However since discussions with the agent and OCC Highways officers, an agreement has been confirmed for the section of higher walling on either side of the access should be lowered in height.

- | | | |
|-----|-------------------------------------|---|
| 1.3 | WODC Planning Policy Manager | No Comment Received. |
| 1.4 | Biodiversity Officer | No Comment Received. |
| 1.5 | ERS Env. Consultation Sites | The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions. |
| 1.6 | WODC Landscape And Forestry Officer | No Comment Received. |
| 1.7 | Conservation Officer | Seek amendments regarding the design. |

2 REPRESENTATIONS

2.1 3 letters of objection have been received. The comments have been summarised as:-

- There is no requirement for this development. It does not meet with the requirements of the local plan 2031.
- The re-submitted plan is the same as the previously withdrawn plan minus 1 less dwelling.
- Therefore all previous objections from the original application must apply.
- Highways safety issues and other road users
- At the time writing there are currently 24 properties on the market for sale in and around the village of Standlake.
- The sewage system cannot cope with additional houses.
- Contrary to the Local Plan 2031.
- This would set a precedent for building behind the current build line in the area.
- Our house, 53 High Street, is three houses south of Standlake Manor and looks over land adjacent to it. We see a very large, open field/garden with deer quietly grazing - a beautiful sight and one that should not be lost to a village.

- Standlake Manor itself is a fine listed building, albeit rundown, and the proprietors should not be seeking to profit from building a development - however small - on their land.

3 APPLICANT'S CASE

The Conclusion of the Planning and Design Statement has been summarised as:-

- The proposed development of four dwellings will make effective use of this previously developed site close to the centre of Standlake. It will enhance the vitality of the rural community as the occupants of the new dwellings will undoubtedly contribute to the continued viability of the existing services and facilities within the village. The proposal, therefore, complies with the enabling provisions of the National Planning Policy Framework, Policy H2 of the Local Plan 2031, and the general principles set out in Policy OS2 of the new Local Plan.
- The proposal is for a high quality, bespoke development in the Arts and Crafts style. It will be well screened and will have a neutral effect on the setting of The Manor House. The proposal, therefore, also complies with Policies OS4, EH7 and EH9 of the Local Plan 2031.
- In accordance with paragraph 11 of the new National Planning Policy Framework, therefore, planning permission should be granted as there are no adverse impacts which would "significantly and demonstrably" outweigh the benefits of granting permission and no harm would be caused by permitting the proposed development.

4 PLANNING POLICIES

EH9 Historic environment

EH11 Listed Buildings

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

T4NEW Parking provision

NPPF 2019

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application site is located within Standlake. The proposal is to demolish the existing bungalow and replace it with four dwellings at The Manor Bungalow, which is set back from the road. The land has an area of 0.60 hectare. A Listed Building is located adjacent to the existing access.
- 5.2 This application follows the withdrawal of a previous application for five dwellings on the site (Planning application reference 18/03379/FUL).
- 5.3 At the time of that application officers considered that if the proposed number of dwellings was reduced, and that they were sited nearer to the building line of the existing bungalow, that the principle of such a development was acceptable.

- 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 adopted West Oxfordshire Local Plan identifies Standlake as being within the Village category. Policy OS2 states that development will be supported in the villages but this will be limited to that which respects the village character and local distinctiveness and would help maintain the vitality of the local community. The general principles of this Policy include that development be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality, and form a logical complement to the existing scale and pattern of development and/or the character of the area. Given that officers have given advice following their concerns to the previous application's proposal, your officers consider that on balance the principle of development in this location is compliant with Policy OS2.
- 5.6 The previous application showed the proposed dwellings more spread into undeveloped land beyond the limit of the village settlement. Your officers consider that the proposed layout of the four dwellings now follows the more linear pattern of the existing settlement development which fronts onto High Street which is considered to be an acceptable form of development.

Siting, Design and Form

- 5.7 The proposed dwellings are detached with proposed garages. The linear siting of the proposed dwellings, ends with a larger detached dwelling and garage.
- 5.8 The original plans for the design of the proposed dwellings were of an Arts and Craft style of design with traditional materials being used. However with concerns from officers and the WODC Design officer, revised plans were requested. The proposed design now, is more of a simpler form with traditional details. The resulting form is of a much less dominant form in scale and visual appearance.
- 5.9 The view into the application site will be of a long driveway with vegetation ending with the proposed double garage to serve plot 1. The proposed design of the garage has also been simplified. Your officers consider that the proposed development will not adversely affect the visual appearance or character of the streetscene.
- 5.10 With the revised plans, your officers do not consider that the proposed development will have an adverse impact to the setting of the adjacent Listed Building.

Highways

- 5.11 With regards to highway safety and pedestrian movements, Members will note that OCC Highways made objections to the application. However since the processing of the application, the agent and officers from OCC have discussed the proposals on site. It has been agreed for the walls to be reduced to 0.85m on either side to provide a safer access. Your officers have suggested a condition for details to be submitted prior to the first occupation of the dwellings.

Residential Amenities

- 5.12 Due to the distance that the proposed dwellings are to be located, your officers do not consider that the proposed scheme will unacceptably overbear or result in loss of privacy to the existing residents fronting High Street.

Conclusion

- 5.13 In view of the above your officers consider that the proposal, on balance, accords with Policy OS2 of the adopted West Oxfordshire Local Plan. The proposed dwellings are sited closer to existing built form and follow more of the traditional linear pattern of the existing settlement. Together with the revised design, your officers consider that the proposed modest development is acceptable.
- 5.14 At the time of writing your officers are awaiting results of the ecological surveys which are due early August. It is anticipated that these will be received prior to the meeting, and your officers will verbally update Members.

6 CONDITIONS

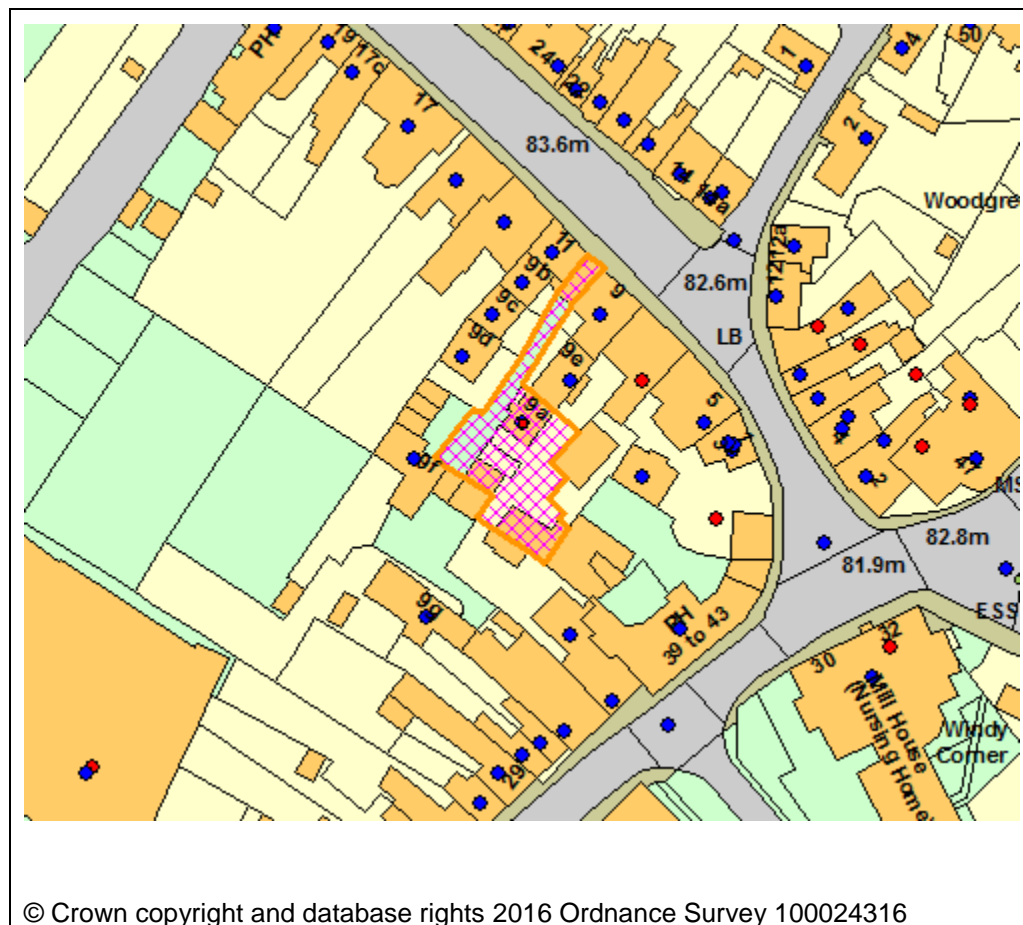
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That 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 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the residential amenities of the existing and proposed occupiers.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 6 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 7 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 8 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.
- 9 That, prior to the first trench being dug, 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 Practice Guidance).
- 10 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 11 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.
REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

- 12 No dwellings shall be occupied until the vehicular access to serve the hereby approved development, (to include the lowering of height of the wall either side of the access) car and cycle parking spaces, turning areas that serve the dwellings have been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety.

Application Number	I9/01030/HHD
Site Address	9A West End Witney Oxfordshire OX28 ING
Date	31st July 2019
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435862 E 210372 N
Committee Date	12th August 2019

Location Map



Application Details:

Erection of rear conservatory.

Applicant Details:

Mr David Gouldin, 9A West End, Witney, Oxfordshire, OX28 ING

I CONSULTATIONS

1.1 Town Council No objection.

2 REPRESENTATIONS

2.1 One letter of objection has been received from Sarah Plowman at 7 West End, Witney as follows. A full version of the letter plus photos submitted are available on the Council's website.

- We are fully in support of our neighbours' desire to increase their enjoyment of their garden. However we feel that the height of this building means that their enjoyment will be at our expense.
- Our concern is about significant loss of both direct sunlight and imposing aspect. The proposed height, coupled with its suggested rear wall backing directly into our garden will be totally overbearing in its impact on our home and garden.
- We have a very small garden, which faces south west. It is already surrounded with high buildings on its boundary lines on all sides except this one side, which is the direction that we receive direct sunlight from, meaning that the proposed conservatory will significantly impact any feeling of openness and light our garden has.
- Throughout the year, we would lose a great deal of light, both direct and indirect, from the proposed conservatory, particularly in the afternoon and early evening when our five children come home from school and want to play in our garden (which is our only outside space and is just coming to the completion of its renovation). In the winter months, we enjoy watching the sun set from the ground floor back windows. This will completely lose its appeal with the proposed raised skyline, resulting in the loss of so much light.
- The proposed building will be incredibly overbearing for us, and introduce what we believe is a completely unacceptable level of enclosure for us in both the house and garden.
- We note that the plans have a proposed gutter overhanging into our land (drawn in faintly). Our garden already has overhanging gutters from three different neighbouring properties, which can only be accessed for cleaning and maintenance through our house. These gutters aren't visible from their houses so we also need to keep an eye on their upkeep. Whilst we are more than happy to be neighbourly, adding a fourth neighbour's guttering needing access through our home seems excessive.
- We believe that the scheme would result in an unacceptable sense of enclosure and loss of outlook to our property and understand that this would be contrary to policies OS4 and H6 of the West Oxfordshire local plan 2011-203.
- We believe that a possible solution would be to have the conservatory floor level dropped to match the ground level of 9A and the majority of the garden, removing the need for the steps up to enter the conservatory currently on the plan. This could then result in a significantly less imposing roof height. Leaving the existing rear boundary wall as it is and building the back of any conservatory at least 50cm away from this boundary line. This resolves two problems: a) the roof is moved away from our boundary reducing its imposing

nature and b) it allows room for their gutter maintenance without any need for access or maintenance involving our property.

3 APPLICANT'S CASE

3.1 A design and access statement has been submitted. A full version of the document is available on the Council's website. It is concluded as follows:

The addition of the particular designed roof structure gives height to the conservatory area which is lacking throughout the dwelling and will give relief to the occupants in their use of the space but will also ensure that is only a 900mm lift to the building above the existing north east boundary wall again to avoid blocking light to ensure no adverse impact on the amenity area to no. 7.

3.2 Following the July committee meeting the agent has confirmed the following:

- As stated there will be no overhang of guttering to the adjacent property and all drainage thereto will be entirely sited on the land in ownership of the applicant.
- In compliance with your request I will be pleased to forward a clear large scale drawing to demonstrate this to your committee and would accept a condition to restrict development to that specific detail.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

H6NEW Existing housing

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

5 PLANNING ASSESSMENT

5.1 This application seeks consent for the erection of a conservatory at 9A West End; an un-listed, end terraced, traditional stone dwelling situated within a narrow mews. The site falls within the Witney and Cogges Conservation Area and sits within close proximity to a number of listed buildings.

5.2 A previous application on the site for a conservatory (Ref: 18/00201/HHD) was refused for the following reason:

The proposed extension by reason of its position, scale and design would result in a significant overbearing and overshadowing impact to the rear garden and habitable room windows of No. 7 West End and would therefore be contrary to Policy H2 and BE2 of the approved West Oxfordshire Local Plan 2011 and OS4 and H6 of the Emerging Local Plan and the relevant paragraphs of the 2012 NPPF.

5.3 This was then dismissed at appeal. The inspector concluded as follows:

Consequently, whilst I have found that the loss of sunlight and therefore overshadowing would not be significant, I conclude that the scheme would result in an unacceptable sense of enclosure and loss of outlook for the occupiers of No 7, thereby harming their living conditions. This would be contrary to policies OS4 and H6 of the West Oxfordshire Local Plan 2011-2031, which together seek to safeguard living conditions and ensure satisfactory environments for people living in the area.

5.4 Previously refused application 18/00201/HHD proposed a pitched roof conservatory which would sit 2.4m above the shared boundary wall. The plans, the subject of this application, propose a similar conservatory with a reduced height which would sit 0.9m above the shared boundary wall and has a different roof form to the refused scheme.

5.5 This application has been brought before sub-committee Members for consideration at the request of the local Ward Member and has been deferred from the last meeting in order for Members to carry out a site visit.

5.6 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;
Siting, design and form;
Impact on heritage assets;
Residential amenities.

