

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 7th July 2014

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC HOUSING**



**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

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14/0468/P/FP Cling Clang Farm Hyne Jones Field Church Enstone	
Date	17/02/2014 11/04/2014
Officer	Miss Dawn Brodie
Officer Recommendation	Grant, subject to conditions
Parish	ENSTONE
Grid Ref:	437986,224874

APPLICATION DETAILS

Erection of a storage barn for hay, straw, fodder and the sorting of wild boar livestock.

APPLICANT

Mr Stephen Lawson, 8 Keswick Green, Leamington Spa, Warwickshire, CV32 6NA.

BACKGROUND INFORMATION

The application seeks planning permission for the erection of an agricultural barn. The application relates to an area of land located to the south of Church Enstone and the north of Enstone. The holding comprises an area of rising land (south to north) and has historically been in agricultural use. There is limited agriculture on the site at present, however, the applicant intends to establish an agricultural holding in the near future.

The application was deferred form consideration by the Uplands Area Sub Committee to enable officers to find out further information regarding any hardsurfacing and/ or tracks required for access to the building.

I PLANNING HISTORY

Application 14/0274/P/FP for the provision of a mobile home was refused planning permission for the following reason:

That it has not been demonstrated that there is an essential need for a full time worker to be present on site at most times. As such the proposal would result in a new dwelling in an unsustainable open countryside location contrary to policies H4 and H14 of the West Oxfordshire Local Plan 2011 and the National Planning Policy Framework.

2 CONSULTATIONS

2.1 Enstone Parish Council

“Enstone Parish Council OBJECTS to this current planning application on the grounds that to have wild boar so near to four public pathways is totally unsuitable and could cause a danger to the public.”

2.2 OCC Highways

“No objections.”

2.3 WODC Environmental Health

“No adverse observations or comments.”

2.4 OCC Archaeology

“The application site lies within an area of archaeological potential; a number a Neolithic and Bronze Age artefacts, including arrow heads and a polished hand axe, have been recovered from across the immediate area. These artefacts may relate to prehistoric activity on this site but the exact nature and extent of this activity is currently unknown.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition along the lines of:

A) The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with PPS5: Planning for the Historic Environment

B) Following the approval of the Written Scheme of Investigation referred to in condition A, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with PPS5: Planning for the Historic Environment.”

3 REPRESENTATIONS

3.1 Fourteen neighbours were notified of the application and six letters of representation were received from R Nixon and I Cave of Talbot Cottage, P Cordery and D Fleming of Burmar Kennels, A Reed of 1 The Square, Mr and Mrs Wearing of 4 The Square, Mr Newman and Ms Kemp of 3 The Square and C Richards (no address supplied). The comments received can be summarised as follows:

- Any development associated with the breeding or keeping of boar should be rejected at least until the location of the project is made clear.
- We object to the keeping of wild boar.
- The site is not suitable for wild boar.
- There are public footpaths crossing the site.
- The effluent will end up in the river Glyme.
- Access from Cling Clang lane is poor.
- Increased numbers would lead in increased noise and odour.
- The set up and running costs would be huge.
- The access road is not suitable for heavy goods vehicles and it will not be suitable for increased use leading to a safety risk.
- The track leading from the access to the site is not properly constructed and crosses public footpaths which are extremely popular with dog walkers.
- By year three there could be over 100 boar on the land – how big could this grow in a 23 acre site.
- The development would give rise to noise disturbance and odour.
- There are safety concerns for users of the public footpath

- The site is unsuitable and unsustainable.
- We object to the rearing of wild boar for the following reasons:
 - Closeness of the village
 - They are dangerous animals
 - There are footpaths crossing the site
 - Effluent will run into the watercourse.
 - Odour.
- How ill escaped animals be dealt with?
- The site is within 20 metres of a watercourse.
- Given the scale of the changes required for this use I would suggest that this site is not suitable for the proposed use.
- The character of the area is of an open field – high fencing would destroy this.
- The area would quickly become a muddy mess.

4 APPLICANTS CASE

4.1 The following statement was submitted by the applicant to address the comments of the Committee.

Thank you for your email dated the 11th of June relaying the concerns of the committee regarding access to the barn.

In response to this I would like to offer the following detail:-

The barn in question has not requested or included any plans for an access track, or perimeter hard standing intentionally, as I believe there is no requirement for one with the intended use and the seasonal activities for which it being requested for. My personal feeling towards any new building requirement upon my land is that it should be installed with sensitivity to the surroundings and not include anything which is unnecessary.

To explain this further, the barn has a primary and secondary function. The primary being the storing of fodder crops and food for livestock. The fodder will either be home grown in the summer months or purchased at the end of summer and stored in the barn. At this time of year the surrounding ground is hard and easily able to withstand the movement of machinery across it without detriment, allowing for "across field access". Food for any livestock will be bought in bulk during Autumn to last the winter months, where again the above statement still stands.

With regard to using these stored resources, this will be completed manually as required, with access taken on foot. Livestock will be feed close to the location of the barn to reduce movement and work effort.

The secondary function of the barn is the sorting of Wild Boar at a time when the Boarlets are ready for slaughter. This will again be around the Autumn time when the ground is sufficiently hard for "across field access" to be feasible without detriment. This event will happen once a year.

The soil on site is Cotswolds Brash, a hard abrasive soil which is extremely stoney. The location of the barn is also situated on a slope allowing for excellent drainage of the soil throughout the wetter seasons. Taking both of these facts into account access to the barn "across field" can be achieved without churning up the ground and therefore negating the need for a permanent track or hard standing.

Further to the above I wish to point out the area of land of which this barn is to be built is only 23 acres and the traffic to and from it put into context in relation to a farm of 1000 acres. I appreciate that the request structure is of a reasonable size, but again this is intentional and sits in line with my ethos of "do it once and do it right" rather than have continued unsightly and badly thought out additions to generate more space as the farm business grows.

5 POLICY

- 5.1 In your officer's opinion, the key policies of the West Oxfordshire Local Plan 2011 in the consideration of this application are policies:
BE2 (General Development Standards),
BE3 (Provision for Movement and Parking),
BE12 (Archaeology),
H2 (General Residential Development Standards),
NE1 (Safeguarding the Countryside), and
NE3 (Local Landscape Character).
- 5.2 In addition the guidance within the National Planning Policy Framework is of key consideration.

6 PLANNING ASSESSMENT

- 6.1 Officers would ask Members to note that, in the consideration of this application the principle of breeding boar on the site is not a material consideration. Breeding of boar would, in your officer's opinion, comply with the definition of agriculture and therefore that, in itself, does not require planning permission. Members are considering the provision of the building only as part of the application.
- 6.2 On this basis and taking into account planning policy, other material considerations and representations of the interested parties, your officers consider that the main issues are considered to be:
- Impact on the character and appearance of the area;
 - Impact upon amenity;
 - Impact upon highway safety; and
 - Archaeology.

Impact upon the character and appearance of the area

- 6.3 The barn is located on a lower part of the site than the previous applications relating to the site. The whole holding is on ground which rises from the south to the north and the application is proposed on land at the more southerly end of the site. The land forms an open green area located between Enstone and Church Enstone and is crossed by a number of public rights of way. The proposed barn will be located close to the valley bottom and will be 223 square metres in footprint with an eaves height of 3.65 metre and a ridge height of 5.3 metres. The building is to be constructed of timber walls and a profile sheet roof.
- 6.4 The area between the two villages is sensitive and for this reason, is protected by an Article 1(4) directive preventing the erection of agricultural buildings without planning permission being required. In this instance however, given the relatively small footprint and its position on one of the lowest parts of the site, whilst visible, officers consider that the development would not be of harm to the open nature of this area of land. Whilst the building will be visible to people living in the vicinity and walkers on the nearby footpaths an agricultural building is something which would reasonably be expected in an area such as this and as such, officers do not consider that this would harm the intrinsic qualities of the area. Officers have suggested a condition requiring samples of the proposed materials to be submitted to ensure that the building assimilates well to its context. With this officers consider that the development is in accordance with policies BE2, NE1 and NE3 of the West Oxfordshire Local Plan 2011.

Residential amenity

- 6.5 The building, at its closest point, would be located over 200 metres from the nearest third party property. The building is to be mainly used for storage of hay; bedding and fodder, however, it will be used for stock sorting from time to time. In your officer's opinion, this proposed use would not be harmful to the neighbouring properties in terms of odour or noise due to the separation distance. Furthermore, the separation distance will ensure that there is no harm in terms of overbearing or loss of light implications. As such, the development is in accordance with policies BE2 and H2 of the West Oxfordshire Local Plan 2011.

Highways and parking

- 6.6 The Local Highway Authority Area Liaison Officer has assessed the proposal from parking and safety perspectives and has not objected to the scheme. Officers acknowledge the comments in relation to the access track however, it is important to note that officers could not prevent the use of the site for boar. The provision of the building is unlikely, in itself, to generate such an increase in traffic movements to justify the refusal of planning permission. Therefore, officers do not consider that the proposed development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway. The development is therefore in accordance with policy BE3 of the West Oxfordshire Local Plan 2011.

Archaeology

- 6.7 Archaeology officers at County Council have noted that there may be present of archaeological remains in the area. They have not objected to the scheme however, have suggested conditions for watching briefs to ensure any finds are correctly recorded. With this condition, the development would comply with policy BE12 of the West Oxfordshire Local Plan 2011.

Conclusions

- 6.8 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

RECOMMENDATION

Permit subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: The time condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 (As amended).
- 2 That the development be carried out in accordance with the plans accompanying the application.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before 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. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

- 4 The barn hereby approved shall only be used for agricultural purposes and shall be removed from the land within 3 months of the cessation of its use for agricultural purposes.
REASON: To protect the amenity of the area. (Policies BE2, NE1 and NE3 of the West Oxfordshire Local Plan 2011)
- 5 The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.
REASON: To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF.
- 6 Following the approval of the Written Scheme of Investigation referred to in condition A, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication.
REASON: To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF.

14/0522/P/OP Land at Rockhill Farm London Road Chipping Norton	
Date	09/04/2014
Officer	Abby Fettes
Officer Recommendation	Grant, subject to the applicant first entering into a legal agreement
Parish	CHIPPING NORTON
Grid Ref:	

APPLICATION DETAILS

Residential development comprising 80 unit extra care housing and up to 16 dwellings together with associated landscaping, parking and access into site.

APPLICANT

OCC Property & Facilities, c/o Agent.

BACKGROUND INFORMATION

The application seeks outline planning permission for the erection of an eighty bed roomed (1 & 2 bed apartments) extra care home and up to 16 residential dwellings. Access is to be determined but all other matters are reserved.

The application site is located to the north of the London Road, adjacent to the new hospital and care home. Vehicular access to the site is to be gained via Russell Way and the London Road.

The application site is located outside of the Chipping Norton Conservation and the Cotswolds Area of Outstanding Natural Beauty. There are no listed buildings within the vicinity of the application site and the proposed development does not impact any of the highway trees that are subject of Tree Preservation Orders on London Road.

The application was deferred from the Uplands Area Planning Sub Committee Meeting of the 9th June 2014 to enable Members to undertake a site visit. There is additional information at paragraphs 2.8, 4.6, 6.5 and 6.14.

I PLANNING HISTORY

12/1593 Erection of a primary health care centre with ancillary pharmacy and associated car parking, ambulance drop off zone and landscaping. Application on the adjacent site was approved by the Uplands sub committee in December 2012.

2 CONSULTATIONS

2.1 Chipping Norton TC

“The scale and height of the proposal was seen to be tall and overbearing on this major entrance to this market town. The main road facing block to be reduced in height to two storeys and set back from the highway to match housing opposite. Concern was also expressed about the increasing demographic imbalance within Chipping Norton with the impending application by Beachcroft Carehouse (40) on the Penhurst site and this site putting additional pressure on the two local doctors practices with aging residents, many of whom are not from this community. There also seems to be not enough car parking spaces allocated for the 80 unit block.”

2.2 OCC Single response

“No objection subject to conditions and S106 contributions.”

2.3 Thames Water

“Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.”

2.4 Environmental Health

“No objection subject to conditions regarding ambient noise levels in the care home.”

2.5 Crime Prevention Design Advisor

“The only advice I can offer at this juncture is to refer the applicants to the principles and standards of the Association of Chief Police Officers (ACPO) crime prevention initiative for the built environment, Secured by

Design (SBD). I urge them to incorporate said principles etc within the proposals and to contact me as soon as possible so that they may be advised on how to achieve this.

To ensure that the opportunity to design out crime is not missed I request that a condition be placed upon any approval for this application.”

2.6 Public Art

“The Council’s arts and leisure team will look to work with the developer to integrate creative elements into the design of the scheme. The proposals should then be expressed in a Public Art Statement which should accompany subsequent planning applications. The Council’s arts and leisure team can assist with pre-app discussions in this regard; advise on securing public art expertise; and assist with the creation of a Public art statement.

The Council Plan, the Local Plan and the Infrastructure Delivery Plan state that the Council will maintain or improve the health and wellbeing of the District’s residents by working with partners to provide public health initiatives, health facilities and health services (1)

Arts Council England and the Department of Health published a ‘A prospectus for arts and health’ in 2007’ includes an evidence base for the impacts of arts and health projects, including public art projects (2).

See the Council Plan priority to ‘Work in partnership to sustain vibrant, healthy and economically prosperous towns and villages with full employment’ (pages 10 to 11). See the Local Plan’s references to health throughout its core objectives and core policies. See the Infrastructure Delivery Plan’s section on Health (pages 60 to 64).

² Department of Health and Arts Council England, A prospectus for arts and health (Arts Council England, 2007).”

2.7 WODC Drainage

“No objection subject to drainage condition.”

2.8 WODC Leisure

*“£20,000 towards improvements to accessible changing facilities at Chipping Norton Leisure Centre
£7,930.56 from 16 residential dwellings towards off site play areas (or £495.66 per dwelling).”*

3 REPRESENTATIONS

31 neighbours have been notified of the application and no responses have been received to date (publicity expired 15th May).

4 APPLICANT’S CASE

4.1 The applicant has submitted the following documents in support of their application and they are summarised as follows:

4.2 Planning Statement

- The application proposal is consistent with the policies in the Development Plan with national planning policy as set out in the NPPF.
- Emerging local planning policy strongly supports housing provision for older people and, more generally, there is a need for both specialist and mainstream market housing which this development will help to meet.
- The proposals would not lead to significant environmental effects and subject to the imposition of appropriate planning conditions and other obligations, the effects of the development can be successfully mitigated.
- The planning balance weighs in favour of granting planning permission as a result.

4.3 Design and access statement

- The application site lies on the eastern edge of Chipping Norton where the predominant land use to the east is agricultural.
- The site is bordered to the east by vegetation in the form of a hedgerow and recent 10m deep strategic planting belt.
- To the south lies a tall coniferous hedge with deciduous under-storey and beyond that a row of regularly-spaced mature deciduous trees close to London Road.
- The initial approach to the development of a scheme for this site involved the development of alternative land budget options that were shared with the District Council in 2010 prior to settling on a preferred mix.
- The decision was taken to create frontage development on the London Road elevation and the immediate return elevation only, for privacy purposes.
- The creation of the 'care quarter' at Rockhill Farm lends itself to similar kinds of development on the adjoining care home and hospital site.
- The average housing density within the application site will be approximately 70 dwellings per hectare (The town houses to the front of the site would be at a much lower density of 56 dwellings per hectare).
- Buildings will be orientated to take advantage of the benefits of solar gain.
- The development of 2.5 to 3 storey buildings is complementary to the existing development in the area.
- The buildings are proposed to be constructed of a palette of local materials and finished combined with modern materials.
- Access to the site from the town centre will be facilitated through the extension of the footpath on the London Road frontage to connect to the bus stop and by bringing footpaths into the site on the east side of Russell Way.
- The site will be accessible, with good bus, cycle and pedestrian links to and from the town centre.
- Russell Way has been constructed to a standard suitable to accommodate large HGVs and therefore access for emergency vehicles will be readily available.

4.4 Voluntary Environmental Impact Assessment

- Ecology evaluation is that the ecological receptors at Rockhill Farm are likely to be valuable only at the scale of the site and its immediate surroundings. Recommend removing scrub only outside bird nesting season.
- Landscape assessment in the medium to long term and assuming the adoption of appropriate mitigation measures there would be no significant residual effects on local landscape character or existing visual receptors.

- Noise assessment has demonstrated that the area will not be subject to a noticeable increase in noise in the vicinity of the site. With the adoption of the recommended mitigation measures no adverse noise impacts are anticipated at the site.
- Air quality report concludes that no significant impacts associated with construction are anticipated and potential impacts associated with dust would be negligible.
- Suds should be implemented.
- Transport assessment concludes that the site is accessible by all modes thus reducing the need to travel and that there are no transport related reasons why the proposed development should not take place.
- It is anticipated that residents will be largely based on site and undertaking localised trips to Chipping Norton facilities, their propensity to use sustainable modes is additionally significant.

4.5 Statement of community involvement

- Supporting report detailing the findings of the community consultation exercise and engagement with representatives of the local community undertaken prior to the submission of the outline application.
- An exhibition was held at Lower Hall of the Town Hall, Chipping Norton Market Place on the 26th June 2013.
- The exhibition was advertised by leaflet distributions, letters to key parties including District and County Councillors, online presence, posters within schools and town councils.
- The key issues that came out of the consultation exercise were parking (especially on London Road), traffic on London Road, speed of traffic on London Road, the design and appearance of the London Road frontage development and the height of the buildings on London Road.

4.6 Following the comments from members at the last committee, the applicants agent has submitted the following response:

“I am authorised to confirm that the following illustrative material does not form part of this application and should not be considered as indicating the eventual form of development on this site. I am therefore requesting that the following be disregarded for the purposes of determining this planning application:

- *Illustrative Street Level Perspective from London Road: dwg. ref. 6701B*
- *Illustrative Street Level Perspective from Access Road: dwg. ref. 6702B*
- *Illustrative Streetscene Elevation from London Road: dwg. ref. 6703C*
- *Illustrative Streetscene Elevation from Access Road: dwg. ref. 6704B*
- *Illustrative Elevation and Section Through Site: dwg. ref. 6705B*

The final form and appearance of the development will necessarily be fixed only at the reserved matters stage. The illustrative master plan (dwg. ref. 296 Rev E) demonstrates that it is possible to achieve the quantum of development proposed, although the final height of the buildings and their precise positioning may alter from that shown on the illustrative master plan. However, there are good urban design reasons for providing frontage development in a form similar to that on the south side of London Road, and for locating the extra care element to the rear of the market housing towards the centre of the site.

The County Council does not intend to peg out the building positions for the site visit on 3rd July, since by doing so Members of the Planning Committee may be unnecessarily misled into relying upon a layout that in all probability will not be the one that the developer of the site builds out. The express intention with this application is to ascertain the acceptability of the principle of the proposed development and the access into the site, and to leave the detail to the reserved matters stage.

On a related point I am advised that the application site is under a crop of spring barley at the moment which would make it difficult, from a practical point of view, to peg out the buildings without damaging the crop.”

5 POLICY

- 5.1 Your officers consider that the following policies of the adopted West Oxfordshire Local Plan 2011 are particularly relevant:

BE2 (General Development Standards)
BE3 (Provision for Movement and Parking)
HI (Proposal 1)
H2 (General Residential Development Standards)
TI (Traffic Generation)
TLCI (New Tourism, Leisure and Community Facilities)

- 5.2 Guidance within the West Oxfordshire Design Guide and the West Oxfordshire Landscape Assessment is also considered to be relevant.
- 5.3 Guidance within the National Planning Policy Framework is also considered to be particularly relevant.

6 PLANNING ASSESSMENT

- 6.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle of development
Design and form
Neighbourliness
Highway issues
Ecology

Principle of development

- 6.2 The application site comprises part of the allocated site at Cromwell Park, Chipping Norton within the adopted West Oxfordshire Local Plan 2011. Proposal 1 under Policy HI states the following:

“Land adjacent to Cromwell Park is allocated for mixed use development as defined on the Chipping Norton Inset Map. Within the allocated area provision will be made for:

- a) Employment (B1) uses on the former highway depot land (0.9ha);*
- b) Structural Landscaping (0.6ha);*
- c) Non-residential uses on a minimum area of 1.6 ha, to include employment (B1) and community health care facilities (Use Class C2);*
- d) Housing on the residual area to include up to 50% affordable housing.*

- 6.3 The provision of an extra care home and 16 residential dwellings on this site would accord with criterion (d) of the above allocation. Furthermore, policy TLCI of the adopted Local Plan 2011 identifies that planning permission will be granted for community facilities to meet local needs where they would not have an adverse impact upon the character of the locality or generate unacceptable levels of traffic on the local highway network. The site will be required to provide 50% of the proposed units as affordable. The Town Council have expressed concern about an over provision of accommodation for an elderly demographic in Chipping Norton. However recent applications within Chipping Norton have resulted in the loss of over 30 sheltered accommodation properties, the town is a service centre and it is considered an appropriate location for this type of development.

Design and form

- 6.4 The application is outline and the design is a matter that is reserved so the drawings submitted are indicative. However, officers are satisfied that this level and type of development is appropriate for this site. The proposal is for residential development of flats and houses along the site frontage with London Road, and the ECH sited behind.
- 6.5 The perimeters set out in the supporting documents are that the buildings will be 2.5-3 storey which is reflective of other developments in the vicinity of the site. The residential properties opposite the site on London Road are 2 storey, and the doctors surgery behind is 2 and 3 storeys and the hospital to the east is predominantly 2 storeys high. It is however important to note that the design and form submitted are all indicative at this stage and will be determined at reserved matters stage. The materials proposed will reflect the local vernacular, however the ECH is likely to be of a more modern design, in line with the surgery that is currently being constructed to the rear of the site.
- 6.6 Having regard to the above, the proposed development is considered to be in accordance with Policies BE2 and H2 of the adopted Local Plan 2011 and guidance contained within the West Oxfordshire Design Guide.

Neighbourliness

- 6.7 It is not considered that the development will be detrimental to the amenities of adjacent site users. The site is allocated for mixed use development in the Local Plan and it is considered that the site uses work well together. It is considered to accord with local plan policy H1 proposal 1 and with H2 and BE2.