Principle

5.7 The principle of providing an extension to the dwelling is acceptable subject to consideration of the below matters.

Siting, Design and Form

5.8 By virtue of its scale, design, form and location, the proposed conservatory is considered to be a modest addition which would appear subservient and secondary to the host dwelling. The proposed use of traditional materials, and its simple form, are considered to be in-keeping with the character and appearance of the host dwelling. As such, the application is considered to comply with policies OS2, OS4 and H6 of the adopted West Oxfordshire Local Plan 2031.

Impact on Heritage Assets

5.9 Within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this regard the proposed conservatory is not considered to have a detrimental impact the character and appearance of the Conservation Area, given the nature of what is proposed and its location; the conservatory would be located

to the rear of the property and would not be visible from the street scene. As such, the character of the Conservation Area would be preserved.

- 5.10 As the site is within close proximity to a number of listed buildings, in accordance with Section 66 (l) of the Planning (Listed Buildings and Conservation Areas) Act as amended, the local planning authority shall have special regard to the desirability of preserving the buildings setting or any features of special architectural or historic interest which it possesses. In this case, whilst the rear elevation of 9E is adjacent to the rear corner of the proposed conservatory, the 'tucked away' position of the conservatory and its single storey nature would be such that it would not significantly impact upon views from public vantage points. Therefore, Officers are of the opinion that the setting of the nearby listed buildings would be preserved.

Residential Amenities

- 5.11 In comparison with the previously refused scheme where the proposed conservatory would sit 2.4m above the existing boundary wall, the conservatory the subject of this application would protrude 0.9m above the shared wall with the roof plain sloping away from the garden of No. 7.
- 5.12 Officers note the issues raised in the objection letter submitted by Sarah Plowman at 7 West End. However, it is your officer's opinion that the overall height and roof form of the conservatory has been reduced to a level which, on balance, is no longer overbearing, nor does it give an overwhelming sense of enclosure.
- 5.13 Due to the location and orientation of the buildings, with the garden of No. 7 facing south west and already being enclosed by buildings either side, the sunlight only reaches the neighbours garden for a limited period of time everyday. By virtue of the scale and design of the conservatory, your officers consider that the development would not significantly reduce the amount of sunlight into the garden in comparison to the existing situation. Further, given the scale of the conservatory and its distance from the rear elevation of No. 7, your officers do not consider that there will be any adverse overshadowing of the neighbours habitable rooms. Officers also note that the Inspector did not consider that the larger scheme would result in a harmful loss of light or overshadowing to the detriment of No. 7 either.
- 5.14 At the July committee meeting Members raised concerns over the location and impact of potential overhanging guttering into the neighbours property and the affect this may have on their living conditions. Your officers have received confirmation from the applicants agent that there will be no overhang of guttering to the adjacent property and all drainage thereto will be entirely sited on the land in ownership of the applicant. A plan will be provided at the meeting to reflect this. Therefore, your officers are satisfied that the proposed guttering will have no impact on the amenity of neighbours.

Conclusion

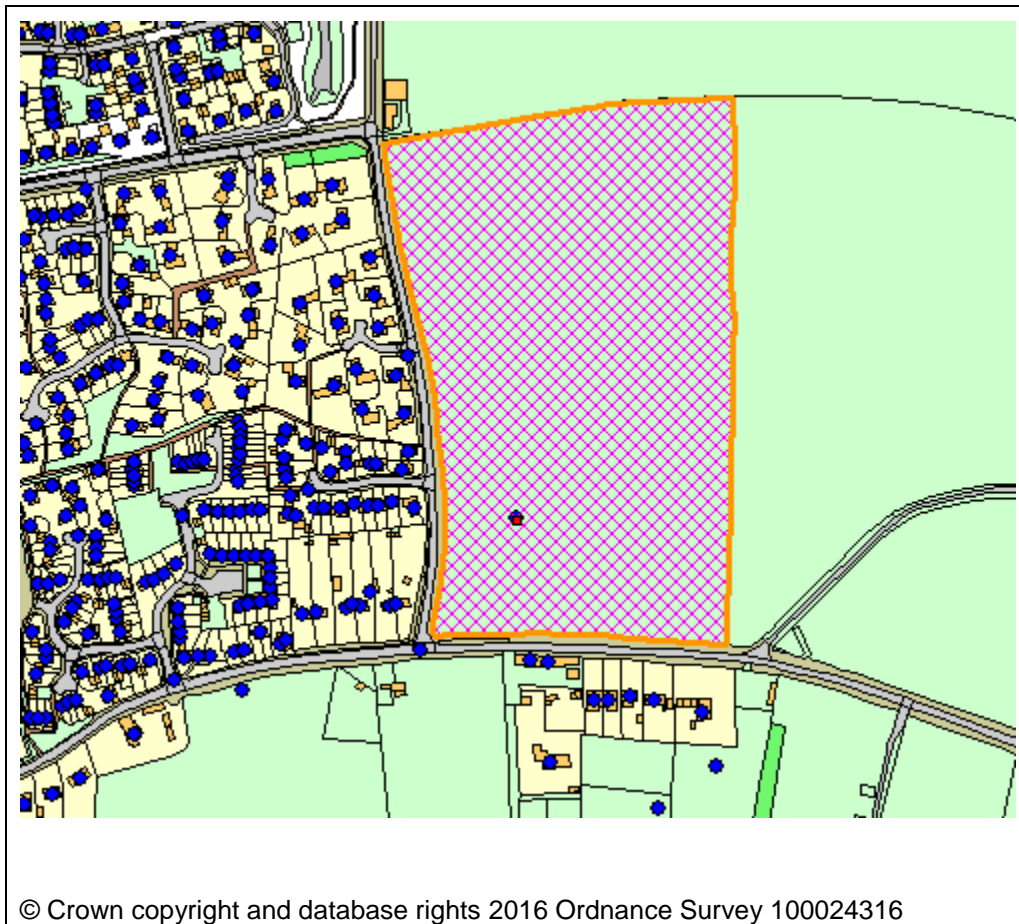
- 5.15 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS4, EH9, EH10, EH11 and H6 of the adopted West Oxfordshire Local Plan 2031 and any relevant paragraphs of the NPPF.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 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 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the Conservation Area and setting of the nearby Listed Buildings.

Application Number	19/00875/RES
Site Address	Land East of Mount Owen Road Bampton Oxfordshire
Date	31st July 2019
Officer	Abby Fettes
Officer Recommendations	Provisional Approval
Parish	Bampton Parish Council
Grid Reference	432221 E 203365 N
Committee Date	12th August 2019

Location Map



Application Details:

Reserved Matters application for the construction of 160 dwellings and provision of public open space with associated infrastructure and earthworks, pursuant to outline planning permission 16/03415/OUT. (Amended plans).

Applicant Details:

Taylor Wimpey, C/O Agent.

I CONSULTATIONS

I.1 Parish Council

Bampton PC made very strong and detailed objections to the original outline application; 16/03415/OUT, however West Oxfordshire District Council were minded to approve this application. We would be grateful if you could cross reference our original objections to elements of these reserved matters, but we would like to highlight the following areas that we feel have not been addressed or still give rise for particular concern.

1. We still feel that this site sits outside the village envelope and has now set a precedent for further development in this area of Bampton. The layout of the scheme in its current form, density and layout does little to minimise the impact of extending the village envelope.

2. The council is still extremely concerned about the cumulative effect on flooding that the development of this site has following on from the development of the Cala Homes/Oakwood Gate site in New Road. Please note the detailed information provided in our 2016 objection. That recently built development will 'release' their collected and drained water in the direction of this Mount Owen site and no environmental/drainage assessment carried out as a desk top exercise in an office can accurately forecast the effect of surface water run off that has now been changed and not been tested under severe conditions of sustained high periods of rainfall. During the development of the Cala Homes site, despite surface water assessments to support that application, there were prolonged periods of over pumping surface water during the foundation laying stage of groundworks.

3. All our comments with regard to the existing sewage infrastructure network and water supply still stand and we feel these are relevant. Please cross reference these with this reserved matter application. It should be noted that some members of the parish council have had feedback from new residents of the new Cala Homes/Oakwood Gate site about poor water pressure levels at times of high demand. Sadly, we feel that the current infrastructure for water delivery and disposal is below the level needed for the numbers of properties Bampton now has and we fear that this will cause further problems for current and proposed end user in Bampton.

Bampton Parish Council gave feedback to Taylor Wimpey during a consultation exercise leading up to this reserved matter application, and some may have been taken into account prior to this application but there are still causes for concern.

i. Mount Owen Road is narrow and barely allows for 2 cars to pass. Much traffic has been created from an additional 160 homes at Oakwood Gate and all traffic leaving this new estate has to either

travel down New Road towards Station Road or leaves via Mount Owen. The size and quality of this minor road, which until development was carried out in the 1980s and 1990s was little more than a single width 'farm' track as it is beyond the junction with New Road, is insufficient for traffic from a further 160 homes to be entirely channelled into it. The parish council would prefer access to be directly off the Aston Road or at the very least for there to be more than a single entry into the site off Mount Owen Road as this scheme shows.

ii. The narrowness of Mount Owen makes it impossible to provide a new pavement on the eastern side, adjoining this proposed development. It would appear therefore that all pedestrian traffic is channelled into Mount Owen to immediately cross the road to the narrow pavement on the western side. The parish council felt that proper zebra or pelican crossings were essential for road safety and it would seem that this comment has been taken into account as there is reference to controlled crossing points in this reserved matter application. The parish council seek reassurance that controlled crossings will be at the very least zebra crossings and ideally pelican crossings.

iii. The parish council would prefer the element of social housing to be weighted heavily towards shared equity purchase rather than rental units.

iv. The parish council have asked that the communal areas/play areas/landscaping areas be conveyed to the parish council in perpetuity to hold and maintain. There would need to be a supporting payment with this transfer but we believed that the long-term retention and benefits to these areas being in public ownership far outweighs the upkeep costs. We do not know yet how the management of the open space/play areas/amenity land on the Cala homes estate will evolve as all owners will need to pay an annual fee for the upkeep and management and appoint a management company to carry out their instructions. This may not cause an issue when an estate is new, but over time we can see potential pitfalls and issues that could fall back on the parish council to solve. Additionally, we do not want 'private' exclusive play areas/ parks that are not for the benefit of all Bampton children, which appears may be the case on this Oakwood Gate/Cala estate. We already own and maintain public open spaces in newer estates in Bampton, perhaps most notably on Calais Dene and we have on several occasions been approached by house owners on this estate to buy parcels of the public open space to incorporate into their gardens or to allow larger house extensions. As a local authority considering the benefit to all, we have consistently declined to sell this land, but wonder if in 20/30 years' time a 'detached' management company or even a resident run management company would take the same view when presented with rising maintenance costs of amenity land?

v. The parish council felt that layout of the site produced areas of denser development, predominantly the social housing element which we did not like and we would prefer a more open, greener and less concentrated development which is more in keeping with the rural area that Bampton is. We would like to see a better mix of wall and roof finishes to add more interest and less uniformity to the development. Bampton is predominantly an area of stone walls, so although some brickwork in the development is acceptable to give this diversity, we would not wish to see the majority of the properties constructed in brickwork.

The council would be grateful if you could take all our comments into account when considering this application.

Addendum

A councillor has measured Mount Owen Road and it is 5m wide measured at three separate points along the road adjoining the site. We believe that 'Manual for Streets' (see page 79 onwards) is a good guide for the design of roads, is still used today and although it doesn't set out specific measurements for certain road speeds/volume etc, it sets out best practices and encourages designers and planners to link road usage to design.

Mount Owen Road is not an estate road but a busy (and getting busier) through road.

The design of this scheme and single point of access is being limited by the width of that road as no pavement has been included on the eastern side adjoining the site. The restricted width of Mount Owen Road taking into account the current flow of traffic alone and excluding the traffic generated by the new development proposed, should give added weight to the parish council request for access to be considered off Aston Road instead.

I.2 Major Planning
Applications Team

No Comment Received.

I.3 Major Planning
Applications Team

Transport

Objection for the following reason:

- Car parking level is above Oxfordshire County Council's acceptable standard.

- Lack of cycle parking information provided.

Oxfordshire County Council therefore object to the planning application in its current form on sustainability grounds.

NB These matters are now resolved.

Drainage

The current scheme will not be acceptable unless it can be demonstrated that pumping is the only solution and measures have been implemented throughout the site to minimise the requirement

for deep attenuation and pumped systems. SuDS measures have not been investigated where we feel they can be implemented. Therefore, we do not recommend that reserved matters are granted until an adequate sustainable drainage solution is provided.