Highways and parking

- 6.8 The Highway Authority have commented that the proposal would not have any significant impact upon the capacity of the local highway network. However it will increase trips through the sensitive town centre adding to air quality problems that have been identified. To mitigate, therefore, they would seek encouragement of more sustainable modes of transport and to further this aim, a financial contribution towards public transport improvement is sought.
- 6.9 The site is located next to the Premium Bus Route from Chipping Norton to Woodstock and Oxford. The County Council has a policy (2003) to increase bus frequency on this route, funded by developer contributions. The current bus service to London Road has some deficiencies, such as reduced frequencies before 1000 and after 1630, and the absence of early buses towards the Town Centre and Cornish Road. The financial contribution would provide funding towards a strategy of providing two buses per hour along London Road on weekday daytimes and hourly at other times.
- 6.10 The submitted interim travel plan for the care home is of a good standard; however, it will need to be updated to a full travel plan with a staff and users travel information survey within one month of occupation. Similarly the actions of the travel plan must be updated to take in to account the results from these travel surveys.
- 6.11 Parking is considered to be of an acceptable level for the proposed use. SUDs drainage is proposed for the site and will be conditioned. Officers consider that the development would not be unacceptably harmful to highway safety and that it accords with local plan policy BE3.

Ecology

- 6.12 Ecology has been considered within the Environmental Impact Assessment submitted in support of the application and concludes that due to the minimal nature conservation value of the habitats present and the lack of potential protected species there would be no significant ecological impact associated with the proposals. It is considered to accord with policy NE13.

Conclusions

- 6.13 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.
- 6.14 The heads of terms confirmed for the S106 package are as follows:

Requested by	For	Cost
OCC	Special needs education	£3702 (index linked)
OCC	Public transport services	£96,000
OCC	Travel Plan monitoring	£2040
WODC	Leisure and Play	£27, 930.56

RECOMMENDATION

Grant subject to the applicant first entering into a legal agreement and subject to the following conditions:

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the requirements of S.92 of the Town and Country Planning Act 1990.
- 2 Details of the appearance, landscaping (including maintenance responsibilities), layout and scale, (herein called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3 It is anticipated that the reserved matters will closely follow the layout, scale, design, materials and landscaping as set out on the illustrative plans.
REASON: For the avoidance of doubt and to ensure the scheme respects the character and amenity of the area.
- 4 The Extra Care Home hereby approved shall only be used as care home under use class C2 of the Use Classes Order 2005 and for no other purpose.
REASON: To ensure that it is a mixed use development in accordance with the requirements of Policy HI Proposal 1 of the West Oxfordshire Local Plan 2011.
- 5 Prior to the commencement of development a construction phase traffic management plan shall be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.

- 6 Prior to the occupation of any building the proposed means of access, pedestrian and vehicular, shall be provided in accordance with the submitted plan.
REASON: In the interests of pedestrian and highway safety.
- 7 After 1 month and no later than 3 months after occupation of the care facility a full travel plan shall be submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
- 8 A public art statement shall be submitted with the subsequent reserved matters application.
REASON: To accord with the requirements of policy TLC7 of the Local Plan.
- 9 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. 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 Policy Statement 25 Technical Guidance)
- 10 No development shall commence until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design' accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.
REASON: In the interests of crime prevention and the safety of future residents.
- 11 That internal ambient noise levels for rooms within the Extra Care Home development do not exceed the following guideline values (Table 1)

Location	07:00-23:00	23:00-07:00
Living room	35 dB LAeq,16hr	-
Bedroom	35 dB LAeq,16hr	30 dB LAeq,8hr

Note: above table provides recommended levels for overall noise in the design of the Extra Care Housing. These are the sum total of structure-borne and air-borne noise sources. (BS8233:2014. Guidance on sound insulation and noise reduction for buildings)

Before the commencement of works at the Care Home the applicants are to Submit a Scheme of Works as to how they propose to comply and satisfy the noise condition for prior approval by the Council.

REASON: To safeguard the character of the area and living/working conditions in nearby properties. (Policies BE2 and BE19 of the adopted West Oxfordshire Local Plan 2011)

NOTES TO APPLICANT:

- 1 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
 - The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after June 2014. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)).
- 2 Where communal drainage schemes are proposed approval of the scheme may be required from Oxfordshire County Council sometime after March 2015 and the scheme will need to be adopted under the Flood and Water Management Act.

14/0609/P/FP Unit 17 Freeland Industrial Estate Wroslyn Road Freeland	
Date	20/03/201428/04/2014
Officer	Gemma Smith
Officer Recommendation	Refuse
Parish	FREELAND
Grid Ref:	440831,213619

APPLICATION DETAILS

Erection of extraction ducting to east elevation (Retrospective).

APPLICANT

Oxford Performance Autos, Unit 17 Freeland Industrial Estate, Wroslyn Road, Freeland, Oxfordshire, OX29 8HZ.

BACKGROUND INFORMATION

This application seeks retrospective planning permission for the erection of an extraction duct to the east elevation of Unit 17 Freeland Industrial Estate. The extraction duct is located to the west of a number of residential properties. The ducting measures 70cm in diameter and is approximately 3.5m in height. The ducting is for a 5.5kw extractor fan used when powder coating alloy as part of the established automotive business at the unit.

The Industrial Estate lies off Wroslyn Road and is outside of the Conservation Area and Cotswolds Area of Outstanding Natural Beauty.

The application has been prepared for committee following Member referral by Cllr. Dingwall.

I PLANNING HISTORY

- I.1 Planning Permission was granted for the erection of the industrial units in 1979 under reference W.1381/79L subject to a number of conditions. The key conditions are considered to be:

5. That no processes to be carried on or machinery installed on the land or in the building(s) except such as could be carried on or installed and used in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

REASON: To preserve the amenities and to secure the proper planning of the locality.

6. That work be carried out on the land/buildings only on Mondays to Fridays – 8 a.m. to 6 p.m and Saturdays 8 a.m. to 1 p.m and at no other times whatsoever.

REASON: To protect the amenities of the locality.

*14. That any ventilators, flues or other extraction vents shall not be located on the eastern facing walls or roof slopes of any units that will adjoin the eastern boundary of the site.
REASON: In the interests of the amenities of the locality.*

- 1.2 Retrospective planning permission for the installation of an extraction system to the rear of unit 16 was refused under reference W92/0048 for the following reason:

'The extractor fan generates unacceptable noise and fumes to the detriment of the reasonable amenities and quiet enjoyment of the occupiers of neighbouring residential properties.'

- 1.3 Planning permission for the change of use from business (B1) to General industry (B2) and installation of extractor fan (Part Retrospective) was granted subject to conditions under permission 10/0721/P/FP.

2 CONSULTATIONS

2.1 Freeland Parish Council

"I have been asked to write to you on behalf of Freeland Parish Councillors to express their concerns regarding the above planning application. They also are very concerned about some breaches of the current planning conditions imposed on the units at Wroslyn Road Industrial Estate in Freeland, and these have already been voiced via a letter and email to both Andrew Tucker and Phil Ridley, and via email correspondence to Andrew Ward at Environmental Health.

As you will note this planning application is retrospective, so the conditions imposed on the units are already in breach, and have been for several months.

I'm sure you have this already, but I have enclosed a copy of the current Schedule of Conditions that applies to the units on this Industrial Estate for your information. Councillors are very concerned that a number of these conditions are currently being breached, namely conditions 5, 6 and 14.

The extraction system through the new chimney on Unit 17 was started up for the first time on 19th February 2014 and is making a very irritating noise for our residents who live close by. It produces a constant low rumble of a most unpleasant nature that is incompatible with people living near it. Even with the windows closed our residents have reported that it is still a nuisance and it is to prevent such industrial nuisance that the original planning conditions (of not breaching the Eastern wall with air extractors) were imposed.

I refer you to the Schedule of Conditions and you will note that this clearly breaches condition 5 which states:

"That no processes be carried out on or machinery installed on the land or in the building(s) except such as could be carried on or installed and used in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. Reason: To preserve the amenities and to secure the proper planning of the locality."

You will note that condition 6 of the Schedule of Conditions restricts the work on site to Monday to Friday 8am – 6pm and on Saturdays from 8am -1pm and at no other times whatsoever. However, this condition is currently being breached as the times quoted above are not being adhered to and the noise has been known to be still present on Saturday afternoons and on Sundays. The planning application submitted also breaches these conditions as they are applying for hours beyond those permitted (the Saturday opening hours they state are 10am – 4pm which is not allowed).

The newly erected large chimney and ducting in the Eastern wall of the Industrial Estate, is also clearly in breach of condition 14 which states:

“that any ventilators, flues or other extraction vents shall not be located on the eastern facing walls or roof slopes of any units that will adjoin the eastern boundary of the site. Reason: In the interests of the amenities of the locality.”

The Parish Council have already alerted the WODC Planning Enforcement Department and Environmental Health Department regarding these concerns.

They would also like it noted that in May 2010, Unit 10 applied to have an extraction vent fitted onto their unit (application reference: 10/0721/P/FP). Whilst they were successful in having the extraction vent permitted, the current restrictions on the working hours that are stipulated in the Schedule of Conditions were upheld.

The Councillors would like the above concerns taken into account when determining the application and also request that the application be deferred until all environmental issues have been addressed.”

2.2 OCC Highways

“No objections. “

2.3 WODC Environmental Health

“Qualified objection. The development is unacceptable as it stands, but might be unacceptable by amending the application or imposing following conditions:

No visible particulate matter shall be emitted from the stack terminal.

All waste process material (including filter pads, bulk powder containers and packaging and any other associated matter containing dust/powder) shall be disposed of in a manner to prevent the dispersal of dust.

Operation of the extract unit shall only be within the following times:

Monday to Friday 10:00 -16:00 hours

Saturday 10:00 -13:00 hours

No working on Sundays and Bank Holidays.

Noise emission from the extract unit shall not exceed 53dB (LAeq.1 min) as assessed in accordance with BS4142:1997 at a point 8m east of Unit 17, being perpendicular to the wall directly adjacent to the extract ducting.

Any device fitted to the extract unit to prevent rain water entering the ducting shall be modified to open and close with no discernable noise.

During operation of the extract unit the adjacent fire door shall remain closed unless required in an emergency.

3 **REPRESENTATIONS**

Six letters of representation have been received from Mr. Day of 38 Wroslyn Road, Miss MacCutcheon of 42a Wroslyn Road, Mr. Lay of 40 Wroslyn Road, Mr. Newell of 42 Wroslyn Road, Mr. Shann of 36 Wroslyn Road and Ms. Baker of 44 Wroslyn Road. The comments can be summarised as follows:

- Concerns over the noise that this extraction chimney creates when running; and on start up, a loud crashing sound like iron doors slamming together.
- Concerns regarding the fumes that are likely to be inhaled by people and animals in the vicinity.
- The appearance of the ducting is not the main concern of residents (No. 42a) it is the dispersal of toxic fumes.
- Noise from the equipment that generates throughout the day whereby I am unable to use the amenity of my garden space and it can be heard within my house (No. 42a).
- The business currently closes on Saturday at 12:00, I have concerns over the excessive noise if these hours are extended.
- When the units were built we were told that there would be no development allowed on the eastern side facing the properties.
- The current application breaches the conditions of the original 1979 consent for the industrial estate.
- The noise is annoying and detrimental for the use of houses and gardens near it.
- When in operation the equipment produces a clearly audible background noise that is none the less an intrusion into an otherwise quiet rural environment (No. 36 Wroslyn Road).
- The ducting is noisy and this impact son me as I work from home and it is also in operation at the weekends (No. 44 Wroslyn Road).

4 POLICY

4.1 In your officer's opinion, the key policies of the adopted West Oxfordshire Local Plan, 2011 for consideration in the determination of this application are, in your officer's opinion, policies:

BE2 (General Development Principles);
 BE3 (Provision for Movement and Parking);
 BE18 (Pollution);
 BE19 (Noise);
 E7 (Existing Business); and
 H2 (General Residential Development Principles).

4.2 In addition Section 3 (Supporting a prosperous rural economy) and Paragraphs 120 and 123 of the National Planning Policy Framework are of key consideration.

4.3 The noise guidance within the Planning Practice Guidance is also of particular relevance.

5 PLANNING ASSESSMENT

5.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle;
 The impact on residential amenity; and
 Highways and Parking Provision

Principle

5.2 The established automotive business operating from the unit is situated within the Freeland Industrial Estate. The Industrial Estate was granted planning permission in 1979 under Planning Reference: W.1381/79L. This consent was granted subject to a number of conditions. The key conditions for consideration for the determination of this retrospective application are conditions:

5. That no processes to be carried on or machinery installed on the land or in the building(s) except such as could be carried on or installed and used in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

REASON: To preserve the amenities and to secure the proper planning of the locality.

6. That work be carried out on the land/buildings only on Mondays to Fridays – 8 a.m. to 6 p.m and Saturdays 8 a.m. to 1 p.m and at no other times whatsoever.

REASON: To protect the amenities of the locality.

14. That any ventilators, flues or other extraction vents shall not be located on the eastern facing walls or roof slopes of any units that will adjoin the eastern boundary of the site.

REASON: In the interests of the amenities of the locality.

- 5.3 This retrospective planning application seeks to vary Condition 14 for the erection of ducting to the Eastern elevation of the units and also seeks to vary Condition 6 to extend working hours on Saturday to allow operation from 8a.m. and 4p.m.
- 5.4 Permission was granted for the Industrial Estate with the above conditions in order to protect the amenity of residential properties particular to the East of the Industrial Estate. All units at the site were granted permission to operate under business use (B1). A B1 use is considered to be appropriate within a residential area whereas B2 uses may be considered incompatible with residential uses however this is very much dependent on the nature of the B2 use. The current business at Unit 17 started operating in November 2013 and offers automotive modifications such as window tinting. In January 2014, the business started offering alloy wheel coating which requires extraction via the ducting. Under the Use Class Order, it could be considered that with the addition of this operation at the business, would fall under B2 use. It is considered therefore that the operation of the business would require a change of use from B1 to B2 use. This application does not include this change of use.
- 5.5 Paragraph 28 of the National Planning Policy Framework aims to support sustainable expansion of all types of businesses in rural areas. Policy E7 of the adopted West Oxfordshire Local Plan 2011 also seeks to support business expansion of existing businesses providing they are commensurate with the character of the locality.
- 5.6 Given the Industrial Estate already has an existing established use; officers consider that the principle for the expansion of the business could be supported. However it is considered by your officers that whilst the Authority supports the principle of the expansion of businesses in rural areas this proposal would result in unacceptable harm to neighbouring residential amenity which would far outweigh the benefits of supporting rural businesses.

Residential Amenity

- 5.7 This application seeks to regularise the ducting affixed to the Eastern elevation of the unit. The duct measures 70cm in diameter and 3.5m in height. The ducting is situated 13m from the rear boundary of the nearest affected residential property to the east at No. 42. The views to the ducting from the No.42 are mitigated by an intervening vegetation screening. It is also considered that there is considerable distance between the ducting and the primary amenity space of the neighbouring residents. Given this it is considered that the visual appearance of the ducting does not result in detrimental impact to the immediate neighbouring properties by way of overbearing impact or visual intrusion. Furthermore representations have been received stating that the visual appearance of the ducting is not of the main concern for residents in the vicinity as a result of this development.

- 5.8 Within the conditions set out under Planning Reference: W.1381/79L, Condition 14 restricted development of any extraction vents on the eastern wall of the Industrial Estate to protect the amenities of the locality. Furthermore Condition 5 states that no processes should take place at the site that causes detriment to the amenity of the area by reason of noise, vibration, smell, fumes, soot, ash etc.
- 5.9 Concerns have been raised that the fumes emitted from the ducting during operation are toxic and therefore have the potential to significantly affect the health neighbouring residents. The comments from the Environmental Health state that the particulates from the ducting are non-toxic and are not considered to be of significant harm to the safety of neighbouring residents within the vicinity.
- 5.10 Policy BE2 of the adopted West Oxfordshire Local Plan, 2011 seeks for new development to respect and where possible improve the character and quality of the surrounding area. Proposals should be refused for development that fails to create or retain a satisfactory environment for people living in the area. Concerns have been raised over the noise emitted from the ducting whilst in operation. Furthermore Policy BE19 states that planning permission will not be granted for development if the occupants of housing and other noise sensitive development would be exposed to significant noise disturbance.
- 5.11 The Planning Practice Guidance on Noise states that in determining the impact of noise the following should be considered:
- Whether or not a significant adverse effect is occurring or is likely to occur;
 - Whether or not an adverse effect is occurring or likely to occur; and
 - Whether or not a good standard of amenity can be achieved.
- 5.12 In determining the level of noise from the ducting whilst in operation, officers consider under the Planning Practice Guidance that the effect is between the “noticeable and intrusive” and “noticeable and disruptive” categories.
- 5.13 A Noise Assessment was conducted at the site from WODC Environmental Health Officers. The ambient noise level was measured at 39 dB LAeq 1m from the ducting within the garden area of the Industrial Site. With the fan in operation, the noise level was measured at 53 dB LAeq. The noise is also accompanied by the start up and shut down ‘clang’ which is measured at approx. 71 dBA. Outside of the curtilage of No. 42 (approx. 13m in distance) the noise level was measured at 63 dB LAeq. The object of the noise assessment is to determine how and by how much a noise should be reduced in order to reduce any adverse effect as might be received by a neighbouring property.
- 5.14 Policy BE18 of the adopted West Oxfordshire Local Plan, 2011 states that planning permission will not be permitted for development which could give rise to unacceptable levels of pollution unless adequate mitigation measures are provided to ensure that no harm will be caused. The Planning Practice Guide states that where there is a significant observed adverse effect from noise consideration needs to be given to mitigating and minimising the effects. WODC Environmental Health Officers have a qualified objection to the ducting and suggest a number of conditions in the event the proposal was approved to seek to mitigate the significant adverse effect of the noise. The mitigation guidance from WODC Environmental Health Officers require to reducing the measured 63dB LAeq by 10dB (to 53dB which is national guidance). This may be achieved by filters to the ducting to reduce the noise emitted during operation.
- 5.15 No information has been provided, nor are Environmental Health Officers able to confirm that this reduction in noise level can be achieved. Therefore, officers are of the opinion that it has not been demonstrated that the noise can be effectively mitigated to a level that would cause no detrimental harm to the surrounding neighbouring residents. Furthermore in light of Condition 5 and 6 of the

original permission (Planning Reference: W.1381/79L) for the Industrial Site, officers consider that there would be detrimental harm to the residential amenity of the immediate neighbouring residents to the East of the site.

- 5.16 It is also considered that whilst the Authority supports the expansion of business within rural areas this proposal would result in unacceptable harm to neighbouring properties whereby the original consents and associated conditions have sought to protect the amenity of the locality.

Highways and Parking

- 5.17 Highway officers have no objection to the proposal based on Highway Safety. On this basis officers do not consider that the proposal would give rise to unacceptable harm to highway safety.

Conclusions

- 5.18 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is unacceptable on its planning merits. The proposal is contrary to Policy E7, BE18, BE19 and H2 of the adopted West Oxfordshire Local Plan, 2011.

RECOMMENDATION

Refuse for the following reason:

- I By reason of siting and the levels of noise generated it is considered that the development significantly impacts upon the neighbouring residential amenity. Furthermore it has not been demonstrated to the satisfaction of the Local Planning Authority that the noise from the ducting at the premises can be reasonably mitigated. As such the non-compliance with Conditions 5, 6 and 14 of W.1381/79L is considered contrary to Policies BE2, BE18 and BE19 of the West Oxfordshire Local Plan, 2011 and the Government's planning policies set out within the National Planning Policy Framework.

14/0686/P/FP Coppers End Cleveley Road Enstone	
Date	12/05/2014 15/05/2014
Officer	Gemma Smith
Officer Recommendation	Grant, subject to conditions.
Parish	ENSTONE
Grid Ref:	437917,224136

APPLICATION DETAILS

Erection of detached dwelling with associated parking.

APPLICANT

Mr N Wiffin, C/O Agent.

BACKGROUND INFORMATION

This application seeks planning permission for the erection of a 1 and ½ storey, three bed detached dwelling on the land to the rear of Coppers End, Cleveley Road, Enstone. In addition the application comprises of the development of associated parking at the site. The dwelling would be located on land on the corner of Oxford Road and Cleveley Road. The site is heavily screened to the A44 by existing mature tree screening but would be visible from views from Cleveley Road.

The site is situated outside of the Conservation Area and outside of the Cotswolds Area of Outstanding Natural Beauty.

I PLANNING HISTORY

- 1.1 Glenrise, Cleveley Road, Enstone – Erection of two dwellings with associated garaging, boundary fencing and landscaping. Installation of two air source heat pumps to serve new dwellings (Planning Reference 12/0174/P/FP) Granted subject to conditions 13th March 2012.
- 1.2 Glenrise, Cleveley Road, Enstone - Erection of two dwellings with associated garaging (Planning Reference 11/1010/P/FP) Refused 6th September 2011.

“1. That the application does not provide for any affordable housing and it has not been demonstrated that the provision of affordable housing would result in the development being unviable. As such, the proposal does not have proper regard to Policy H11 of the West Oxfordshire Local Plan, 2011 or the Affordable Housing Supplementary Planning Guidance.

2. That plot 2 would be served by inadequate off-street carparking due to the internal dimensions of the garage providing insufficient space for parking a vehicle.”

- 1.3 Glenrise, Cleveley Road, Enstone - Remove existing dwelling and erection of three dwellings with attached garages (Planning Reference 07/1013/P/FP) Granted subject to conditions 8th October 2007.

2 CONSULTATIONS

2.1 Enstone Parish Council

“Enstone Parish Council objects to this current planning application as there are already parking issues within the area and the area is too cramped for two houses.”

2.2 OCC Highways

“The proposal, if permitted, will not have a significant detrimental effect on the local road network - No objection subject to conditions.”

3 REPRESENTATIONS

Thirteen neighbouring properties were notified of the application and no letters of representation have been received. Neither have any comments been received in response to the site notice erected at the site.