- | | | |
|-----|----------------------|---|
| I.4 | Conservation Officer | Comments on layout and appearance have mainly been addressed by amended plans. |
| I.5 | Parish Council | No Comment Received. |
| I.6 | WODC Housing Enabler | <p>The site falls within the medium value affordable housing zone as defined in the Local Plan 2031 adopted in September 2018 and triggers a requirement under Policy H3 - Affordable Housing, to provide for 40% of the completed dwellings as affordable.</p> <p>The Council's preferred tenure split reflects the overarching need for affordable rented homes and is therefore sought as; a ratio of 2:1 in favour of affordable rented homes (66% affordable rent to 33% shared ownership). Of these the Council will seek in broad terms a scheme mix of; 65% smaller homes (1 and 2-bed) for singles, couples, small families, elderly. The residual 35% will be for family sized homes (2, 3 and 4-bed) of principally 4 persons and above. Layout P18-2285 04P reflects that these ratios will be achieved.</p> <p>Having examined those who are registered on the Council's Homeseeker Plus System that have indicated a wish to rent a home in Bampton, I can confirm 193 households who have a preference for Bampton, 24 of whom have a local connection.</p> |
| I.7 | Wildlife Trust | No Comment Received. |
| I.8 | Conservation Officer | <p>Agree about chimneys - preferably they all need them, but as a minimum the plots at nodal or prominent points, viz: all those around the perimeter of the site, plus 1 to 6; 148 to 153; 10 to 14; 22 to 36; 111 to 113; 101 to 103; 43 to 47; 48 to 54.</p> <p>- The windows need to be flush and balanced throughout.</p> <p>And with respect to the detailed designs:</p> <p>- AA23V1, AA23V2, AA23V4, AA23V5, AA33V1, AA33V2, AA33V3, AA31V3, AA31V5, AA31V6, AA31V7, AA31V8, PD30V1, PD30V2, PD30V3, need the front first floor windows lined over the doors.</p> <p>- The apartment block is reasonably well handled with respect to massing and roofscape, but it will be huge thing, and it would also be a tad repetitive and monotonous. I also think those large areas of brick would be somewhat uncharacteristic. I agree that brick should be used as a light seasoning on this scheme, to break up stonework, but not on this one - or at least not on all of it. They could maybe use it for the ground storey, with stone or render over, which would also help to mitigate the monotony of the elevations.</p> <p>- NA50 would benefit from having the cross wing inset a little, and the main roof expressed as a gable on the flank wall - I have marked up their drawing. And I don't think that the roof pitches are consistent on the elevations.</p> |

I.9	Environment Agency	No Comment Received.
I.10	Major Planning Applications Team	No Comment Received.
I.11	ERS Env. Consultation Sites	This proposed development was granted (16/03415/OUT) subject to a planning condition no 17, which required various contaminated land technical assessments and submissions prior to commencement of the development. This reserved matters submission does not appear to have been accompanied by any of the assessments required for me to consider discharging condition 17, therefore I have no further comment at this time in relation to land contamination matters.
I.12	WODC Env Health - Lowlands	I have No objection in principle and no further comments to make.
I.13	WODC Housing Enabler	<p>The site falls within the medium value affordable housing zone as defined in the Local Plan 2031 adopted in September 2018 and triggers a requirement under Policy H3 - Affordable Housing, to provide for 40% of the completed dwellings as affordable.</p> <p>The Council's preferred tenure split reflects the overarching need for affordable rented homes and is therefore sought as; a ratio of 2:1 in favour of affordable rented homes (66% affordable rent to 33% shared ownership). Of these the Council will seek in broad terms a scheme mix of; 65% smaller homes (1 and 2-bed) for singles, couples, small families, elderly. The residual 35% will be for family sized homes (2, 3 and 4-bed) of principally 4 persons and above.</p> <p>This application includes 3 x 4 bedroomed homes in the provision for shared ownership tenure. Due to the affordability of property in Bampton, we feel that there would be a lack of uptake for these and that they would better serve the local housing need as 2 or 3 bedroomed homes. As such, we request that the applicant re-configures the scheme to reflect this.</p>
I.14	WODC Landscape And Forestry Officer	No Comment Received.
I.15	Thames Water	No Comment Received.

2 REPRESENTATIONS

2.1 Twenty eight representations have been received, objecting on the following summarised grounds:

- Impact on drainage and flood risk.
- The latest drainage proposals by Taylor Wimpey seem to need stringent review.
- Amount of housing disproportionate to size of village and over-development.
- Impact on village life and identity.
- Detrimental to eastern approach to village and impact on landscape.

- Inadequate facilities and impact on infrastructure, particularly doctors and school.
- Impact on highway safety.
- Single access point unacceptable.
- Mount Owen Road is too narrow to provide access. It would be better to access from Aston Road.
- Roads in poor condition.
- Highway network inadequate.
- Inadequate public transport. Site poorly located for cycling and walking.
- Increase in traffic and pollution.
- Will lead to parking on Mount Owen Road.
- Site cannot be considered sustainable. Benefit will not outweigh harm.
- Scale of flats disproportionate.
- Starter homes and smaller units would be preferable.
- Disturbance and pollution.
- Impact on the character and appearance of the area.
- Character of modern housing has little in common with Bampton.
- Materials should be Cotswold stone.
- High parking demand and parking congestion in the village leading to inconvenience and loss of trade.
- Public consultation by developer inadequate, and submission didn't take account of community engagement exhibition.
- Precedent for further development will be created.
- Sewerage and water supply inadequate.
- Impact on attraction to visitors and tourism.

2.2 The Society for the Protection of Bampton object as follows:

- This estate represents an extension of built environment outside the normal village "envelope". It is at one of four gateways to the village, a village comprising a variety of styles but which in the main in the face it shows to the world is constructed in the Cotswold vernacular. Following the success of "Downton Abbey" Bampton is very much on the tourist route and I understand the Council favours tourism and therefore it is important to maintain and enhance the tone and appearance of the existing houses.
- I have looked at the plans for the housing and have not found anything in them to be recommended. No flair, no taste and no sympathy for the surroundings. This from a company that purports to be consumer-centric and last year reported an annual profit of £800 million. Surely they can afford to employ an architect with a feel for the position and the village.
- I believe the Council requires developers to "respect the landscape character of the locality" and that the development should "enhance the character and quality of the surroundings". These proposals do neither. As a start all the houses should be built in local stone and all the road-facing properties should be roofed in Cotswold stone slates. White render should be banned and the 3 storey block in the centre should go.
- There is only a provision of 23 visitor parking spaces across an estate of 160 dwellings. This must be woefully inadequate and if it leads to clogging in the already narrow Mount Owen Road potentially dangerous.
- I appreciate that access was a matter decided when permission was granted but it should be reviewed to look at access from the Aston Road which would be much more sensible. I

doubt if the developer would object as it would ease access for building. Appearance, however, becomes even more important.

- The building of a new estate by one of the UK's top builders should be an opportunity for it to showcase its environmental credentials. There is mention of retaining existing trees on boundaries and protecting a badger sett in the particulars but how about swift boxes or bricks, provision for hedgehog runs etc. Also it would be wrong to allow a big estate to go ahead now fuelled by gas. There are well-known green alternatives, which could be used on an estate wide basis.
- The SPB has acquired and has access to a considerable amount of expertise on this topic. Because of the widespread flooding in Bampton in 2007 it is a sensitive subject. We are very concerned about the adequacy of drainage from the site.

3 APPLICANT'S CASE

3.1 The application is accompanied by a number of supporting documents which are available to view online. The planning statement is concluded as follows:

- The submission of this application for the approval of reserved matters is made pursuant to outline planning permission (ref: 16/03415/OUT) for: "Reserved Matters application for the construction of 160 dwellings and provision of public open space with associated infrastructure and earthworks, pursuant to outline planning permission 16/03415/OUT."
- Reserved matters approval is sought for the phased development of 160 dwellings, with a mix of 1, 2 apartments and 3, 4, and 5 bedroom homes. 64 dwellings (40% of this development) are proposed for affordable housing.
- The details submitted are in general accordance with the parameters approved under the original outline planning permission and will result in the delivery of an appropriate form of development and an enhanced edge to Bampton. The new homes will be set within a strong landscape framework which will integrate the proposals with the wider landscape and retain views through to the Church spire.
- Taylor Wimpey are committed to the early delivery of the site following the grant of reserved matters approval which will deliver much needed market and affordable housing in the District.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH7 Flood risk

EH8 Environmental protection

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking and cycling

T4NEW Parking provision

H2NEW Delivery of new homes

H3NEW Affordable Housing

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

5 PLANNING ASSESSMENT

5.1 The applications seeks reserved matters consent for the construction of 160 dwellings and provision of public open space with associated infrastructure and earthworks, pursuant to outline planning permission 16/03415/OUT which was permitted in 2017 with all matters reserved except access. The application has been amended during the course of consideration.

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

5.3 Bampton is classified in the Local Plan 2031 as a village. Based on the settlement sustainability assessment (November 2016) the village is the most sustainable of the villages assessed in terms of services and facilities available.

5.4 The village benefits from a range of services, including a primary school, community buildings, sports facilities, pubs and shops. Therefore, on the basis of its location and facilities, it is considered to be a suitable location for new housing development.

5.5 All matters of principle have been established by the outline permission for up to 160 dwellings. This proposal is providing 40% affordable units, and after negotiation with the housing officers they have amended their offer so it is a better fit with the need in West Oxfordshire.

5.6 It is considered that this proposal is broadly in accordance with the indicative plans included in the outline permission and the principle is therefore established.

Siting, Design and Form

5.7 The proposed layout is in accordance with the indicative layout from the outline application, with an additional emergency access to the south western corner for use by cyclists and pedestrians to connect with the existing footpath network.

5.8 The layout shows a larger block of apartments located centrally within the site and less dense development on the periphery of the site. The apartment block is three storeys high but the majority of buildings are two storey domestic scale, a combination of detached, semi detached and terraced. The materials proposed across the site are recon stone, render and some red brick.

5.9 Officers requested changes to the amount of brick being used across the scheme, and some other detailing such as additional chimneys and amended plans have been received addressing these comments.

- 5.10 The window details shown on the elevations are not in accordance with the West Oxfordshire Design Guide and details will be conditioned to ensure that only plain balanced casements with no internal glazing bars or overly ornate detailing.
- 5.11 The green space is to the east and south of the site with a view cone to the church as indicated on the indicative layout, with hedging being retained along the boundaries to soften the development from public viewpoints. There will be some additional planting in these areas.

Drainage

- 5.12 The site is within Flood Zone 1 and therefore at low risk of flooding. However, Officers are very aware that drainage is high on the local agenda and many of the representations have cited it as a concern.
- 5.13 Surface water drainage was conditioned at the outline application stage and the drainage scheme details are to be approved under discharge of conditions for the outline application. That information is currently being assessed by the County Council in their role as Lead Flood Authority. They had objected to the initial scheme and further information has been provided. Although the drainage is being considered outside of this application as a separate matter, changes to the drainage may have an impact on site layout so they are intrinsically linked.
- 5.14 The surface water drainage condition on the outline application states that development may not begin until the drainage details have been discharged.
- 5.15 It is hoped officers will be in a position to provide an update at the committee.

Highways

- 5.16 The outline application considered the potential highways impacts arising from a development of this scale in this location, and a number of conditions were imposed which will be discharged separately.
- 5.17 County as Highway Authority have been consulted on the reserved matters scheme and their comments are as follows:
- Level of car parking provided is above Oxfordshire County Council's standards. The site proposes to provide 386 allocated bays (including 82 garage bays) and 23 visitor bays. Oxfordshire County Council's standards are a maximum and state that the site should provide a maximum of 317 allocated bays and 69 unallocated bays (which include visitor spaces).
 - No information has been provided regarding cycle parking. Oxfordshire County Council's Cycling Design Standards state the number of spaces that need to be provided and also state the cycle storage needs to be secure and conveniently located to promote use.
 - Site access was assessed and determined at outline stage and a S278 agreement is currently being drafted which includes the agreed highway infrastructure required. Despite the Statement of Community Engagement stating that controlled crossings are being provided this is not the case and as determined at outline stage uncontrolled crossings are being provided on Mount Owen Road.

- The applicant proposes to create a new emergency access, despite the Local Highway Authority not requiring this at outline stage, this is deemed beneficial to the site for pedestrians/cyclists and is accepted.
- A Section 38 agreement will be required in order to adopt the internal roads, more information is required prior to this being agreed, details have been listed below.

5.18 The applicant has submitted amended information to address some of these matters but at the time of agenda preparation OCC had yet to comment on the changes. However, your officers consider it in any case sufficient to overcome those initial concerns.

5.19 Although it is not required of the outline, the applicant is also investigating the possibility of creating an access for construction traffic directly from Aston Road but this does not form part of this application and cannot be taken into consideration at this stage, as this application has to be considered on its merits. If the access is achievable, a further planning application will be required to permit that access on a temporary basis for the duration of the construction period.

Residential Amenities

5.20 The development has been designed with the minimum recommended distance of 21m between rear facing windows, and each property has adequate amenity space and sufficient parking.

5.21 Because of the distances involved, and the separation by Mount Owen Road, it is not considered that the residential amenities of properties outside the site will be unduly harmed by this development.

5.22 On these grounds it is considered that the proposal accords with policies OS4 and H2 of the Local Plan.

Conclusion

5.23 The site is considered to be in a sustainable location, in a large village and it relates well to existing development.

5.24 Part of the site would remain undeveloped and would be landscaped. The limited harm arising from loss of open space is, in this case, outweighed by the benefit of providing new housing in a suitable location, and in any event the principle was accepted at outline stage.

5.25 Existing trees and hedgerow would be retained, save for limited removal to facilitate access to the development. The development would therefore sit within an established landscape setting, and additional landscaping will be provided.

5.26 The access and parking are acceptable in highways terms.

5.27 There would be no impact on protected species and mitigation and enhancements for wildlife have been addressed at the outline stage and with reference to the submission under this application.

5.28 The design, layout and landscaping scheme are appropriate and there would be no material harm in terms of privacy and amenity.

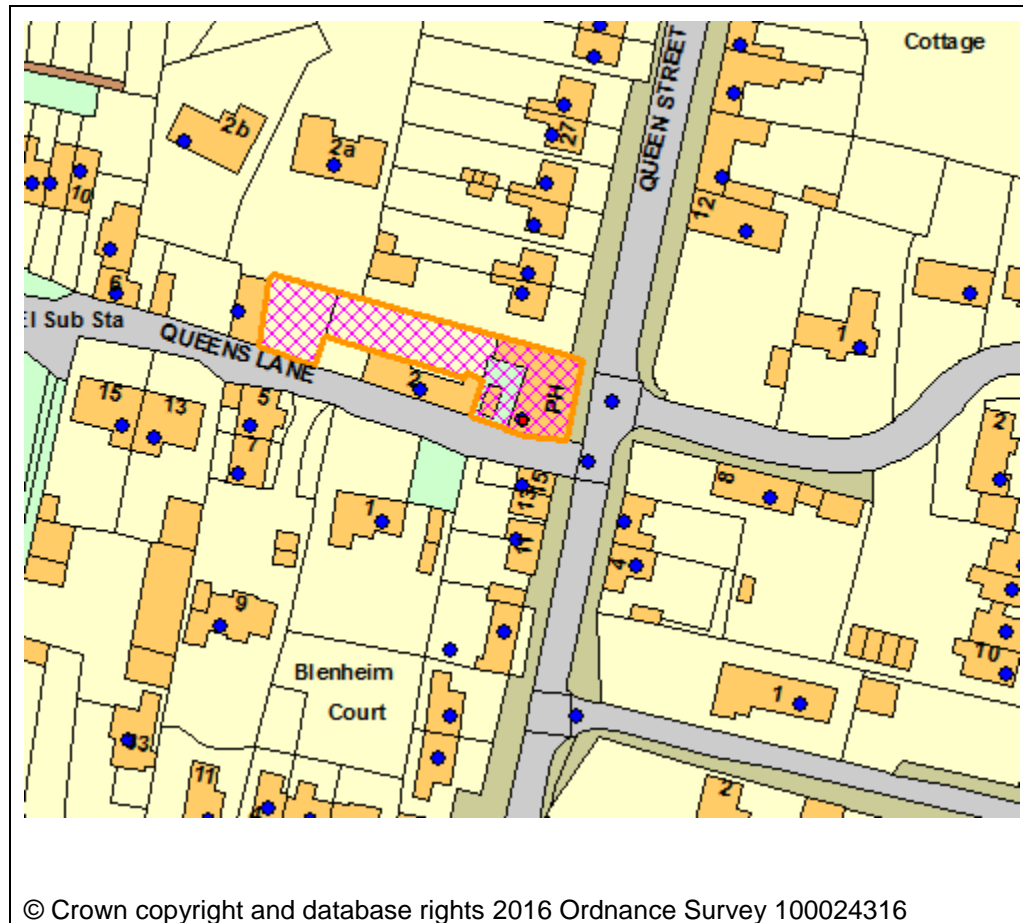
5.29 Having taken into account material planning matters, the acceptability in principle of the site established under the outline permission, and the details now provided, it is considered that the proposal complies with the Local Plan and NPPF. It is therefore recommended that the application is approved, subject to the resolution of the drainage matters.