4 APPLICANTS CASE

- 4.1 The applicant has submitted the following documents in support of their application and they are summarised as follows:

4.2 Design Statement

- Site occupies a corner plot that slopes down from Oxford Road to Cleveley Road.
- It is screened by trees that are to be retained.
- The rear and side garden of the proposed dwelling amounts to 105 sqm. And that of Coppers End to 107 sq.m

- The general appearance will reference Coppers End with the use of coursed natural stone, painted timber flush casement windows with stone effect cills and lintels, and plain concrete roof tiles.
- An arboriculture report accompanies the planning application to address concerns at pre-application stage in the retention of the tree screen between the site and A44.
- The access to the existing property at Coppers End will be widened to accommodate access to the proposed new dwelling.

4.3 Arboriculture Report

- Trees that are located outside of the site have been considered as part of the survey.
- The majority of trees at the site, 8, are of moderate quality and value in such to make a significant contribution for a minimum of 20 years.
- The below ground constraints are identified by a root protection area on the accompanying Arboricultural Implications Plan (AIP).
- One tree will be removed as part of the planning proposal. The tree is a bay tree on the northern boundary of the site in order to create access to the site.
- It is considered that the loss of the single bay tree would not affect the character or amenity of Cleveley Road.

5 **POLICY**

- 5.1 Your officers considered that the following policies of the adopted West Oxfordshire Local Plan, 2011 are particularly relevant:

Policy BE2 (General Development Standards)
 Policy BE3 (Provision for Movement and Parking)
 Policy H2 (General Residential Development Standards); and
 NE15 (Protected Species).

- 5.2 In addition to the above, the National Planning Policy Framework is a material consideration.

6 **PLANNING ASSESSMENT**

- 6.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle;
 Impact on the character of the area;
 Impact on amenity;
 Highway and parking implications; and
 Trees

Principle

- 6.2 In considering the principle of residential development officers would have regard to the provision of the adopted West Oxfordshire Local Plan, 2011 and the guidance of the National Planning Framework (NPPF). Proposals for new residential development in Enstone would have been considered in line with Policy H6 of the adopted West Oxfordshire Local Plan, 2011. In light of the recently agreed Housing Land Position Statement, the District Council are currently in a position where we are unable to demonstrate a five year housing land supply. Given this, in accordance with paragraph 49 of the National Planning Policy Framework (NPPF), proposals for housing development should be considered in the context of a 'presumption in favour' of development and that relevant policies for the supply of housing should not be considered up to date.

- 6.3 Given this, the provision of a house on the site should be considered in the context of paragraph 14 of the NPPF which states that:

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

- 6.4 In light of the guidance of the NPPF, and that Enstone is considered to be a relatively sustainable location given the range of facilities and services provided for, officers therefore consider that the principle of development is acceptable.

Character and Appearance of the Area

- 6.5 The proposed dwelling is of a simple form and elevations that reflect the form of the main dwelling at Coppers End. The materials are appropriate to the area, incorporating coursed natural stone under plain clay roof tiles to match the existing dwelling at the site, Coppers End. The land levels to the rear of the site steps up towards the A44 and development and is characterised by a mature tree vegetation screening. It is considered that the proposal could not be viewed from the public vantage points along the A44. The proposal would not appear cramped whilst in situ to the neighbouring property at Coppers End when viewed from Cleveley Road. Concerns have been raised that the area is too cramped for two dwellings at the site. Planning permission was granted in 2012 for the erection of two dwellings at land at Glenrise under Planning Reference 12/0174/P/FP. The distances between the proposed two dwellings and existing dwellings within the area are smaller than the distances between the proposed new dwelling and Coppers End. Furthermore it is considered that the scale of the proposed new dwelling is appropriate and sympathetic to the character of the Coppers End.
- 6.6 Given this, officers consider that the proposed development is in keeping with the character and appearance of the surrounding area.

Residential Amenity

- 6.7 The proposed new dwelling has a close relationship with the existing dwelling at Coppers End (approx. 6m in distance) however the proposed East elevation is blank and does not give rise to any direct overlooking. The proposed new dwelling would be 4m from the boundary to the south of the property between the application site and the amenity space at Cherrydene, the nearest neighbour. It is to note that the south elevation of Coppers End is 2m from the boundary. It is considered that there would be no detrimental harm by way of overbearing impact or loss of light to the amenity space of the neighbouring property as a result of the proposal. Furthermore there have been no representations received. Officers do not consider that this relationship would be so harmful to justify the refusal of planning permission. The boundary with the property at Cherrydene is planted and as such would not give rise to any unacceptable level of overlooking.

Parking and Highways

- 6.8 The Local Highways Authority Officer has assessed the proposal from parking and safety perspectives and has not objected to the proposed development. The application would provide sufficient off-street parking to serve the existing property and the proposed new dwelling. Only two off-street parking spaces would be required for a dwelling of this scale and therefore the proposal provides sufficient off-street parking for the number of bedrooms proposed. Whilst officers acknowledge the concerns over the parking issues with the area, adequate parking for the proposal has been demonstrated. Therefore, officers do not consider that the proposed

development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway. The development is therefore in accordance with Policy BE3 of the adopted West Oxfordshire Local Plan, 2011.

- 6.9 It is noted that there is a number of mature trees to the West of the proposed new dwelling around the boundary of the site with the A44. Officers consider that these provide a high level of screening and amenity to the proposal and therefore a condition has been imposed for the retention of this screening. Furthermore it is proposed to remove a bay tree on the northern boundary of the site in order to create access to the site. It is considered that the removal of this tree would not result in a detrimental impact on the character of Cleveley Road.

Conclusions

- 6.10 In light of these observations, having considered the relevant planning policies and all other material considerations, your officer's consider that the proposed development is acceptable on its planning merits.

RECOMMENDATION

Permit subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No's, 0816_100, 0816_201, 3759/01/13-3151, 0803_281, 0803_282, 0803_283, 0803_284, 0803_285 and 0803_286.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Class A, B and E of Part 1, Schedule 2, Article 3 shall take place.
REASON: To protect the character and appearance of the area and to protect the residential amenity of future occupiers. (Policies BE2 and H2 of the West Oxfordshire Local Plan, 2011)
- 4 The external walls shall be constructed of natural stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before development commences and thereafter retained until the development is completed.
REASON: To safeguard the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 5 The roof of the building shall be covered with concrete roof tiles, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 6 The means of access between the land and the highway shall be formed, laid out and constructed in accordance with the specification of the means of access attached hereto, and all ancillary works therein specified shall be undertaken in accordance with the said specification before occupation of the development and thereafter retained.
REASON: To ensure a safe and adequate access. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)

- 7 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. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 8 Prior to the commencement of development, a full surface 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. 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 Policy Statement 25 Technical Guidance)

14/0693/P/FP Land at Tracey Farm Great Tew	
Date	07/05/2014 14/05/2014
Officer	Mr Phil Shaw
Officer Recommendation	Approve subject to conditions
Parish	GREAT TEW
Grid Ref:	439730,226841

APPLICATION DETAILS

Change of use of land & buildings to Hotel & leisure. Removal of modern farm buildings & erection of new purpose built buildings to include thirty guest cabins, staff accommodation & guest facilities. Car parking and other associated works. (To allow amendments to approved planning permission 13/0666/P/FP).

APPLICANT

Soho House Group & Great Tew Estates, C/O Agent.

BACKGROUND INFORMATION

This application relates to the site now under construction where Members resolved to approve a hotel facility by way of conversion and new build on land lying to the north of Enstone airfield. This application seeks amendments and additions to the extant consent under Planning Reference 13/0666/P/FP.

The changes for which consent are sought are as follows:

1. Rebuilding and extending derelict cottages in place of the consented new build entrance lodge/check in.
2. A new underground energy building comprising biomass store, LPG, diesel and heating oil stores and an electricity sub station.
3. Amended car park layout including increased capacity and a new exit.
4. A new tennis court.
5. Relocation and redesign of the boathouse and pool building.
6. A new sauna building.
7. Extending the Mill pond.
8. Extending the "cowshed relax" building to provide additional treatment rooms.
9. Amendments to the main barn/clubhouse building.
10. Using the consented screening room as a farm shop and cookery school.
11. Extensions to the kids club building.
12. Using the former energy hub as a prep kitchen.
13. Creation of a new function barn for 80-120 people.

14. Creation of some further water features.
15. A new sewage pumping station and treatment plant.

1 PLANNING HISTORY

Of most relevance is application I3/0666/P/FP which secured consent for the hotel on the site. Subsequently there have been applications for minor material amendments and amendments to the design of several of the buildings and also for variation of some of the drainage conditions.

2 CONSTRAINTS

The application site is located some distance from the Great Tew grade II listed parkland and the Great Tew Conservation Area. The application site is located outside of the Cotswolds Area of Outstanding Natural Beauty. The barn range forming the eastern side of the farmyard is a Grade II listed building. The river Dorn (a tributary of the river Glyme) flows through the application site and part of the site falls within flood zones 2 and 3 with a number of protected species in the vicinity. Public rights of way run through the site.

3 CONSULTATIONS

3.1 Parish Council

No response to date.

3.2 OCC (in summary)

“Transport implications are similar to extant consent so there is no need to vary the response, what are the ecological implications of the amendments? no known archaeological implications.”

3.3 Thames Water

“No objection.”

3.4 WODC Neighbourhood Services

“No concerns.”

3.5 WODC Env Health

“No objections.”

3.6 Natural England

“No objections subject to biodiversity and landscape enhancements being considered.”

3.7 Environment Agency

“Originally responded with a holding objection. At the time of agenda preparation it would appear that the concerns have been overcome but clarification is being sought.”

4 REPRESENTATIONS

None received. Consultation period expired 19/6/2014.

5 APPLICANT'S CASE

5.1 Writing in support of the proposals the applicants have produced a considerable volume of additional and amended supporting documentation which may be inspected in full in the usual manner. It is considered that the key points raised may be summarised as follows:

- Proposals are mainly modifications to the approved scheme.
- Changes follow a review of commercial viability.
- There is a need for more staff to live on site.
- There is a need to host functions without interfering with the operation of the rest of the site.
- Design and location of the key buildings has been reviewed with regards to functionality and amenity.
- Key trees and other features have been respected.
- New water feature allows retention of key trees adjoining existing Mill Pond.
- New function barn will provide a facility for events and functions to underpin viability.
- Accompanying reports have been updated and balances the further impacts of the revisions against the benefits.
- On balance, when complete, there will be only a slight adverse landscape impact.
- Otherwise the impacts are broadly similar to that approved.
- Proposals provide significant benefits to tourism, leisure and the local economy.

6 POLICY

It is considered that the TLC1 and TLC2 of the adopted West Oxfordshire Local Plan, 2011 along with the provisions of the NPPF are of most relevance. Also of relevance are policies BE2, NE1, BE5 to 13, NE6, NE13 and NE15.

7 PLANNING ASSESSMENT

7.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issue is:

- Whether there is any material difference in terms of policy of impacts that would warrant a different decision to that arrived at in terms of the extant consent

Material difference

7.2 The policy context for assessing the merits of the proposal remains as previously with the saved policies of the local plan and the presumption in favour of sustainable development set out in the NPPF being of most relevance. The key changes to the physical impacts of the scheme are considered by officers to be the introduction of new facilities not previously considered. These comprise the new cookery school and the new function barn. The other works are essentially variations to what had previously been approved albeit that the ecological implications do need to be assessed.