6 CONDITIONS

I A provisional list of conditions will be included within the Additional Representations report.

Application Number	19/01364/FUL
Site Address	Queens Head 17 Queen Street Eynsham Witney Oxfordshire OX29 4HH
Date	31st July 2019
Officer	Claire Green
Officer Recommendations	Refuse
Parish	Eynsham Parish Council
Grid Reference	443462 E 209365 N
Committee Date	12th August 2019

Location Map



Application Details:

Erection of pizza shack and oven for consuming on the premises and take away. (Retrospective)

Applicant Details:

Mr Mark Crocker, Queens Head, 17 Queen Street, Eynsham, Witney, Oxfordshire, OX29 4HH

I CONSULTATIONS

- I.1 Parish Council Whilst Eynsham Parish Council has no objection to The Queen's Head application, it is disappointed that the application is retrospective.
- I.2 WODC Env Health - Lowlands ERS Pollution Consultation: I have made a site visit and have the following current observations:
- In principle I have no objection, but I am also aware of current nuisance complaints of (dark) smoke from neighbours. This being the case, I think the chimney will have to be far higher than it currently is. There may also be a need for a fan to exhaust the smoke and gases at a higher height. I suggest advice is taken from the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems. Dr Nigel Gibson' (A full copy of this document is available to view online as part of this planning application) and from specialists who deal with pizza ovens. I draw your attention to the discharge stack height guidance contained within it i.e 1m above the roof ridge of any building within 15m of the vent serving the kitchen.
- Would you be able to ask the applicant to consider submitting further details around a higher flue stack discharge and suitable terminal cowl in-accordance with best practice? If new drawings are forthcoming showing desirable amendments, then these could be conditioned on any permission granted. I think I would want to see design details before suggesting a generic condition.
- I think the service, cleaning and general maintenance of the flue and oven is another point which could be mandated by condition.
- I will wait to see if any further new advice is forthcoming before commenting finally.
- I.3 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
- Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission.
- I.4 Conservation Officer Firstly we note that Queens Lane is a characterful route through the Conservation Area and secondly we note that, even with the gates closed this structure is extremely prominent. It is an extremely significant development in this context.
- Turning to the building itself, we note that it is of deeply uncharacteristic form and materials. There is a barrel roof in corrugated metal and there are elevations in corrugated metal - all

completely alien to the conservation area. We also note that the structure appears to be of poor quality, and is all of a decidedly ad hoc nature.

As such the development is considered contrary to EH9 and EH10 of the West Oxfordshire Local Plan 2031.

2 REPRESENTATIONS

2.1 In addition to the responses summarised below, the applicant has submitted a petition of support from customers and villagers. The petition has been signed by 206 people.

2.2 Summary of responses:

2.3 Support Comments - 6

Mrs M Fletcher, 11 Queen Street. Benefit for local people. No significant increase in parking.
Mr B Hammersley, 1 Orchard Close. Important amenity for the village. Not aware of adverse impact on traffic, parking, access, air quality.

Mrs Jane Thompson, 15a Newland Street. The pub is a great community asset. Cooking smells not offensive.

Mr F Logan, 1 Queens Lane. The Queens Head is a revitalised pub with excellent facilities for the community. Pizza oven popular, not intrusive. Never encountered congestion or inconvenience. Strongly support this application.

Miss D Carverhill, 15 Queen Street. No objection. Shack visible from bathroom window, no nuisance. Good village facility. Seemingly no increase in traffic.

Ms L Barlow, 4 Bitterell. Pizza shack is an asset. No noise, smoke or aroma.

2.4 Objections - 2

Mrs J Bremble, 23 Queen Street. Smoke nuisance, all day, every day, including weekends. Nasty toxic smell. Unable to have windows open. Unable to hang out washing. Unable to enjoy garden. Smoke from the pizza oven becomes trapped to the side of the house - unable to open hallway and bathroom windows. Increased traffic and parking problems.

Mr & Mrs CP Clarke, Queens Lane. Existing parking problems exacerbated. Road blocked by customers on more than one occasion.

2.5 Full comments can be found on the council's website.

3 APPLICANT'S CASE

3.1 The new landlord of the Queens Head has advised that the outdoor pizza oven was an experiment to see if there was a demand. He has advised in writing that there is a demand. He states that it is now one of the reasons that makes the Queens Head a great place to eat drink and socialise.

3.2 Due to the restriction of space in the kitchen he advises that he wouldn't be overstating it's importance to the viability of the business.

3.3 As part of his case he has submitted supporting signatures of customers.

4 PLANNING POLICIES

T4NEW Parking provision

T1NEW Sustainable transport

EH10 Conservation Areas

EH11 Listed Buildings

EH9 Historic environment

OS2NEW Locating development in the right places

OS4NEW High quality design

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

5 PLANNING ASSESSMENT

5.1 This is a retrospective application that has been submitted in an attempt to regularise the siting of a wood fired pizza oven within the yard area serving the Queens Head pub. The breach of planning control came to light following receipt of a complaint.

5.2 The site is located within the Eynsham Conservation Area. The yard area can be accessed via Queens Lane.

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 The outdoor pizza shack and wood fired pizza oven is located within the curtilage of the Queens Head public house. Therefore, the principle of development to serve a customer need is considered acceptable subject to design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031.

Siting, Design and Form

5.5 The Queens Head is located on Queen Street in Eynsham village. The rear yard of the Queens Head can be accessed and is visible from Queens Lane which runs West from Queen Street. The outdoor pizza shack is situated in the rear yard to the West of the Queens Head public house, the pizza shack preparation area works in conjunction with an adjacent wood fired pizza oven.

5.6 The site is within the built up residential area of Eynsham with no.s 19 and 21 Queen Street to the North, no.s 15 and 13 Queen Street, and no.1 Queens Lane to the South, no.2 Queens Lane to the West.

5.7 The nearest Listed Building sits approximately 100m to the North.

5.8 The retrospective application seeks to regularise the development of a single storey building constructed of mixed metals with corrugated tin roof, corrugated tin cladding and Perspex canopy. Officers are of the opinion that the building appears as a permanent structure which as a result of its prominence, form and construction harms the appearance of the Eynsham Conservation Area.

- 5.9 The design and materials are contrary to EH10: Conservation Areas, as they do not 'Conserve or enhance the special interest, character, appearance and setting'.
- 5.10 The design and materials are contrary to EH9: Historic environment as they do not 'Conserve and/or enhance the special character, appearance and distinctiveness of West Oxfordshire's historic environment'.
- 5.11 The design is contrary to OS4: High quality design, 'New development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings.'
- 5.12 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.

Highways

- 5.13 The site has existing limited vehicular access to the yard at the rear of the Queens Head, (one-way only via Queens Lane), or to the front of the Queens Head on Queen Street. Pedestrian access is available to Queens Lane and Queen Street.
- 5.14 There are no dedicated parking areas, on-street parking is available in Queen Street. Policy T4 requires that development proposals which significantly increase car parking demand will be expected to make appropriate public car parking provision or equivalent financial contributions.
- 5.15 The Highways Authority has been consulted on the application and has raised no objections in respect of highway safety and convenience on the adjacent highway network.

Residential Amenities

- 5.16 Given the nature of the outdoor pizza shack and adjacent wood-fired oven, the use gives rise to an adverse impact in regards to neighbouring amenity. The odours and emissions created from burning wood are not satisfactorily discharged by the chimney stack. The development is contrary to Policy OS2 'Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants'.
- 5.17 As per paragraph 117 of the NPPF, planning policies and decisions should safeguard and improve the environment and ensure safe and healthy living conditions.
- 5.18 Officers are of the opinion that the outdoor pizza shack and adjacent wood-fired oven does not add to the overall quality of the predominantly residential area and only offers a short-term benefit without enhancing the appearance now, or in the future. Indeed harms adjoining residential amenity.

Business Case

- 5.19 Officers have given careful consideration to the business case for the provision of preparing and cooking food - for consumption on the premises and for take-away, and understand the importance of this for the viability of the business. However, this same business could be achieved by designing a building more appropriate to the setting, with acceptable materials and with consideration to the guidance as given by environmental officers.
- 5.20 The council has a duty to consider that businesses are expected to follow planning procedure and regulatory obligations and that protection should be given to ensure that businesses that have the relevant permissions are not dis-advantaged by those who don't.

Conclusion

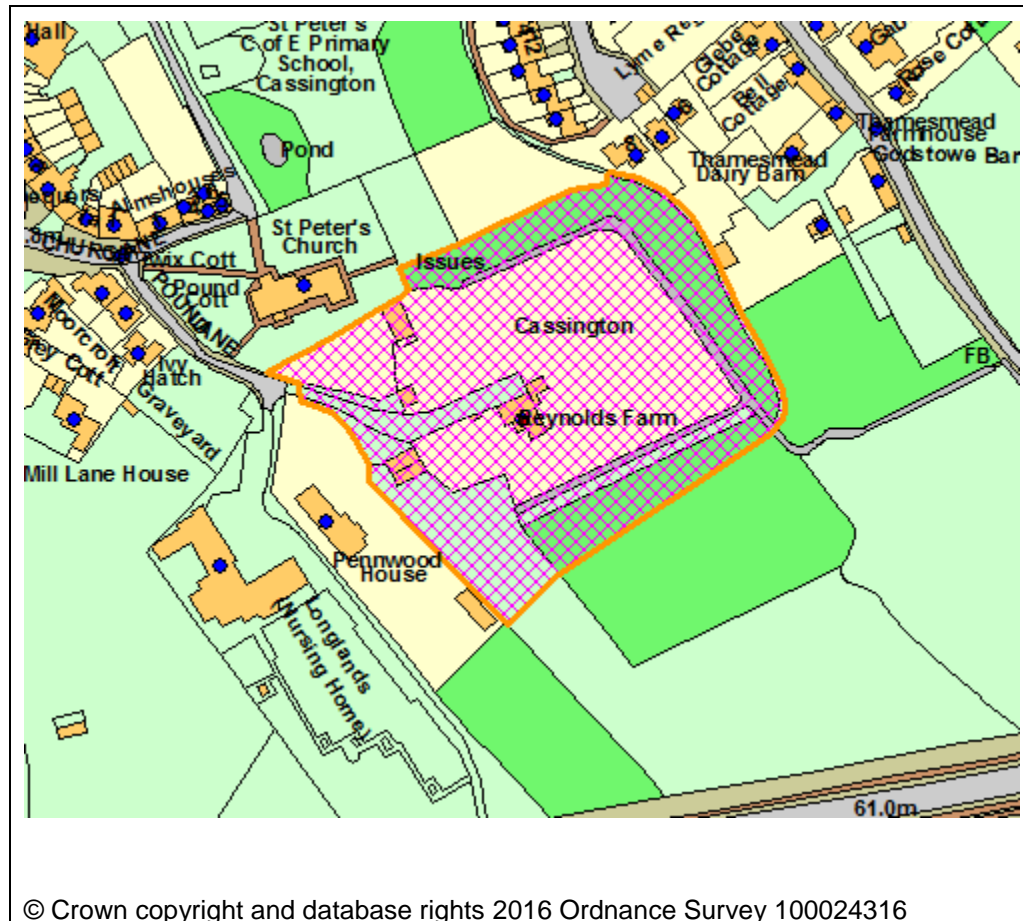
- 5.21 Having assessed the application, officers consider that the outdoor pizza shack and adjacent wood-fired oven, by reason of its design and form would result in less than substantial harm to the appearance of the Conservation Area. This is insufficiently outweighed by the limited public benefits associated with its use and which would equally arise from a better designed structure that does not cause the harms.
- 5.22 The guidance related to chimney stack height indicates a required height 1m above the roof ridge of any building within 15m of the vent. A chimney stack of this height is unlikely to be supported in this location and would further compound the visual impact.
- 5.23 Officers therefore consider that the development is contrary to the provision of policies EH9, EH10 and OS4 of the Adopted Local Plan 2031 and the relevant paragraphs of the NPPF.
- 5.24 For the reasons expressed above officers recommend that permission should be refused.

6 REASONS FOR REFUSAL

- 1 By reason of its design and uncharacteristic form and materials, corrugated metal walls and roof, the outdoor pizza shack and wood fired pizza oven appears as an alien and intrusive feature when viewed from Queens Lane, which is generally characterised by stone built dwellings of a vernacular form. As such the development fails to either conserve or enhance the character and appearance of this part of the Eynsham Conservation Area and as such is considered contrary to policies EH10, EH11 and OS4 of the Adopted West Oxfordshire Local Plan and relevant paragraphs of chapter 16 of the NPPF. The less than substantial harm is not considered to be outweighed by the public benefits of the proposal.
- 2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the pizza shack and adjacent wood fired pizza oven will not adversely affect the residential amenity of the neighbouring properties by way of smoke and odour emissions. As such the development is considered contrary to policy OS2 of the adopted West Oxfordshire Local Plan and paragraphs 90, 117, 127 and 180 of the NPPF.

Application Number	19/01391/FUL
Site Address	Reynolds Farm Pound Lane Cassington Witney Oxfordshire OX29 4BN
Date	31st July 2019
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Cassington Parish Council
Grid Reference	445548 E 210563 N
Committee Date	12th August 2019

Location Map



Application Details:

Conversion of a former barn to two residential units. (Retrospective).

Applicant Details:

Mr Matthew Walls, Reynolds Farm, Pound Lane, Cassington, Witney, Oxfordshire, OX29 4BN

I CONSULTATIONS

I.1 Biodiversity Officer

As no bat and barn owl survey was carried out before the conversion of the barn was commenced, then the LPA must apply the precautionary principle and assume that bats and barn owls were present and therefore mitigation is required. I recommend that in this case, at least 3 externally mounted bat boxes, at least 3 raised ridge tiles (or other roof slope tiles), 1 no. free-standing barn owl box on a pole and 1 no. barn owl box in a tree are all required as mitigation. The details of the provision for roosting bats and barn owls must be confirmed by the applicant by way of a condition of planning consent.

I have taken a look at the application site on Maps Online to check the location and the potential for bats to be present. There is an existing bat roost record within 300 metres of the application site and it is surrounded by trees, hedgerows, linear woodlands, wetlands and woodlands in the wider landscape. These habitats increase the likelihood that bats are present. There are also grasslands providing potentially suitable habitat for foraging barn owls.

Mitigation required:

Externally mounted bat boxes; 2 no. Kent style timber or woodcrete bat boxes on the 2- storey gable end (e.g. either side of window close to apex) and 1 no. Kent or woodcrete bat box on the opposite gable end above the single-storey roof.

3 no. raised ridge tiles or other roof slope tiles (or combination of both) to provide space beneath for roosting pipistrelle bats, installed within the 2-storey roof element of the building.

1 no. free-standing barn owl box on pole at suitable location in accordance with Barn Owl Trust best practice guidance: <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-pole-nest-box/> and 1 no. barn owl box in a suitable tree in accordance with: <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-nestboxes/>

Condition should require full specification of all details of what is to be provided - suggested condition wording as follows (highlighted text in red may need to be amended re. timing of submission and implementation of works):

Full details of the following mitigation measures for bats and barn owls shall be submitted to the local planning authority for approval within 3 months of the date of consent

a) Externally mounted bat boxes; 2 no. Kent style timber or woodcrete bat boxes on the 2-storey gable end (e.g. either side of window close to apex) and 1 no. Kent or woodcrete bat box on the

opposite gable end above the single-storey roof

b) 3 no. raised ridge tiles or other roof slope tiles (or combination of both) to provide space beneath for roosting pipistrelle bats, installed within the 2-storey roof element of the building

c) 1 no. free-standing barn owl box on pole at suitable location in accordance with Barn Owl Trust best practice guidance: <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-pole-nest-box/> and 1 no. barn owl box in a suitable tree in accordance with: <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-nestboxes/>

The details shall include drawings showing the types of features, their locations within the site and their positions on the elevations of the building, and a timetable for their provision. The approved details shall be implemented within 6 months of approval and thereafter permanently retained.

REASON: To provide roosting sites for bats and nesting for barn owls as compensation for loss (precautionary principle) and biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

I.2 Parish Council

The Parish Council (PC) would make the following comments: Reynolds Farm is an important site of significant historic and architectural interest that sits within the Cassington conservation area. In its listing the farm house is described as a "substantial postmedieval house built on a large medieval moated site close to the village centre and church.

It is the view of the PC that any development must be appropriate and respect the significance of the site.

Due to the extent of the development that has been undertaken to date, it is evident that further (retrospective) applications will need to be submitted by the applicant for development at the site which is not included within the current applications.

The PC does not consider that it is appropriate that the current planning applications are considered in isolation from any future retrospective applications.

Therefore the PC considers that ideally one combined application should be submitted that covers all of the work undertaken to date, or alternatively separate applications should be submitted simultaneously for all of the development.

This approach would allow for the full extent of the development to date to be understood and properly considered, and would allow any future applications to be viewed in the context of any development already undertaken.

Further, the PC would like to understand whether the works to the main house approved in 2014 (applications 14/0585/P/FP and 14/0586/P/LB) have been undertaken in accordance with permissions and consents and would therefore request copies of any relevant discharge notices.

The concern of the PC is that it appears that significant landscaping works have been undertaken around the main house and the PC would like to understand whether these works were approved as part of the 2014 application, or whether the works are to form part of a further retrospective application.

- | | | |
|-----|------------------------------|---|
| I.3 | WODC Planning Policy Manager | No reply at the time of writing. |
| I.4 | OCC Highways | OCC Highways officer has verbally confirmed no objection at the time of writing. |
| I.5 | Conservation Officer | This is a fairly characterful curtilage-listed structure, in close proximity to the fine Grade I listed church - noting that it abuts the church boundary wall, and is very prominent in views from the churchyard. It is also in close proximity to the Grade II listed farmhouse, and the Grade II listed dovecot. Thus, it is a significant building in the setting of a range of statutorily listed structures. |

The building itself is of typical low-lying agricultural form. Judging from our historic mapping it appears to date largely from the turn of the C20 - although the southernmost part may well be earlier. It appears to have been used as a small barn, animal shelter or perhaps a cart shed - and it is notable that our earlier mapping shows a section of the west elevation as open sided. As it currently stands, there is a characterful red clay pan-tiled roof, probably from the works around Bridgewater, in Somerset, and there is timber cladding to the gable ends - all retained from the pre-converted structure, or replaced like-for-like.

The conversion included relatively minimal change to the external envelope - there are some new rooflights, perhaps a little large, and there are new windows to existing wall openings - using metal framed units that suit the utilitarian character. Internally, there is some modest new partitioning, making no great impact.

So, in summary, it appears that this conversion chimes with our usual guidance - and from our point of view, this retrospective application

is supportable.

- 1.6 ERS Env. Consultation Sites Having looked at the information accompanying the application I am unclear of the previous use of the barn. No information on land quality has been provided. So, I have insufficient information to decide whether land contamination is a consideration in the application.
- I believe that the applicant should as a minimum at this stage submit a description of the known history of the building's uses to allow us to assess whether land contamination may be a factor in the determination of this application.
- Particular potentially contaminative sources that may affect the land include the former use of agrichemicals, storage of diesel fuel oils, general farmyard activities (spillage of fuel oils, waste oils, grease and other waste farm products), all of which may have impacted upon the local environment.
- Please could the applicant confirm if they are aware of any potentially contaminating uses of the building and/or surrounding area.
- 1.7 WODC Env Health - Lowlands No objection in principle to this conversion.
- 1.8 Thames Water No reply at the time of writing.
- 1.9 OCC Archaeological Services No reply at the time of writing.

2 REPRESENTATIONS

- 2.1 Mrs Sue Hemingway of Pennwood House, Pound Lane, Cassington and Dr John Hemingway, Churchwarden St Peter's Church Cassington c/o Pennwood House, Pound Lane, Cassington have commented on the application as follows:
- Reynolds Farm is a listed property in a conservation area. My main concern and reason for objecting to the refurbishment of the former farm out building is that until I am reassured that due diligence has been carried out reference the planning and building regulations I feel I cannot support the development.
 - The building is situated on the church wall of St Peters, a Grade I listed Norman church about to celebrate its 900th year. It is very close and as we all know from recent events in Paris, the unthinkable can happen. This sensitive positioning finished without any planning permission is a cause of concern. In the past the planners together with the Parish council have been at pains to make sure that any developments in our conservation area enhance our village and ensure its value for the future both historically and architecturally, even down, rightly in one development, to making sure vistas of the church were not blocked.
 - Re my concerns of safety and proper signing off of building works carried out I was advised by West Oxfordshire to look at the building regulations site and could find no applications

for permissions here either for any developments at Reynolds Farm, again I find this concerning although that may be my error in reading the website. Perhaps this should be looked into?

- I am at a loss as to how the planning authorities haven't treated this new development with the same rigour as other buildings in Cassington. It is now finished and is two residential units, already being used.
- On the same property another barn was converted to two residential units, and developed before the latter barn 19/01391/FUL in 2017. It appears on airbnb and I am told this did not have planning permission either. That is my second concern, the over development of the property, that is an extra four residential units. If these are allowed to pass without any inspections or approvals, who is responsible if anything wasn't done correctly? Does that also mean that other residential developments will be allowed to take place on the property without any scrutiny?
- Specific to the building in question there is a window which overlooks directly the newly designated ashes burial plot and if I were having to tend a grave or have a ceremony there I would find it particularly intrusive.
- Archaeologically I have been concerned as there has been a lot of groundwork involved with the development and trenches have been dug, so my question here would be were the historical experts involved at any stage as should have been the case? The overall building work concerns me ecologically too as there has been a lot of ground cleared and hopefully this hasn't upset the wildlife, plants or trees, again which we are all trying to protect, especially here in Cassington.
- If a property is in a conservation area and is also listed then that carries with it a responsibility by the owner to get the appropriate permissions to do any sort of development. Otherwise I can't quite see the point of bothering. St Peter's Church is in the centre of the village and its architectural value and safety should be respected, as should the whole of the conservation area.
- The development adjoins the southern boundary wall of St Peter's churchyard, which is effectively a party wall, and it is the closest building to the church, only a few metres away from the east end.
- It is regrettable that this development, at the heart of a conservation area, went ahead without any apparent involvement from conservation or heritage specialists.
- We also believe that a new sewer was laid to the development, and if so was any archaeological inspection of the trench work required and carried out?
- In its consideration of this proposal, the PCC of St Peter's church would therefore expect WODC to provide assurance and confirmation that all the works that were done with this development have met all regulations and requirements, and that the development does not cause detriment to the church's unique historic and cultural value. The PCC also seeks assurance that the work has been carried out without any increase in risk of damage to the church in the unfortunate event of a fire spreading from this development to the church building.

3 APPLICANT'S CASE

3.1 A statement by the applicant submitted with the application advises as follows:

- Dove House is part of Reynolds Farm. Dove House is a Grade II listed building with unlisted outbuildings surrounding the main house. The planning relates to the refurbishment of the outbuilding of which there are no changes to existing outbuilding other than repairs and internal insulation to bring the building up to current environmental and building regulations, refurbishment to bathrooms and kitchens are to the highest standards to bring them in line with current habitable use.
- No Change to style of existing building.
- Landscaping will be as is.
- No change to the existing building size.
- The building is unchanged. All materials and workmanship for repairs have been carried out using existing materials which are sympathetic to the existing property.
- No trees, boundaries or parking will be disturbed or altered.

4 PLANNING POLICIES

EH10 Conservation Areas

EH11 Listed Buildings

EH9 Historic environment

OS1NEW Presumption in favour of sustainable development

OS4NEW High quality design

OS2NEW Locating development in the right places

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

T1NEW Sustainable transport

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

- 5.1 This retrospective application has been submitted following a complaint alleging unauthorised work to a building located within the grounds of Reynolds Farm, a Grade II listed building. Following investigation into the complaint it came to light that the building was being refurbished externally and altered internally in order to provide two units of ancillary accommodation to serve the main dwelling house on the site.
- 5.2 The site abuts the graveyard serving St Peters Church, Cassington which is a Grade I listed building.
- 5.3 The site is also located within the Cassington Conservation Area and the Oxford Green Belt.

5.4 By virtue of its relationship with both the listed dwelling and the listed dovecote the building is considered by officers to be curtilage listed.

5.5 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;

Impact of the architectural character and integrity of the curtilage listed building and the setting of nearby listed buildings;

Impact on the character and appearance of the Cassington Conservation Area;

Impact on the amenity of visitors to the adjoining churchyard;

Impact on Highway Safety;

Impact on Ecology;

Impact on Archaeology;

Other.

Principle

5.6 From a policy perspective in terms of the conversion of traditional buildings to alternative uses and Green Belt policy the principle of converting the outbuilding for use as ancillary accommodation to serve the main dwelling on the site is acceptable (compliant with policies EH12 and OS2 of the West Oxfordshire Local Plan and relevant paragraphs of the NPPF).

Impact of the architectural character and integrity of the curtilage listed building and the setting of nearby listed buildings

5.7 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 195 and 196 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset.

5.8 The works that have taken place externally to the building which is of a typical low lying agricultural form are relatively minimal changes to the external envelope, utilising metal framed windows in former openings that are considered to suit the utilitarian character of the former agricultural building. The external materials that have been used are considered to reflect those used in the pre-converted structure. Internally there is some modest partitioning that is not considered to result in material harm to the architectural integrity of the curtilage listed building. In addition given the merits of the external works as cited above, notwithstanding the very sensitive historic context within which the building is located, the setting of the nearby listed buildings is considered to be preserved. In light of the above, the retrospective works are considered to respect the character and appearance of the former agricultural building and as such the development is considered compliant with EH11 of the adopted West Oxfordshire Local Plan, relevant paragraphs of the NPPF and the statutory requirements of S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on character and appearance of the Cassington Conservation Area

- 5.9 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this regard the relatively minor alterations to the external elevations of the outbuilding as part of the residential conversion/s are considered to respect the special qualities and historic context of this part of the Conservation Area and as such preserve and conserve the character and appearance of the Conservation Area in accordance with the statutory requirement under S72(1), policy EH10, and OS4 of the West Oxfordshire Local Plan 2031 and the paragraphs in chapter 16 of the NPPF.

Impact on the amenities of the users of the adjoining Churchyard

- 5.10 On the northern elevation of the barn there is a window which overlooks at very close proximity the adjoining churchyard/cemetery. Officers are recommending that in the interests of the privacy of the users of the churchyard that a condition be attached to any grant of planning permission requiring that the said window be obscure glazed in accordance with details to be first approved and retained as such thereafter.

Highways

- 5.11 County Highways has raised no objection to the development on the grounds of highway safety.

Impact on Ecology

- 5.12 The Council's ecologist has been consulted on the application and in light of the retrospective nature of the application has requested that a condition be attached to any grant of planning permission requiring full details of mitigation measures for bats and barn owls to be submitted for approval within 3 months of the date of consent and the approved details implemented within 6 months of the date of approval.

Impact on Archaeology

- 5.13 At the time of writing the response from the County Archaeologist is outstanding. Given that the footprint of the building has not been extended in any way, any impact on archaeology from the conversion works would primarily relate to the provision of any service trenches to serve the development. It is anticipated that a response from the County Archaeologist will have been received by the date of the Sub Committee meeting.