7.3 In terms of the likely impacts, the Cookery School/Farm Shop is a relatively modest structure set within the complex of historic buildings at the core of the redevelopment. On this basis, with the imposition of conditions to ensure that it sells goods produced locally and does not become a general AI use, and that the traffic is routed to the site from the main access, this aspect is considered by your officers to be acceptable.

- 7.4 The new barn is a substantial new building measuring 28m by 8m by 8m high. It is to be constructed with a small masonry plinth with vertical timber cladding above and with a half-hipped roof covered in reclaimed clay tiles. It incorporates its own kitchen, bar and toilet areas.
- 7.5 Its proposed location is to the South East of the main complex of buildings, on a site where historically a substantial hay-bale storage has taken place. There is some screening in the vicinity and the building would read as part of the complex of buildings at the heart of the site- albeit of a somewhat different vernacular design style.
- 7.6 Your officers have given consideration as to whether it would “compete” with existing established village halls in the vicinity thereby undermining their viability. However it would appear that it is primarily directed at functions associated with use of the remainder of the complex e.g. weddings and as such is not likely to provide direct competition. Again, with suitable conditions controlling the extent and nature of the use it is considered acceptable in the context of the much more extensive wider development proposals

Conclusions

- 7.7 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits provided that the ecological holding objection and Environment Agency holding objection are overcome.

RECOMMENDATION

Grant subject to the following 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 the Town and Country Planning Act 1990.
- 2 Other than the changes hereby approved the development shall be undertaken in accordance with the plans, conditions and discharged details approved in respect of application 13/0666, 14/0331, 14/0337 and 14/0423.
REASON: For the avoidance of doubt and because this application is an amendment to the enabling consents.
- 3 The Farm Shop/Cookery School and Function Barn shall only be operated ancillary to the operation of the main hotel facility and not separately therefrom and all parking and access associated with the operation of the said buildings shall be taken solely from the main access to the complex.
REASON: The buildings have only been approved ancillary to the operation of the main business.
- 4 No goods or produce shall be sold from the farm shop other than those either grown on site, produced on the Gt Tew Estate, sourced locally or otherwise having a direct functional connection with the local area.
REASON: To ensure a retailing used unrelated to the wider holding is not created.

14/0694/P/FP Chipping Norton Baptist Church New Street Chipping Norton	
Date	13/05/2014
Officer	Abby Fettes
Officer Recommendation	Grant, subject to conditions
Parish	CHIPPING NORTON
Grid Ref:	431111,227152

APPLICATION DETAILS

Renovations and alterations to Baptist Church to retain the Church use at ground floor in the main building together with new mezzanine level. Alterations and conversion of the remainder to create eight two bedroom apartments.

APPLICANT

Citadel Spring Ltd and the Baptist Union Corporation Ltd C/O Agent.

BACKGROUND INFORMATION

This application seeks planning permission for the conversion of the existing church to include the retention of the church and community facility at ground floor in the main building, together with the provision of 8 no. two bed dwellings at ground, first and second floor.

The Baptist Church is located to the north of New Street, Chipping Norton. The application site is diagonally opposite the junction with Dunstan Avenue and adjacent to the Penhurst Children's Home. It is within the Conservation Area and the Cotswolds AONB.

I PLANNING HISTORY

- 1.1 08/0336/P/FP & 08/0636/P/LB Renovation of existing church with retention of ground floor for church use, creation of five dwellings on first and second floors and internal and external alterations and renovation as approved.
- 1.2 11/1156/P/FP EXT and 11/1157/P/LB EXT extension of time limit to the above applications was approved. These applications remain extant and the proposals could be implemented before September this year.

2 CONSULTATIONS

2.1 Chipping Norton Town Council

“Car parking is a big problem in the Town. Therefore the Town Council insist that car parking is provided on site or the developer to approach the Penhurst site developers to come to an arrangement with car parking. Originally the planning application was for 6 apartments and now it has been increased to 8. The Town Council would like to see 6 apartments rather than 8 as extra apartments would only add to the very busy big car parking problem. The public car park is very often full and would not accommodate these extra cars.”

2.2 Highways

“There is an extant permission for 5 units of 2 and 3 bed residential accommodation. The existing use has the potential to generate more traffic movements than the residential use proposed and the site is relatively close to the town centre. No objection subject to cycle parking provision as shown on plans.”

3 REPRESENTATIONS

3.1 Ten letters have been received from neighbouring properties objecting to the scheme and their comments are summarised as follows:

- Lack of parking.
- Argument that parking will decrease is fundamentally flawed, church users don't require overnight parking, new residents will.
- Already parking issues with cars parked on double yellow lines, there are daily traffic infringements.
- Surgeries now out of town so more reliance on cars.
- With Penhurst development this is going to be a dangerous corner of town, particularly with children running down New Street to the recreation ground.
- Perhaps negotiations with Penhurst site could provide parking for the proposed flats?
- The high density of the development results in cramped and mean living areas.
- Will the access be gated?
- No issue with development in principle just object to lack of parking.
- Disagree with supporting documents which state development will not have adverse impact on adjacent properties, it indicates total lack of respect for residents of Diston Lane.
- Potential for 32 people to occupy the site, density not in keeping with area.
- The pathway on the eastern boundary will be much used by residents accessing properties and waste and cycle storage creating noise and disturbance to residents of Distons Lane.
- Rooflights will overlook.
- There is no mention of air con/gas heating, I ask for these details to be conditioned.
- Transport statement is laughable, I have never seen people cycle for purposes other than sport or exercise and the hill means people drive to the shops, there is a 35m.
- It is unrealistic to think the new residents will travel by bus.
- I do not object to the conversion of the church, however the lack of parking should make these plans unviable.

3.2 19 standardised letters of objection have been received on the following grounds:

- Incorrect assessment that the addition of 8 no. 2 bed units has same parking requirement as the church when it was in use, cannot compare to overnight parking.
- Protection of the local environment to avoid further damage to grass verges with cars struggling to find on street spaces.
- Change in parking circumstances since previous application, Dunstons Avenue has been made residents only.
- Would seem sensible to provide parking for the 8 units on adjacent Penhurst site.

4 APPLICANT'S CASE

4.1 Bat Survey

Survey conducted in 2011 indicated roosting bats were absent from the building at that time, but a single bat had accessed at some time in the past. Since then the interior of the church has deteriorated with regard to its suitability for roosting bats and no fresh evidence was found.

4.2 Planning Statement

Having regard to the extant permission, the statement has demonstrated that:

- The principle of development is acceptable;
- The internal and external alterations to the building would preserve its special architectural and historic interest as a Grade II listed building;
- The special landscape quality of the AONB would be conserved;
- The amenities of neighbouring residential properties would not be adversely affected;
- An appropriate quality of accommodation would be provide for future occupiers;
- There would be no adverse impact on existing landscape features on the site, and;
- The lack of on site parking is not a constraint to the proposed development.

4.3 Transport statement

The site is in a highly sustainable location with ready access to services and facilities by means other than the private car. That being so, and having regard to the extant permission on the site, there are not considered to be any transport related constraints to the proposed development.

5 **POLICY**

5.1 The Baptist Church is a grade II Listed Building within the Chipping Norton Conservation Area. Two of the tombs within the grave yard are also grade II Listed Structures. Policies BE2 (General Development Standards), BE3 (Provision for Movement and Parking), BE5 (Conservation Areas), BE7 (Alterations and Extensions to Listed Buildings), BE8 (Development Affecting the Setting of a Listed Building), BE9 (Change of Use of a Listed Building), H2 (General Residential Development Standards), H7 (Service Centres) and TLC12 (Protection of Existing Community Services and Facilities) are considered to be particularly relevant.

5.2 The guidance set out in the NPPF is considered to be of relevance to this application.

6 **PLANNING ASSESSMENT**

6.1 Taking into account planning policy, other material considerations and the representations of the interested parties, your officers consider that the main issues are considered to be:

Principle
Design and impact on historic assets
Neighbourliness
Ecology
Highways and parking

Principle

6.2 Chipping Norton Baptist Church comprises two buildings. The gothic styled building on the frontage dates back to the mid 19th Century and is currently used as the main church hall. To the rear of the site is a smaller building which dates back to the 18th Century and was the original church building on this site. The ground floor of this building is used as a function room and is used by the church and other community organisations. The first floor of this building is currently used for storage purposes.

6.3 The site is located within Chipping Norton, so policy H7 has previously applied in terms of the provision of new dwellings. Since the determination of the previous application the District Council has however, accepted that it does not have a five year supply of land for housing as required by paragraph 49 of the NPPF. As such, in line with paragraph 14 of the NPPF the District Council must exercise a presumption in favour of sustainable development unless the harm in doing so would significantly and demonstrably outweigh the benefit. On this basis the principle of the

conversion to form eight dwellings on this site in place of the previously approved five dwellings is acceptable in principle.

- 6.4 It is important to note that the existing building provides a community facility. Policy TLC12 of the adopted West Oxfordshire Local Plan 2011 seeks to protect existing community facilities. Policy TLC12 states that development proposals should not result in the loss of useful local services and facilities unless it can be demonstrated that:
- a) the existing use is not viable; or
 - b) adequate and accessible alternative provision remains or would be provided.

6.5 In this instance the proposal aims to provide an enhanced church and function room, with improved kitchen and WC facilities. As such, your officers consider that the proposal is in accordance with Policy TLC12.

6.6 Having regard to the above, your officers consider that the proposal is acceptable in principle and in accordance with Policy H7 and TLC12 of the adopted Local Plan 2011 and the guidance of the NPPF.

Design and impact on Heritage Assets

- 6.7 The existing building on the frontage comprises a church hall and lobby at ground floor level with two sets of stairs rising to the first floor. The first floor of the building comprises a gallery and covered void over the church hall.
- 6.8 The application seeks planning permission for the sub-division of the ground floor area of this building to provide a church hall, lobby area, kitchen facilities, storage room, plant room and WC facilities.
- 6.9 The two existing stair cases provide access to the proposed residential accommodation at first floor level and within the roof space. The proposed residential accommodation comprises 8 no. two bed dwellings.
- 6.10 The existing building to the rear comprises a function room, kitchen, WC facilities, office and storage at ground floor level. There is a link from this element of the building at ground floor level to the church hall. The first floor of this building is an open plan space. Access to this space is gained from an enclosed external staircase. Again there is an existing internal link from this space to the galleried area above the church hall.
- 6.11 Limited external alterations are proposed. The double set of conservation type rooflights on the west elevation are clumsy and far from ideal, however, on balance, they are not considered so harmful as to justify the refusal of planning permission for the scheme as there are four much larger velux windows that were approved on the extant scheme. Furthermore it is not considered that these revisions will have a material impact upon the character and appearance of the Chipping Norton Conservation Area. The church has sought ecclesiastical exemption and on that basis it does not require an accompanying listed building application.

Neighbourliness

- 6.12 Your officers consider that an acceptable level of amenity is provided for the proposed dwellings. The 8 no. two bed dwellings are to be provided within the existing envelope of the building. All units will benefit from a dedicated area for the storage of wheeled bins and a communal store is proposed for the storage of recycling boxes.