Other

- 5.14 Representations received have raised issues in respect of the safety and proper signing off of the works in respect of the Building Regulations. These matters are being considered separately by the Council's Building Control Officers at the time of writing. If as a result of the Building Regulation requirements 'material' alterations are needed to the former agricultural building then further planning/listed building application submissions may be needed in due course which will be considered on the planning merits at that time.

- 5.15 At the time of writing there are ongoing investigations into other breaches of planning control on the land which will be reported to Members in due course. Those investigations do not preclude a recommendation of approval in respect of the merits of this application.

Conclusion

- 5.16 In light of the above assessment, subject to the County Archaeologist and the ERS pollution Officer raising no objection, this retrospective application is considered both Local Plan 2031 and NPPF compliant and is recommended for approval with conditions requiring that the building only be occupied ancillary to the main house, that the window on the north elevation abutting the churchyard is obscure glazed and that there is a detailed programme of ecology mitigation measures to be implemented within 6 months of the grant of permission.

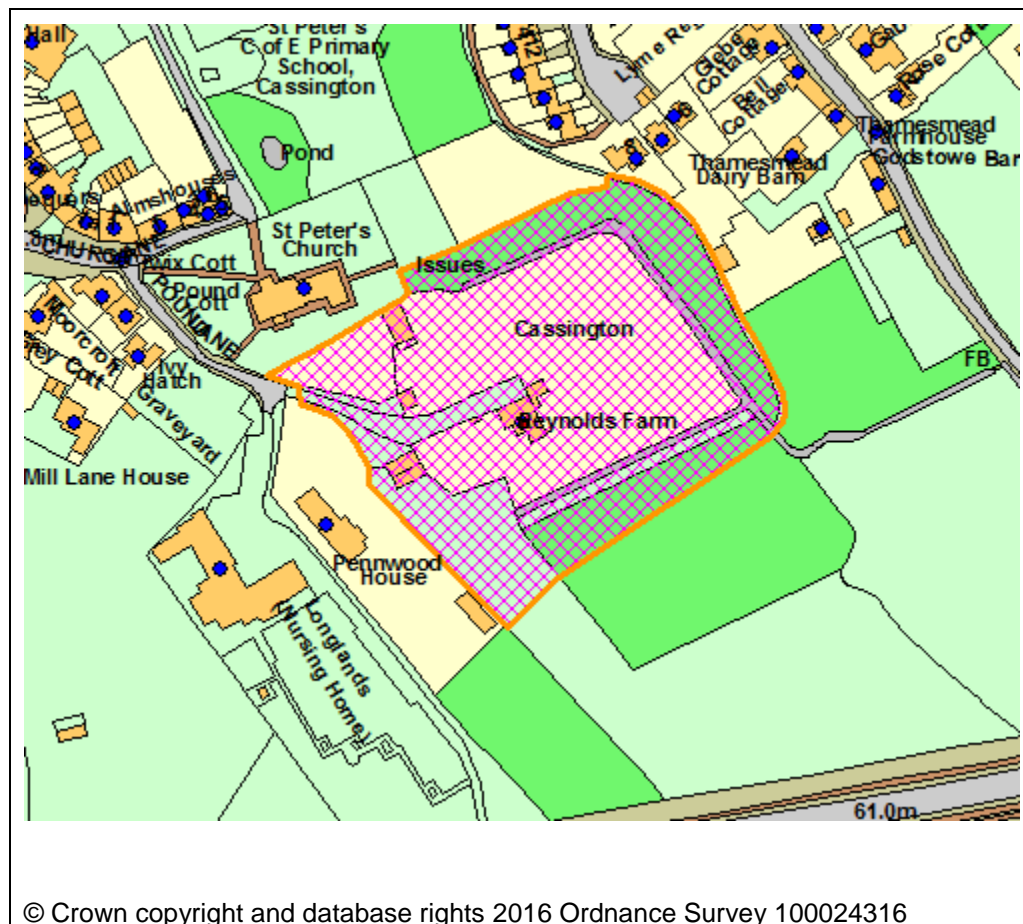
6 CONDITIONS

- 1 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.
- 2 Within two months of the date of the permission hereby approved the first floor window on the north elevation of the building shall be obscure glazed in accordance with details to be first approved in writing by the Local Planning Authority and the said window shall remain obscure glazed thereafter.
REASON: In the interests of the amenities of visitors to the cemetery serving the adjoining church.
- 3 Full details of the following mitigation measures for bats and barn owls shall be submitted to the local planning authority for approval within 3 months of the date of consent.
- a) Externally mounted bat boxes; 2 no. Kent style timber or woodcrete bat boxes on the 2-storey gable end (e.g. either side of window close to apex) and 1 no. Kent or woodcrete bat box on the opposite gable end above the single-storey roof
- b) 3 no. raised ridge tiles or other roof slope tiles (or combination of both) to provide space beneath for roosting pipistrelle bats, installed within the 2-storey roof element of the building
- c) 1 no. free-standing barn owl box on pole at suitable location in accordance with Barn Owl Trust best practice guidance: <https://www.barnowltrust.org.uk/barn-owl-nestbox/> barn-owl-pole-nest-box/ and 1 no. barn owl box in a suitable tree in accordance with: <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-nestboxes/> The details shall include drawings showing the types of features, their locations within the site and their positions on the elevations of the building, and a timetable for their provision. The approved details shall be implemented within 6 months of approval and thereafter permanently retained.
REASON: To provide roosting sites for bats and nesting for barn owls as compensation for loss (precautionary principle) and biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 4 The residential conversions hereby permitted shall be used as accommodation ancillary to the existing dwelling known as 'Dove House' on the site and shall not be occupied as a separate dwelling/s.
- REASON: A separate dwelling/s in this location would be unacceptable because of the close juxtaposition of the converted building with the listed dovecote and listed dwellinghouse and the provision of separate curtilages to serve the conversions would adversely impact on the setting of the listed heritage asset.

Application Number	19/01392/LBC
Site Address	Reynolds Farm Pound Lane Cassington Witney Oxfordshire OX29 4BN
Date	31st July 2019
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Cassington Parish Council
Grid Reference	445548 E 210563 N
Committee Date	12th August 2019

Location Map



Application Details:

Refurbishment of curtilage listed building

Applicant Details:

Mr Matthew Walls, Reynolds Farm, Pound Lane, Cassington, Witney, Oxfordshire, OX29 4BN

I CONSULTATIONS

I.1 Conservation Officer

This is a fairly characterful curtilage-listed structure, in close proximity to the fine Grade I listed church - noting that it abuts the church boundary wall, and is very prominent in views from the churchyard. It is also in close proximity to the Grade II listed farmhouse, and the Grade II listed dovecot. Thus, it is a significant building in the setting of a range of statutorily listed structures.

The building itself is of typical low-lying agricultural form. Judging from our historic mapping it appears to date largely from the turn of the C20 - although the southernmost part may well be earlier. It appears to have been used as a small barn, animal shelter or perhaps a cart shed - and it is notable that our earlier mapping shows a section of the west elevation as open sided. As it currently stands, there is a characterful red clay pan-tiled roof, probably from the works around Bridgewater, in Somerset, and there is timber cladding to the gable ends - all retained from the pre-converted structure, or replaced like-for-like.

The conversion included relatively minimal change to the external envelope - there are some new rooflights, perhaps a little large, and there are new windows to existing wall openings - using metal framed units that suit the utilitarian character. Internally, there is some modest new partitioning, making no great impact. So, in summary, it appears that this conversions chimes with our usual guidance - and from our point of view, this retrospective application is supportable.

I.2 Parish Council

The Parish Council (PC) would make the following comments: Reynolds Farm is an import site of significant historic and architectural interest that sits within the Cassington conservation area. In its listing the farm house is described as a "substantial postmedieval house built on a large medieval moated site close to the village centre and church.

It is the view of the PC that any development must be appropriate and respect the significance of the site.

Due to the extent of the development that has been undertaken to date, it is evident that further (retrospective) applications will need to be submitted by the applicant for development at the site which is not included within the current applications.

The PC does not consider that it is appropriate that the current planning applications are considered in isolation from any future retrospective applications.

Therefore the PC considers that ideally one combined application should be submitted that covers all of the work undertaken to date,

or alternatively separate applications should be submitted simultaneously for all of the development.

This approach would allow for the full extent of the development to date to be understood and properly considered, and would allow any future applications to be viewed in the context of any development already undertaken.

Further, the PC would like to understand whether the works to the main house approved in 2014 (applications 14/0585/P/FP and 14/0586/P/LB) have been undertaken in accordance with permissions and consents and would therefore request copies of any relevant discharge notices.

The concern of the PC is that it appears that significant landscaping works have been undertaken around the main house and the PC would like to understand whether these works were approved as part of the 2014 application, or whether the works are to form part of a further retrospective application.

2 REPRESENTATIONS

2.1 Mrs Sue Hemingway of Pennwood House, Pound Lane, Cassington and Dr John Hemingway, Churchwarden St Peter's Church Cassington c/o Pennwood House, Pound Lane, Cassington have commented on the application as follows:

- Reynolds Farm is a listed property in a conservation area. My main concern and reason for objecting to the refurbishment of the former farm out building is that until I am reassured that due diligence has been carried out reference the planning and building regulations I feel I cannot support the development.
- The building is situated on the church wall of St Peters, a Grade I listed Norman church about to celebrate its 900th year. It is very close and as we all know from recent events in Paris, the unthinkable can happen. This sensitive positioning finished without any planning permission is a cause of concern. In the past the planners together with the Parish council have been at pains to make sure that any developments in our conservation area enhance our village and ensure its value for the future both historically and architecturally, even down, rightly in one development, to making sure vistas of the church were not blocked.
- Re my concerns of safety and proper signing off of building works carried out I was advised by West Oxfordshire to look at the building regulations site and could find no applications for permissions here either for any developments at Reynolds Farm, again I find this concerning although that may be my error in reading the website. Perhaps this should be looked into?
- I am at a loss as to how the planning authorities haven't treated this new development with the same rigour as other buildings in Cassington. It is now finished and is two residential units, already being used.

- On the same property another barn was converted to two residential units, and developed before the latter barn 19/01391/FUL in 2017. It appears on Airbnb and I am told this did not have planning permission either. That is my second concern, the over development of the property, that is an extra four residential units. If these are allowed to pass without any inspections or approvals, who is responsible if anything wasn't done correctly? Does that also mean that other residential developments will be allowed to take place on the property without any scrutiny?
- Specific to the building in question there is a window which overlooks directly the newly designated ashes burial plot and if I were having to tend a grave or have a ceremony there I would find it particularly intrusive.
- Archaeologically I have been concerned as there has been a lot of groundwork involved with the development and trenches have been dug, so my question here would be were the historical experts involved at any stage as should have been the case? The overall building work concerns me ecologically too as there has been a lot of ground cleared and hopefully this hasn't upset the wildlife, plants or trees, again which we are all trying to protect, especially here in Cassington.
- If a property is in a conservation area and is also listed then that carries with it a responsibility by the owner to get the appropriate permissions to do any sort of development. Otherwise I can't quite see the point of bothering.
- St Peter's Church is in the centre of the village and its architectural value and safety should be respected, as should the whole of the conservation area.
- The development adjoins the southern boundary wall of St Peter's churchyard, which is effectively a party wall, and it is the closest building to the church, only a few metres away from the east end.
- It is regrettable that this development, at the heart of a conservation area, went ahead without any apparent involvement from conservation or heritage specialists.
- We also believe that a new sewer was laid to the development, and if so was any archaeological inspection of the trench work required and carried out?
- In its consideration of this proposal, the PCC of St Peter's church would therefore expect WODC to provide assurance and confirmation that all the works that were done with this development have met all regulations and requirements, and that the development does not cause detriment to the church's unique historic and cultural value. The PCC also seeks assurance that the work has been carried out without any increase in risk of damage to the church in the unfortunate event of a fire spreading from this development to the church building.

3 APPLICANT'S CASE

- Dove House is part of Reynolds Farm. Dove House is a Grade II listed building with unlisted outbuildings surrounding the main house. The planning relates to the refurbishment of the outbuilding of which there are no changes to existing outbuilding other than repairs and internal insulation to bring the building up to current environmental and building

regulations, refurbishment to bathrooms and kitchens are to the highest standards to bring them in line with current habitable use.

- No Change to style of existing building. Landscaping will be as is.
- No change to the existing building size.
- The building is unchanged. All materials and workmanship for repairs have been carried out using existing materials which are sympathetic to the existing property.
- No trees, boundaries or parking will be disturbed or altered.

4 PLANNING POLICIES

OS4NEW High quality design

EH11 Listed Buildings

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

5 PLANNING ASSESSMENT

5.1 This application is seeking retrospective listed building consent for internal and external works to a former low lying agricultural building in order to provide ancillary accommodation to serve Dove House which forms part of Reynolds Farm. The building is located in close proximity to St Peters Church a Grade I listed church and is prominent in views from the churchyard. It is in close proximity to the Grade II listed farmhouse and a Grade II listed dovecote. Thus, it is a building in the setting of a range of statutorily listed structures. By reason of its proximity to both the farmhouse and the dovecote the building the subject of this application is considered to be curtilage listed.

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 consideration of the application is:

Impact on the architectural character and integrity of the curtilage listed building

5.3 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 195 and 196 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset.

5.4 In this case the works that have taken place externally to the building which is of a typical low lying agricultural form are relatively minimal changes to the external envelope, utilising metal framed windows in former openings that are considered to suit the utilitarian character of the former agricultural building. The external materials that have been used are considered to reflect those used in the pre-converted structure. Internally there is some modest partitioning that is not considered to result in material harm to the architectural integrity of the curtilage

listed building. In light of the above the retrospective works are considered to preserve and conserve the character and appearance of the former agricultural building and as such the development is considered in accordance with the statutory requirement of S66(1) and compliant with EH11 of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF.

Conclusion

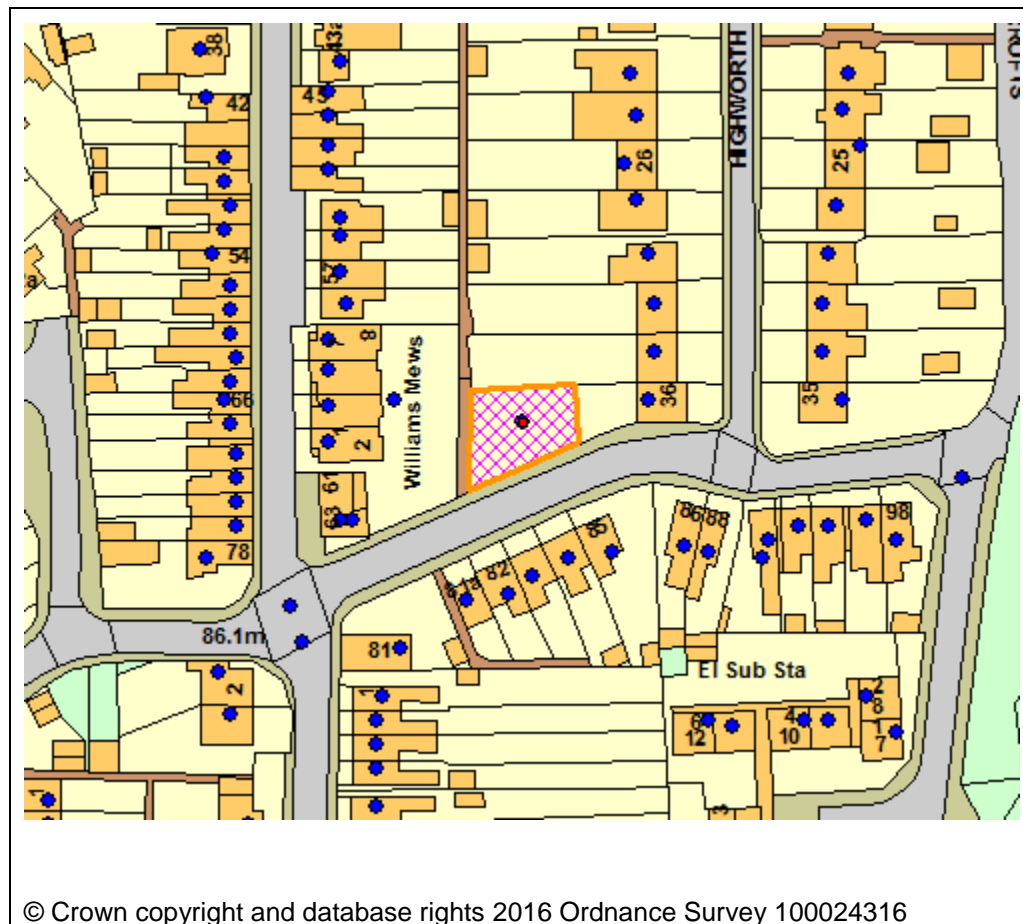
5.5 In light of the above assessment the application is recommended for conditional approval.

6 CONDITION

1 Notwithstanding the requirement to obscure glaze the first floor window on the north elevation of the building in order to comply with condition 2 of planning permission 19/01391/FUL the development shall be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.

Application Number	19/01654/FUL
Site Address	Land at 36 Highworth Place Witney Oxfordshire
Date	31st July 2019
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Witney Town Council
Grid Reference	435309 E 209380 N
Committee Date	12th August 2019

Location Map



Application Details:

Erection of dwelling and associated works.

Applicant Details:

Mr Marc Bowles, Leat House, High Street, Bampton, Oxfordshire, OX18 2JN

I CONSULTATIONS

- I.1 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
- G28 parking as plan
- I.2 WODC Drainage Engineers No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- I.3 Conservation Officer The proposed building is of uncompromising modern form, simple and clean, and with good proportions. It does not attempt to reflect the general form of buildings around the site - and in fact from the road the low-lying, flat-roofed structure would tend to read first as a boundary treatment, before the domestic features assert themselves. Anyway, this development would tend to create some interest in the street scene, and yet not be too obtrusive - and from our point of view the general idea is supportable. However, I do have reservations about the Accoya wood road façade, which may tend to make the building look like a fence - and I can't help but feel that a brick, stone or rendered wall might sit more happily here.
- I.4 WODC Planning Policy Manager No Comment Received.
- I.5 ERS Env. Consultation Sites From review of our records it appears that the site has remained undeveloped until the surrounding area was developed for residential use. Given the proposed residential development please consider adding the following condition to any grant of permission as a precaution:
- I. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
- Reason: To prevent pollution of the environment in the interests of the amenity.
- Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

- 1.6 Thames Water No Comment Received.
- 1.7 Town Council Witney Town Council objects to this application and does not consider the proposed parking is adequate in an area already prone to parking problems. The development also does not appear to take into account the ecology report provided for the site.

2 REPRESENTATIONS

- 2.1 None received at the time of writing.

3 APPLICANT'S CASE

- 3.1 A full version of the Design and Access statement is available on the Council's website. The report is concluded as follows:

We believe that the proposal is appropriate for the site and location, has due regard to the amenity of neighbouring properties and will not have an undue visual impact in relation to its surroundings. It is sympathetic to the established character of the area, the form, setting and scale of adjoining and nearby buildings.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

T2NEW Highway improvement schemes

EH3 Biodiversity and Geodiversity

EH9 Historic environment

EH10 Conservation Areas

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks consent for the erection of a new single storey dwelling on land at 36 Highworth Place, Witney; an overgrown plot of former garden land close to Witney town centre. The site is not within the Witney and Cogges Conservation Area itself but does sit adjacent to its boundary.
- 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

Siting, design and form

Impact on the heritage asset

Highways

Residential amenities

Biodiversity

Principle

- 5.3 In terms of the principle of development, policy H2 of the adopted West Oxfordshire Local Plan 2031 is supportive of new dwellings on undeveloped land in Witney provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2 as assessed below.

Siting, Design and Form

- 5.4 Whilst the development does not attempt to reflect the general form of the buildings around the site, your officers are of the opinion that, by virtue of its uncompromising modern form, simple and clean design with good proportions, the new dwelling would appear as a low-lying, unobtrusive and interesting, modern addition in the street scene. Your officers have some concerns over the use of timber on the front elevation facing the road as, by reason of the low-lying flat roofed design this could be read as a fence. Therefore, notwithstanding the details submitted in this application, a condition has been imposed for a schedule of materials to be used in the elevations of the development to be submitted to and approved in writing before development commences. As such, the application is considered to be acceptable in these terms.

Impact on the heritage asset

- 5.5 Within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this regard, the proposed new dwelling sits outside of the Conservation Area boundary so consideration shall be given to its impact on the setting of the heritage asset. It's your officers opinion that given the dense, built up residential context of the site, the unobtrusive, low lying form and scale, and the clean, modern design of the proposed new dwelling, that the development would preserve the setting of the Conservation Area. Therefore, the application is considered to be acceptable in these terms.

Highways

- 5.6 Whilst your officers note that on-street parking on Highworth Place can be problematic, in this case two off-street parking spaces have been provided within the site utilising an existing dropped kerb therefore not taking away any existing on-street parking availability. Further, the Local Highway Authority have raised no objections to the application. As such, the application is considered to be acceptable in these terms.

Residential Amenities

- 5.7 In terms of residential amenity, due to the distance from neighbouring properties, single storey scale, and design, your officers do not consider that the new dwelling would result in a loss of light or privacy to the detriment of existing dwellings, nor would it be overbearing or overshadowing. Further, your officers consider that the new dwelling would have a satisfactory level of privacy afforded to it given the relationship between it and the existing neighbouring properties. In addition, your officers are of the opinion that an adequate level of outdoor

amenity space has been provided to serve the new dwelling. As such, the application is considered to be acceptable in terms of residential amenity.

Biodiversity

- 5.8 The Council's Biodiversity Officer has raised concerns over the removal of the ash tree in the southwestern corner of the site as this has been identified in the Ecological Appraisal as having potential for roosting bats. Therefore, a survey is required to ascertain the presence/absence of bats before a decision on the application can be made. Your officers have been advised that the agent intends to submit the required survey before the meeting. Subject to the outcome of this report, the Biodiversity Officer will also be proposing final conditions in relation to bird boxes and the precautionary working method statement for reptiles and timing of work for nesting birds. Your officers will update Members in respect of these matters verbally at the meeting.

Conclusion

- 5.9 Subject to the outcome of the Bat Survey and the Biodiversity Officer's subsequent consultation response, Officers consider that the development is acceptable and compliant with policies OS2, OS4, H2, T2, T4, EH3, EH9, and EH10 of the adopted West Oxfordshire Local Plan 2031 and any relevant paragraphs of the NPPF.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 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 Notwithstanding the details submitted, before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

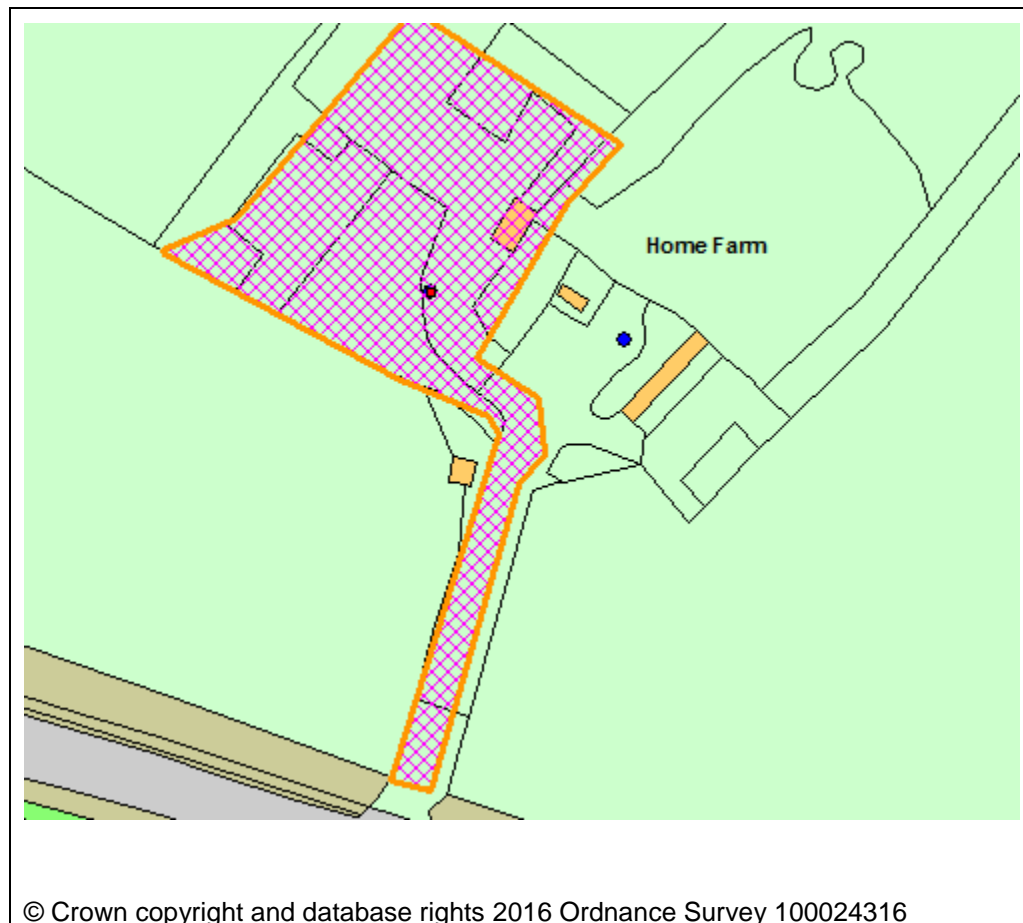
- 5 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out 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 development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
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 Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to safeguard the character and appearance of the area and in the interest of residential amenity.
- 7 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
REASON: To ensure the safeguarding of the character and landscape of the area during and post development.
- 8 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.
- 9 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
REASON: To prevent pollution of the environment in the interests of the amenity.

NOTE TO APPLICANT

- I 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
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)) - CIRIA C753 SuDS Manual 2015

Application Number	19/01839/S73
Site Address	Caravan Home Farm Barnard Gate Witney Oxfordshire OX29 6XE
Date	31st July 2019
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	440996 E 210429 N
Committee Date	12th August 2019

Location Map



Application Details:

Variation of conditions 2 and 5 of permission 10/1385/P/FP to allow an additional pitch and revised siting of the caravans

Applicant Details:

Mr And Mrs R And K Wootton, C/o Agent.

I CONSULTATIONS

- 1.1 Parish Council Eynsham Parish Council is disappointed with another retrospective application for the site and objects as follows:-
- When referring to the application form and site plan, it appears there are no amenity buildings. For a Transit Site, it is noted that 'Gypsies and Travellers prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold water supply provided in a simple fixed utility building' (8.29 of 'Designing Gypsy and Traveller Sites Good Practice Guide' DCLG May 2008 refers). There appears to be no amenities at this site which can be neither acceptable for existing or new residents.
- The current A40 vehicular access to/from the site is considered unsafe and is therefore contrary to policy OS2 of West Oxfordshire District Council Local Plan 2031.
- 1.2 WODC Env Health - Lowlands No reply at the time of writing
- 1.3 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission

2 REPRESENTATIONS

- 2.1 Mrs Kate Allen of Barnard Gate Farm Barnard Gate Witney has commented as follows:
- An increase in vehicle access in and out of the A40 is already an issue and we worry about safety issues for cyclists, pedestrians and cars.
 - We do have a concern about the number of caravans on the site currently and how this may increase in the future.

3 PLANNING POLICIES

OS2NEW Locating development in the right places

T1NEW Sustainable transport

H7NEW Travelling communities

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

4 PLANNING ASSESSMENT

Planning History

- 4.1 10/1385/P/FP- Conditional Planning Permission granted for the change of use of agricultural land for the siting of five caravans for gypsy families (Part Retrospective). Condition 2 of the permission and its reason states as follows:

No more than one static unit and one touring unit shall be located on each pitch. There shall be no more than 5 pitches on the site and the said touring unit is not to be occupied as a sole or main place of residence.

REASON: To limit traffic generation and the visual impact of the use. (Policies BE2 and BE3 of the West Oxfordshire Local Plan 2011).

- 4.2 Condition 5 of the permission and its reason states as follows:

The static unit shall only be located in positions noted on the approved plans.