- 6.13 Due to the location of the building on the frontage and its relationship with the blank gable of 67 New Street, your officers do not consider that the provision of the 4 dwellings within the first and second floor of the building will have a detrimental impact upon the amenity of neighbouring residential properties.
- 6.14 The eastern elevation of the rear extension building fronting the rear of the dwellings in Distons Lane comprises four windows at first floor level, three of these windows are existing and one of these windows is new. Three windows serve two bedroom areas, the stair well and one window serves a bathroom. The separation distance between these windows and the rear elevation of the properties fronting Distons Lane measures approximately 18 metres.
- 6.15 Whilst three of these windows are existing openings, it is important to note that these windows currently serve a storage area. As such the level of existing overlooking between these windows and the properties within Distons Lane is minimal. Your officers do consider that sub-division of the building will increase the levels of overlooking between these windows and the properties within Distons Lane. Your officers recommend that if the Sub-Committee are minded to support this application a condition is attached to the planning permission requiring the provision of obscured glazed and non opening windows.
- 6.16 In order to ensure that an acceptable level of amenity is provided for the future occupiers of the proposed dwellings, a condition is recommended requiring the submission of the proposed noise attenuation measures between the Church Hall and the proposed residential accommodation, and their approval in writing prior to the commencement of development.

Ecology

- 6.17 The previous applications have been accompanied by a bat statement, given the potential for bat roosts in the roof. The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Habitats Directive which identifies 4 main offences for development affecting European Protected Species (EPS).
1. Deliberate capture or killing or injuring of an EPS
 2. Deliberate taking or destroying of EPS eggs
 3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
 4. Damage or destruction of an EPS breeding site or resting place.
- 6.18 The survey submitted with the application details the following mitigation measures – bat boxes and bat slates to be located on the building.
- 6.19 The mitigation measures detailed within the survey are considered to be convincing and in your officers opinion will secure “offence avoidance” measures. The proposal is therefore considered to accord with Local Plan policies.

Highways and parking

- 6.20 The Local Highway Authority Area Liaison Officer has assessed the proposal from parking and highway safety perspectives and has not objected to the scheme. The proposal is expected to generate 16 vehicles. The DI use could convert to a medical surgery, crèche or day nursery or any other use which falls within the class without the benefit of planning permission, and it is

considered that those uses have the potential to generate significantly higher levels of highway movements and levels of parking. It is also in a relatively sustainable location within the third largest settlement in the district and in that regard is in accordance with the guidance in the NPPF regarding sustainable development. Cycle parking for the scheme is to be provided on site.

- 6.21 The Transport Statement that has been submitted in support of this application by the applicant's concludes that the proposed development will not create any material additional impact in the local community in terms of traffic generation and car parking.
- 6.22 The Town Council and local residents concerns regarding impact on parking have been noted. However, as there is an extant permission for 5 residential units and in the absence of an objection from the Highway Authority, officers do not consider that they can justify a reason for refusal on the grounds of lack of parking given the location within the third largest settlement in the district. It has not been demonstrated that the proposed development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway, and is therefore in accordance with policy BE3.

Conclusions

- 6.23 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is, on balance, in accordance with policies H7, TLC12, BE2, BE3, BE4, BE5 , BE7 and NE13 and the NPPF and is therefore acceptable on its planning merits.

RECOMMENDATION

Permit subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with plan No(s) 6467/P101, P102, P103, P104, P105, P106, P107, P108, P109.
REASON: For the avoidance of doubt as to what is permitted.
- 3 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.
REASON: To preserve the architectural integrity of the Listed Building. (Policy BE7 of the adopted West Oxfordshire Local Plan 2011)
- 4 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.
REASON: To preserve internal features of the Listed Building. (Policy BE7 of the adopted West Oxfordshire Local Plan 2011)
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external doors, and rooflights at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional rooflights shall be constructed in the elevation(s) of the building.
REASON: To safeguard privacy in the adjacent properties. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed in the elevation(s) of the building.
REASON: To safeguard privacy in the adjacent property. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Article 3 and described within Class A-H of Part 1 to Schedule 2 shall take place.
REASON: In order to protect the character of this Listed Building and in the interests of residential amenity. (Policies BE2 and BE7 of the West Oxfordshire Local Plan 2011)
- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees, hedgerows, head stones and tombs on the land and details of any to be retained, together with measures for their protection in the course of development.
REASON: To ensure that the development is complemented by adequate landscaping. (Policies NE6 and BE2 of the West Oxfordshire Local Plan 2011)
- 10 All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of the building or completion of the development, whichever is the sooner; and any trees or plants, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: To ensure that the approved landscaping features are properly implemented. (Policy BE2 of the West Oxfordshire Local Plan 2011)
- 11 The mitigation measures as set out in paragraph 7.2 of the Windrush Ecology Bat Survey Report May 2014 submitted with the application shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent harm to protected species. (Policy NE13 of the West Oxfordshire Local Plan 2011)
- 12 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials, shall be submitted to and approved in writing by the Local Planning Authority before building work commences within these areas. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.
REASON: To safeguard the character and landscape of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 13 Prior to the commencement of development details of the noise attenuation measures to be provided between the Church Hall and residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
REASON: In the interest of residential amenity. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

- 14 Notwithstanding the submitted information, revised plans and elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, detailing the provision of non opening and obscure glazed windows to the first floor windows on the eastern elevation of units 7 and 8. The development shall be carried in accordance with the approved details.
 REASON: For the avoidance of doubt and in the interest of residential amenity. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

14/0715/P/FP Blenheim Guest House and Tea Rooms 17 Park Street Woodstock	
Date	15/05/2014/19/05/2014
Officer	Gemma Smith
Officer Recommendation	Grant subject to conditions
Parish	WOODSTOCK
Grid Ref:	444305,216748

APPLICATION DETAILS

Change of use from tea room, shop and guest house to residential.

APPLICANT

Mrs C Box, 11 Cartwright Gardens, Aynho, Banbury, Oxon, OX17 3BB,

BACKGROUND INFORMATION

This planning application seeks planning permission for the change of use of the ground floor of the property from A1 and A3 use to residential. In addition the change of use of first and second floors from C1 use to residential. The application relates to a Grade II Listed three storey building located on a prominent position on Park Street, west of the town centre and to the east of Woodstock Lodge. The site is located within the Woodstock Conservation Area. The application seeks planning permission for the principal of the change of use and no internal or external alterations at this time.

1 PLANNING HISTORY

Change of use from class A1 (shops) to class A3 (food and drink). (Planning Reference W93/0098) Approved 4th March 1993.

2 CONSULTATIONS

2.1 Woodstock Town Council:

“Woodstock relies on its tourist trade and a variety of accommodation and refreshment facilities are crucial to support this, therefore WTC objects to this planning application on the grounds that it goes against WODC policy SH5 as it would deprive the town of a much valued amenity for tourists and residents which is in a prime location, with an authentic historical setting.”

2.2 OCC Highways:

“The proposal, if permitted, will not have a significant detrimental effect on the local road network. No Objections”

3 REPRESENTATIONS

Seven neighbouring properties were notified of the application and no letters of representation have been received. Neither have any comments been received in response to the site notice erected at the site.

4 APPLICANTS CASE

4.1 The applicant has submitted a Planning Statement in support of their application which is summarised as follows:

- It is important to note that this application only seeks to establish the principle of the change of use, and listed building consent is not being sought for any internal or external changes.
- The change of use is being sought because of audited profit and loss accounts since 2007 reveal an increasing net loss each year which the applicant can no longer subsidise.
- In April 2013 the applicant instructed Central Business Agency to market the property and business for sale on the open market.
- Details of the marketing exercise over the year, despite extensive marketing at local, national and international basis through 5 websites, no offers have been received.
- The proposed change of use is supported by both national planning policy guidance in the form of the National Planning Policy Framework and local planning policy in the form of the adopted West Oxfordshire Local Plan, 2011.
- In summary, as proposed development fully complies with the requirements of the National Planning Policy Framework and the adopted Local Plan and there are no other material planning considerations, there are no reasonable grounds for refusing planning permission. It is anticipated that the application will receive the full support and encouragement of the District Council.

4.2 In addition the agent has provided audited profit and loss accounts for the business for the financial years ending March 2012, March 2013 and March 2014.

5 POLICY

In your officer's opinion, the key policies of the West Oxfordshire Local Plan 2011 in the consideration of this application are policies:

BE2 (General Development Standards);
BE3 (Provision for Parking and Movement);
BE5 (Conservation Area);
BE8 (Development Affecting the Setting of a Listed Building);
BE9 (Change of Use of a Listed Building);
SH3 (Change of Use in Town Centres);
SH5 (Loss of Local Shops); and
H2 (General Residential Development Standards).

6 PLANNING ASSESSMENT

6.1 Taking into account the planning policy, other material considerations and the representations of the interested parties your officers consider that the main issues are considered to be:

Principle;
Impact upon the Listed Building; and
Implications on Highways and Parking.

Principle

6.2 The Local Plan and the National Planning Policy Framework both contain policies and guidance which seek to preserve and enhance the vitality of local service centres. Policy SH5 of the adopted West Oxfordshire Local Plan, 2011 seeks to prevent the loss of local shops unless:

- a) *The existing use is no longer viable; or*
- b) *There is no demonstrable loss to the range of goods and services available within or adjoining the settlement.*

6.3 Furthermore, Policy TLC12 of the adopted West Oxfordshire Local Plan, 2011 seeks to prevent the loss of community services and facilities unless:

- a) *The existing use is no longer viable; or*
- b) *Adequate and accessible alternative provision remains or will be provided.*

6.4 Paragraph 28 of the National Planning Policy Framework (NPPF) also supports this approach.

6.5 Officers acknowledge that the Blenheim Guest House and Tea Rooms is a long established establishment use and is a much valued amenity to the tourist catchment to Blenheim Palace. However, in considering the principle of the development, officers have to establish whether there is any policy justification to refuse planning permission. Policy SH5 seeks to prevent the loss of shops (A1 use) however, there are no specific policies which seek to prevent the loss of A3 (café/restaurant) uses. Officers note that the provision of cafes are vital to both the tourist trade and are beneficial community facilities however; in this case, given that there are a number of competitors within Woodstock and the siting of the establishment outside of the centre, officers would find it difficult to resist the loss of the unit.

6.6 In addition the proposal would not result in a loss of employment use as guest accommodation (first and second floor of the establishment) does not constitute an employment use in Local Policy. It could be considered that the conversion from the guest accommodation (C1 use) to residential would create a new dwelling. A new dwelling within the built up part of Woodstock is considered to be in accordance with paragraph 14 of the National Planning Policy Framework.

6.7 On this basis, whilst the Authority acknowledges the loss of the establishment, officers cannot identify a policy which specifically resists such development. Therefore officers consider the principle of the loss of this unit to be acceptable.

Impact upon the Listed Building

6.8 Policy BE9 of the West Oxfordshire Local Plan, 2011 seeks to retain the character and special architectural or historic interest of Listed Buildings through change of use. As this application does not seek to alter the fabric of the building there has been no associated Listed Building Consent. It is therefore considered that the principle of the change of use is acceptable and would not result in detrimental impact to the character of the Listed Building or Conservation Area. Indeed it could be argued that the change of use would secure better long term protection for the Grade II Listed Building.