REASON: To limit its visual impact. (Policy NE1 of the West Oxfordshire Local Plan 2011)

- 4.3 This application has been submitted following an enforcement investigation into a complaint alleging that there are more residential caravans on the site than approved under the terms of planning permission 10/1385/P/FP which limits the number of pitches to 5 maximum with no more than one tourer and one static unit on each plot (Condition 2).
- 4.4 Following investigation it has come to light that there are now six pitches each with a tourer and a static van and that the alignment of the pitches is at variance with condition 5 of planning permission 10/1385/P/FP.
- 4.5 The site is located in the open countryside and is accessed directly off of the A40.
- 4.6 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

- 4.7 The principle of occupation of the land by gypsy families has already been established under the terms of conditional planning permission 10/1385/P/FP. Policy H7 of the West Oxfordshire Local Plan 2031 advises that to ensure the availability of adequate accommodation for travelling communities the Local Planning Authority will safeguard existing sites and extend existing sites where appropriate. Bearing this in mind the addition of a further plot on the site for a gypsy family is considered policy compliant in principle.

Impact on the Rural Character and Appearance of the Area

- 4.8 The part of the site that is the subject of this application is very well screened by mature vegetation and in the summer months is virtually invisible when viewed by users of the A40. The part of the site that is more visible is not the subject of this application but the subject of a separate enforcement investigation for the unauthorised storage of caravans and vehicles. In light of the well established screening Officers do not consider that the rural character and

appearance of the area is harmed in any material way by the additional pitch such that a refusal of planning permission is warranted.

Impact on Highway Safety

- 4.9 The County Council, in its capacity as Highway Authority, are not raising objections to the increase in an additional pitch served from the existing access.

Impact on Residential Amenity

- 4.10 Given the separation from third party properties the increase in pitches from 5 to 6 for an additional gypsy family is not considered by Officers to result in material harm to the residential amenity of those properties.

Conclusion

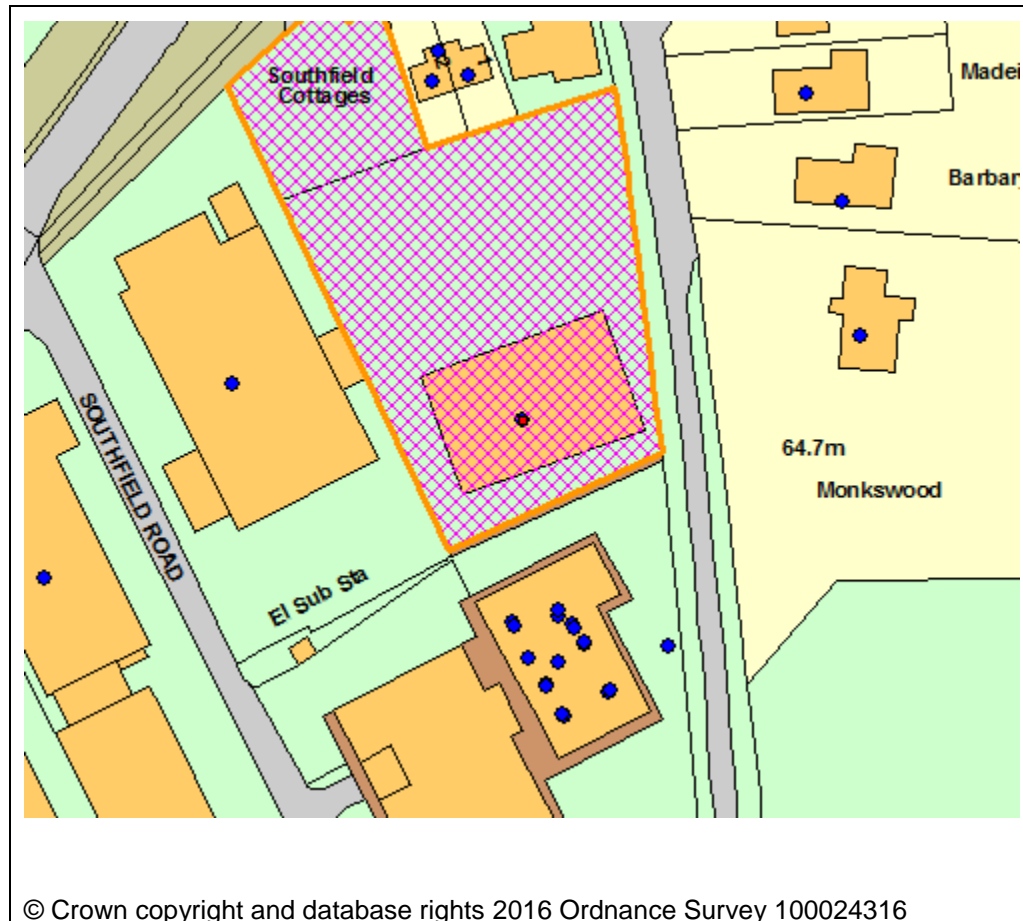
- 4.11 In light of the above assessment, subject to conditions limiting the use of all six pitches to occupation by gypsy families and in accordance with the site layout submitted, your Officers consider that the development is compliant with policies OS2 and H7 of the West Oxfordshire Local Plan 2031 and relevant paragraphs of the NPPF.

5 CONDITIONS

- 1 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.
- 2 No more than one static unit and one touring unit shall be located on each pitch. There shall be no more than 6 pitches on the site and the said touring unit is not to be occupied as a sole or main place of residence.
REASON: To limit traffic generation and the visual impact of the use.
- 3 The site shall not be occupied by any persons other than gypsies and travellers as defined at Annex 1 of the DCLG document 'Planning Policy for Traveller Sites'.
REASON: It is the status of the applicants that justifies an exception to the usual policies of restraint upon development in the countryside.
- 4 The static units shall only be located in the positions noted on the approved plans.
REASON: To limit its visual impact.
- 5 No storage, industrial or other business use shall take place outside the existing caravan except the parking, manoeuvring and loading and unloading of vehicles.
REASON: To protect the residential and visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.

Application Number	19/01642/FUL
Site Address	Air Liquide Uk Ltd Pink Hill Lane Eynsham Witney Oxfordshire OX29 4JG
Date	31st July 2019
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	443060 E 208704 N
Committee Date	12th August 2019

Location Map



Application Details:

Retention of site as depot for the processing of helium and the storage, sale and distribution of gas cylinders. Erection of 3 metre high metal palisade fencing and gates.

Applicant Details:

Air Liquide UK Ltd, C/O Agent.

I CONSULTATIONS

- I.1 Parish Council Eynsham Parish Council objects to the application.
- In view of the fact that the adjacent building has been converted into residential accommodation, we consider the storage of Acetylene and other high risk/flammable gases, inappropriate to store. The planning conditions of W97/1157 should therefore remain and be enforced. The application is considered contrary to WOLP 2031 policy OS2.
- If the local authority is minded to grant the application, the Council request that the fence is painted green.
- I.2 Health And Safety Executive Your development does not intersect a pipeline or hazard zone, HSE Planning Advice does not have an interest in the development.
- I.3 WODC Env Health - Lowlands Thank you for the opportunity to consult on this planning application.
- I have No Objection in principle and have no conditions to suggest.
- The health and safety executive may have a view on this application.
- I.4 ERS Env. Consultation Sites I have looked at the above referenced planning application in relation to potentially contaminated land.
- Our records indicate that the site has been used as a vehicle dismantling works and potentially as other works in the past. Contamination may be present beneath the site. Given that construction workers may come into contact with subsurface material during the installation of fencing please consider adding the following condition to any grant of permission:
1. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
- Reason: To prevent pollution of the environment in the interests of the amenity.
Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

- | | | |
|-----|---------------------------------|--|
| 1.5 | OCC Highways | <p>The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network</p> <p>Recommendation:</p> <p>Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission</p> |
| 1.6 | WODC Planning Policy Manager | No Comment Received. |
| 1.7 | Health And Safety National | No Comment Received. |
| 1.8 | OCC Rights Of Way Field Officer | No Comment Received. |

2 REPRESENTATIONS

- 2.1 One objection comment received from Mrs R Parrinder of 7 Abbey Farm Barns, Station Road, Eynsham. Comments are as follows:
- On occasions we hear fairly long processes which we assume are the filling of gas cylinders. The noise is distant but we would not welcome any increase in volume or frequency as a possible result of the current proposals.
 - I am very concerned about the proposed storage of explosive/flammable gases on the site such as Hydrogen, Propane, Butane and Acetylene. The site is very close to houses in Pink Hill Lane, Station Road and only 250 metres from our property and other houses in the Eynsham Conservation Area.
 - The advice of the Health and Safety Executive does not appear amongst the planning documents (only their letter telling WODC how to get their advice online) and until they say that the proposals are perfectly safe I must object to the application.

3 APPLICANT'S CASE

- 3.1 A planning statement has been submitted. A full version of this is available on the Council's website. The statement has been summarised and concluded as follows:
- Planning permission was first granted in October 1997 (W97/1157) for change of use of land to B1 and B8 uses on this site and the erection of a building for helium recycling, with ancillary offices and the formation of a paved yard for external gas storage.
 - A number of conditions were imposed on the 1997 permission that now restricts the activities and operations that can be carried out on the site. The previous company that originally operated from the depot vacated it and the current business operations and aspirations of Air Liquide UK are challenged by these conditions.

- Due to the increase demand for various different gases used in research and production processes in the fields of medicine, biotechnology, pharmacology etc by locally based companies at locations such as Harwell, Milton Park and other high technology locations throughout the Oxfordshire region and beyond, there is an ever-increasing demand for a wide range of gases other than helium.
- Air Liquide wish to service this need by being able to offer a wider range of gases to include, Hydrogen, Argon, Propane, Butane, Acetylene, Helium, Ammonia, Air and Carbon Dioxide.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

EH8 Environmental protection

EI NEW Land for employment

DESGUI West Oxfordshire Design Guide

NPPF 2019

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

5 PLANNING ASSESSMENT

- 5.1 This proposal seeks retention of the existing Air Liquide site as a depot for the processing, storage and distribution of helium in liquid or gas form and the storage and delivery of various gases in metal cylinders and new perimeter fencing.
- 5.2 The application site is located on the southern outskirts of Eynsham. The site is within the vicinity of an industrial estate and residential dwellings. The site is outside of the Eynsham Conservation Area.
- 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:
- Amendment of existing conditions from application W97/1157
 Landscaping
 Highways
- Amendment of Existing Planning Conditions
- 5.4 Condition 3 of approved application W97/1157 restricts the storage, sale and distribution from the site to helium only. To meet the ever increasing demand for a variety of gases the applicant requires the flexibility to store and distribute them. In view of the fact that the adjacent building has been converted into residential accommodation, Eynsham Parish Council has objected to the proposed storage of high risk/flammable gases in this location.
- 5.5 Condition 7 of approved application W97/1157 restricts the handling of gas cylinders to palletised sets only. Due to the proposed increase in variety of gases being stored/distributed and to meet customer need the applicant seeks gas cylinders to be stored and handled individually in the open yard.

- 5.6 As part of the planning process the Health and Safety Executive, WODC Env Health - Lowlands and ERS Env. Consultation Sites were consulted and no objections were received subject to condition. In light of these consultation responses officers consider the site as acceptable for the storage and distribution of Hydrogen, Argon, Propane, Butane, Acetylene, Helium, Ammonia, Air and Carbon Dioxide.
- 5.7 Condition 9 of the previously approved application required reversing alarms to be disabled on all vehicles in order to limit noise in the interests of residential amenity. The proposal is to use blue light reversing aids and white noise reversing alarms on all vehicles. The white noise reversing alarms emit a sound similar to breaking waves that is directional and gentler on the ear than a beeping alarm. As such officers consider that the proposed changes will not have a detrimental impact on residential amenity in terms of noise levels.
- 5.8 Condition 10 of the previously approved application restricted permission to a personal level. National guidance on the use of planning conditions is that planning permission runs with the land and it is rarely appropriate to provide otherwise. A condition limiting the benefit of the permission to a company is considered inappropriate because its shares can be transferred to other persons without affecting the whole personality of the company. As such officers consider it acceptable to allow permission for use of the land and buildings to be unrestricted.
- 5.9 Condition 16 of the previously approved application required details of any floodlighting to be submitted and approved prior to the approved use of the land commenced, however it is unclear whether these details were ever submitted and approved. The existing floodlighting on site includes three lights fixed to circa 6.5 metre high poles and lights fixed to the front and eastern side of the depot building. Officers consider that the existing floodlighting does not have a negative impact on neighbouring residential amenity and as such is considered acceptable. Your Environmental Health officer has not objected to this proposal.

Landscaping

- 5.10 The application proposes the removal of existing 2 metre high palisade boundary fencing and entrance gate and replaces these with 3 metre high palisade fencing with inset anti climb guards and a 3 metre high entrance gate. The existing boundary fence is largely screened by trees and vegetation. In light of this, officers consider that the increase in height from 2 metres to 3 metres is not significant and will not have a detrimental impact on the character and appearance of the area. Your officers have suggested a condition for the fence to be in green as per the Parish Council's comments.

Highways

- 5.11 The County Highways Officer was consulted as part of the planning process and has raised no objections to the details regarding the proposal and the impact it will have on the adjacent highway network.

Conclusion

- 5.12 Subject to the outstanding consultation responses, your officers are satisfied that the application is acceptable and compliant with policies OS2, EH8 and E1 of the adopted West Oxfordshire Local Plan 2031 and any relevant paragraphs of the NPPF.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 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 No gases shall be distributed, stored or sold from the site with the exception of Hydrogen, Argon, Propane, Butane, Acetylene, Helium, Ammonia, Air and Carbon Dioxide
REASON: To limit the nature of gasses kept at the site in the interests of public safety.
- 5 Gas cylinders can be stored and handled individually in the open yard, but only between the hours of 7.00 am to 6.00 pm on Mondays to Fridays, 8.00 am to 1.00 pm on Saturdays and not at all on Sundays, Bank Holidays and other public holidays.
REASON: To limit noise and in the interests of residential amenity.
- 6 No vehicles or fork lifts shall operate on the site other than with blue light reversing aids and white noise reversing alarms.
REASON: To limit noise in the interests of residential amenity.
- 7 The depot yard will continue to be illuminated from sunset to sunrise, by the existing three lights fixed to circa 6.5 metre high poles and lights fixed to the front and eastern side of the depot building. Any proposed changes to floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences.
REASON: In the interest of maintaining the amenity value of the area.
- 8 The proposed 3 metre high metal palisade fencing shall be painted green.
REASON: To safeguard the character and appearance of the area.
- 9 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
REASON: To prevent pollution of the environment in the interests of the amenity.