Highways and Parking

6.9 The Local Highway Authority Officer has assessed the proposal from parking and safety perspectives and has not objected to the scheme. Officers note that the proposal would provide seven bedrooms at the property. For a dwelling of this size, five car parking spaces would be required. It is noted that there is significant parking to the rear of the property which is considered to provide the level of off street parking required for a proposal of this scale. Therefore officers do not consider that the proposed development will create undue danger within the site or that it will detract from the safety and convenience of users of the public highway.

Conclusions

- 6.10 In light of these observations, having considered the relevant planning policies and all other material planning considerations, your officers consider that the proposed development is on balance acceptable on its planning merits.

RECOMMENDATION

Permit subject to the following 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 the Town and Country Planning Act 1990.
- 2 That the development be carried out in accordance with the plans submitted within this application.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development hereby permitted shall be occupied as a single dwellinghouse only.
REASON: A separate dwelling in this location would not be served by adequate off street parking or private amenity space (Policy BE2 and H2 of the adopted West Oxfordshire Local Plan, 2011).

NOTE TO APPLICANT

This consent is for change of use only. Any alterations to the building to enable it to be used for the purpose proposed will require the submission of a further separate application for Listed Building Consent.

14/0729/P/FP Land Adj Evenlode Cottage Horns Lane Combe	
Date	15/05/201422/05/2014
Officer	Gemma Smith
Officer Recommendation	Grant, subject to conditions
Parish	COMBE
Grid Ref:	441103,215687

APPLICATION DETAILS

Erection of dwelling and formation of new vehicular access.

APPLICANT

Mr & Mrs Warren, Church House, Church Walk, Combe, Oxfordshire, OX29 8NQ.

BACKGROUND INFORMATION

This application seeks planning permission for the erection of a two storey four-bedroom dwelling on land adjacent to Evenlode, Horns Lane, Combe. In addition a garage with a home office above is proposed. The dwelling will be located near to the boundary with Rossmore to the north of the site. The site is located in the Cotswolds Area of Outstanding Natural Beauty.

I PLANNING HISTORY

- 1.1 13/1128/P/FP: Erection of a dwelling and carport approved subject to conditions.
- 1.2 10/0362/P/OP: Erection of one dwelling and new shared access (outline): APPROVED.
- 1.3 W94/1054: Erection of one dwelling and construction of new access (outline): APPROVED.

- 1.4 W90/0863: Erection of one dwelling (outline): APPROVED.
- 1.5 W87/1052: Dwelling (outline): APPROVED.
- 1.6 W84/0538: Erection of one dwellinghouse (outline): APPROVED.

2 CONSULTATIONS

2.1 Combe Parish Council

“The members of Combe Parish Council have considered the above planning application and would like to make the following objections and concerns:

BE2 – General Development Standards

Objection to the Garage/Office - The proximity of the garage/ office building to the neighbouring property Rossmore would cause a loss of light.

BE3 – Provision for Movement and Parking

Objection to the driveway - Planning application 13/1128/P/FP gave permission for a shared driveway between Evenlode and the new dwelling. This application has a driveway exclusively for the new dwelling with no provision for a vehicular access for Evenlode. The Parish Council understands that Evenlode is now being let and occupied as three separate accommodations which has resulted in multiple cars parking in Horns Lane which is a busy, narrow road adjacent to the school.

It is considered that the proposed new entrance will create traffic and highways issues with restricted visibility and additional traffic movement into the road. In addition the Parish Council is concerned that no separate provision for vehicular access has been made for Evenlode.

NE9 – Surface water

Concern - The proposed development is onto clay and historically there is a problem with surface water in this area. It is considered that a development of this size will create additional surface water issues increasing the risk of flooding along the highway.”

2.2 OCC Highways

“No objection subject to conditions.”

2.3 WODC Engineers

“No objection subject to conditions.”

3 REPRESENTATIONS

Seven neighbours were notified of the application and two letters of representation have been received from Simon Johnson of Rossmore. The comments can be summarised as follows:

- There is no reference to the position of the dwelling in relation to our house.
- The plan for the garage would extend beyond and in front of our kitchen window. The double storey structure will impact on our light and aspect.
- The missing detail is important to us and should be requested from the applicant.
- The applicants have confirmed that the garage building could be move 1.5 metres east. This would reduce overshadowing of our property and would be acceptable to us.

4 APPLICANT'S CASE

An ecology survey has been submitted in support of the application and the document can be viewed in full on the District Council's website.

5 POLICY

5.1 Your officers consider that the following Policies of the West Oxfordshire Local Plan 2011 are particularly relevant in the consideration of this application:

BE2 - General Development Standards;
BE3 - Provision for Movement and Parking;
BE4 - Open Space within and Adjoining Settlements;
NE15 - Protected Species,
H2 - General Residential Development Standards;
H5 - (New dwellings in) Villages.

5.2 In terms of the National Planning Policy Framework, sections 6 (delivering a wide choice of high quality homes) and 7 (requiring good design) are also particularly relevant.

5.3 The West Oxfordshire Design Guide is also an important consideration.

6 PLANNING ASSESSMENT

6.1 Taking into account the representations of the interested parties, planning policy and other material considerations, your officers consider that the main issues are considered to be:

Principle of development;
Design and the impact on the character of the area;
Neighbourliness;
Highways and parking and
Ecology.

Principle of development

6.2 Planning permission has previously been granted, and remains extant, for the erection of a dwelling on the site. Whilst this is the case the site is within the built up part of the village and would have been supported in principle by policy H5 of the West Oxfordshire Local Plan as the site constitutes infilling. Whilst this is the case, given the District Council's lack of a five year land supply, in line with paragraph 49 of the NPPF the housing policies of the Local Plan are considered out of date. As such, the principle of sustainable development should be supported unless there is significant and demonstrable harm resulting from the development when considered against the NPPF as a whole (Paragraph 14 of the NPPF).

Design and impact on the character of the area

6.3 In your officers' opinion, the scale and massing of the building are commensurate with the built form in the vicinity; the footprint and height of the proposed dwelling are similar to the other dwellings on the western side of Horns Lane. Given the change in levels between the highway and the application site your officers would advise that a levels condition is applied to ensure the dwelling sits comfortably in the street scene.

6.4 The design proposed as part of the application in a relatively simple property with partial dormers and a simple lean to porch on the front elevation. The materials proposed are a mix of stone and

render under a plain tile roof, all of which are considered to be appropriate in terms of this location. The proposed garage will sit forward of the dwellinghouse and therefore will be more prominent in the street scene. Ideally officers would wish to see the eaves lowered and the dormer windows omitted from this prominent elevation however, in context, and seen in relation to the neighbouring buildings the structure will continue to read as a secondary and subservient outbuilding and as such, officers are of the opinion that this element is not so harmful to justify the refusal of planning permission.

- 6.5 Policy BE4 of the Local Plan precludes development which would erode important open spaces within settlements. In this instance, whilst the development would result in the loss of an open garden area, officers do not consider that this space is so fundamental to the character of the immediate area or the distinctiveness of the settlement as a whole to warrant the refusal of planning permission.

Neighbourliness

- 6.6 The proposed dwelling will be approximately 8 metres from ground to ridge and 4.6 metres from ground to eaves. At the closest point the dwelling will sit approximately 7 metres away from the boundary with Rossmore however; the proposed garage will sit only a metre away from the boundary. The side elevation of Rossmore is blank however; there are windows in the rear elevation of this dwelling which will be impacted by the proposal. The boundary is currently marked by a brick built wall of approximately 1.8 metres in height. The proposed garage eaves will sit taller than this and will sit approximately a metre above this wall. The development will impact upon the light received to the windows immediately adjacent to this boundary however, your officers do not consider that the development would result in such a loss of light to justify the refusal of planning permission, particularly as the garage projects only 2.5 metres beyond the rear elevation of that building. The position of the garage will obscure views of the proposed dwelling however; this elevation is largely blank and would not give rise to any unacceptable overlooking.
- 6.7 The proposed dwelling will sit only one metre away from the boundary with Evenlode however that property sits some 3 metres away from the boundary. Notwithstanding this the proposed dwelling will sit largely alongside Evenlode and with the blank elevation of that property officers do not consider that harmful overshadowing or loss of light will occur. Furthermore, given the lack of opening at first floor level in the proposed dwelling, no harmful overlooking will occur either.
- 6.8 The proposed dwelling will be served by adequate amenity space.

Highways and parking

- 6.9 The comments of the Local Highway Authority have been received and they have raised no objections in relation to the scheme. The application proposes sufficient off street parking and turning space within the site to enable vehicles to enter, turn and leave in a forward gear. The development is therefore considered to be in accordance with policy BE3 of the West Oxfordshire Local Plan 2011.

Ecology

- 6.10 An ecology report has been submitted with the application which notes that there are no protected or notable species utilising the site. They have however, suggested that development should take place outside of the bird nesting season and have recommended some biodiversity enhancements as part of the proposal. Officers have suggested a condition requiring the development to take place in accordance with these recommendations and on this basis it is considered that the development complies with policy NE15 of the West Oxfordshire Local Plan 2011.

Conclusions

- 6.11 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits.

RECOMMENDATION

Permit subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: The time condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 (As amended).
- 2 That the development be carried out in accordance with the plans accompanying the application.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification), no extension to the dwelling shall take place.
REASON: Control is needed to preserve the amenity of neighbouring properties. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed in the elevations of the building.
REASON: To safeguard privacy in the adjacent property. (Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 5 The external walls to be constructed of natural stone shall be constructed in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before development commences and thereafter retained until the development is completed.
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 6 That part of the development to be rendered shall be rendered in accordance with a sample which shall first be submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 7 The external walls of the garage shall be constructed with timber cladding, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)
- 8 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the Conservation Area. (Policies BE2, BE5 and H2 of the adopted West Oxfordshire Local Plan 2011)

- 9 The walls of the proposed building shall be laid and pointed with "bagged" joints unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that a traditional practice of the area is carried out in the interests of the finished appearance of the building. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 10 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, doors, rooflights and dormer windows at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 11 The window and door frames shall be recessed a minimum distance of 100mm 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. (Policy BE2 and BE5 of the adopted West Oxfordshire Local Plan 2011)
- 12 The means of access between the land and the highway shall be formed, laid out and constructed in accordance with the specification of the means of access attached hereto, and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation.
REASON: To ensure a safe and adequate access. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 13 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. (Policy BE3 of the adopted West Oxfordshire Local Plan 2011)
- 14 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. 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 the supporting Technical Guidance)
- 15 The accommodation above the garage hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.
REASON: A separate dwelling in this location would not be served by adequate off street parking or amenity space. (Policies BE2 and H2 of the West Oxfordshire Local Plan 2011)
- 16 Before development commences, details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the building is occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

- 17 Before development commences precise details of the finished floor levels, eaves and ridge height of the dwelling in relation to the neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To protect the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)
- 18 That the development shall be carried out in accordance with the recommendations set out in Section 7 of the Habitat Survey dated 22 October 2013.
REASON: In the interest of protected species. (Policy NE15 of the West Oxfordshire Local Plan 2011)

NOTE TO APPLICANT

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.