

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 1 December 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](http://www.westoxon.gov.uk/meetings)

**Application Number    Address**

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Application Number	I4/I166/P/FP
Site Address	Four Winds Banbury Road Tackley
Date	19th November 2014
Officer	Hannah Wiseman
Officer Recommendations	Refuse
Parish	Tackley Parish Council
Grid Reference	446262 E 218812 N
Committee Date	1st December 2014

### **APPLICATION DETAILS:**

Erection of home providing therapeutic care for children with associated works and change of use of existing dwelling to ancillary administration building.

### **APPLICANT DETAILS:**

Hillcrest Care Ltd  
Langstone Gate  
Solent Road  
Havant  
Hampshire PO9 1TR

## **I CONSULTATIONS**

### **I.1 OCC Highways**

No objections subject to conditions

### **I.2 Tackley Parish Council**

Concerns regarding the proximity if the proposal site to the adjacent burial site and not sure whether the proposal is compliant with the policies of the WOLP.

### **I.3 WODC Head Of Housing**

No comments received

### **I.4 WODC Planning Policy Manager**

No comments received

### **I.5 Thames Water**

No objections- OCC Drainage engineer raised no objections but suggests informative regarding the use of SUDS Methods.

## **2 REPRESENTATIONS**

- 2.1 One neighbour objection received on the grounds that the proposal may set a precedent for housing on the site, the water pressure is already low and the travel plan and parking do not seem sufficient as there will likely be an increase in traffic for a development of this size.

### **3 APPLICANT'S CASE**

- 3.1 The applicant has submitted a design and access statement with the application, and later after discussions with officers regarding concerns over the principle of the development has submitted a further supporting planning statement which is attached to this report as Appendix A.

### **4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
NE1 Safeguarding the Countryside  
H4 Construction of new dwellings in the open countryside and small villages  
H2 General residential development standards  
TLC1 New Tourism, Leisure and Community Facilities  
The National Planning Policy framework (NPPF) is also a material planning consideration.

### **5 PLANNING ASSESSMENT**

- 5.1 The application site comprises of a chalet style bungalow to the rear (east of the site) with an agricultural barn to the front of the bungalow (to the west) both accessed from the Banbury Road to the west by an access track. The site is not situated within a built up area, nor is it within an area with any prevailing constraints.
- 5.2 The applicant is proposing the demolition of the barn and building in its place on a slightly larger footprint, a two storey property for use as a care home providing therapeutic care for children up to the age of 18. This will be provided by 24hr on site care; there are 11 bedrooms proposed, 7 of which are for the residents and 4 for the staff.
- 5.3 The existing bungalow is proposed to be converted to office accommodation for the operation and administration of the business. The proposal also includes ancillary works such as car parking, erection of a timber outbuilding and improving the vehicular access.

#### Background Information

- 5.4 There is little relevant planning history to this site other than approval of a Certificate of lawfulness to allow use as dwelling without agricultural restriction which was approved in December 2014.
- 5.5 This application has been under determination by officers for some time as the applicants were advised early on in the application process that there was an in principle objection to this scheme. With the permission of the Area Planning Manager the applicants submitted further supporting information regarding the need and demand for a facility of this nature and requested it be presented to the Uplands Area Sub-committee so that their case could be demonstrated. This report will set out and address the issues and the information and evidence submitted.
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Principle of the development
- Siting and Design
- Impact on highway network
- Impact on Residential Amenities
- Provision of care facilities
- Ecology

#### Principle

- 5.7 In their submissions the applicant makes reference to the fact the property has established unrestricted C3 on site and that the proposed new care home which is to be used as a residential institution, classed as Use class C2, and therefore an element of a residential use will remain on site. Officers note this position but also note there is no 'permitted change' between Use Class C3 and C2 hence the requirement for this application to consider the principle of allowing a care home in this particular location.
- 5.8 Policy BE2 of the West Oxfordshire Local Plan 2011 is a general policy which applies to most development and requires new development to respect, and where possible improve the character and quality of its surroundings. It goes on to say that in the open countryside any appropriate development will be required to be easily assimilated into the landscape and be close to an existing group of buildings.
- 5.9 Policy H4 relates to the constructions of new dwellings in the countryside and small villages. Traditionally isolated dwellings have only been permitted in relation to operational needs, such as the bungalow in this situation which was tied to the agricultural use of the wider farm. It is noted that this condition was breached and therefore the use is now lawful over time, however the policy stance remains. Policy H4 clearly states that new dwellings will only permitted in open countryside locations where there is a genuine essential agricultural or operational need for a worker to live on site. The proposal has no such agricultural or operational need and therefore does not comply with policy H4 of the WOLP.
- 5.10 Within the supporting text Policy H2 of the WOLP states that in the open countryside new dwellings are generally not permitted and that replacement dwellings should be on a one for one basis only. In open countryside locations it is often unlikely that the criteria of Policy H2, in respect of visual impact and sustainability objectives, would be met where proposals for the replacement dwelling would be materially larger than the original. In this instance the proposed new residential element of the proposal is materially larger than the original, the existing bungalow, and therefore the proposal is not considered to accord to policy H2 of the WOLP.
- 5.11 The applicant considers that the proposal should be classed as a community facility due to the provision of care for children and therefore policy TLC 1 of the WOLP should apply. To this respect the applicant has submitted evidence of planning permissions which have been previously granted by this authority for similar schemes, by the same care group.
- 5.12 The first case was permitted in December 2010 (10/1648/P/FP) which was for a 12 bedroom care home within the grounds of the existing school, Hillcrest Steps. Whilst this site was described as being within an 'open countryside location' it is situated on the junction with the A44 and A3400 to Chipping Norton within a cluster of buildings around the junction, including several dwellings, a garage and an antiques centre. The location is near a main road and on bus

route to a town classed as a service centre, (Chipping Norton) and would therefore be considered relatively sustainable location. As a result that proposal was unlikely to present harm on the character of the countryside or environment and the existing established use of the school on site would have been a material consideration in assessing the merits of that application.

- 5.13 The second application cited was decided in September 2011, for the same site but reducing the number of bedrooms to 7. The officer considered the principle for the use proposed in this location was dealt with by the earlier application and proceeded to approve the application with conditions.
- 5.14 Your officers consider the proposal subject of this application is materially different from the situation above. There is no existing community use on site which this proposal could be considered 'ancillary' to, and it is situated in an even more isolated location with only two neighbouring properties in the original farm complex to the rear. The nearest service centre to the site is Woodstock, but this is not accessed by a road which is as frequently serviced by bus routes, as the example at Southcombe Lodge.
- 5.15 Your officers consider that whilst the use proposed is no doubt a facility which is in high demand across the region, it cannot be classed as a community facility in this particular scenario as there is no local connection or existing use in the vicinity for it to be connected or considered 'ancillary' to.
- 5.16 However, regardless of whether officers consider that the proposed use fitted the description of a 'community use' as defined in the supporting text of Policy TLC1, the policy explicitly states that '...community developments will not be allowed where they would have an adverse impact on the character or environment of the countryside...'. It is considered that due to the isolated location of the site, the use proposed would result in an adverse impact on the nature and character of the countryside in this location.
- 5.17 Paragraph 69 of the NPPF relates to promoting healthy communities which aims to facilitate social interactions and inclusive communities by increasing the opportunities for meetings between members of the community who might not otherwise come into contact. Officers consider that due to the isolated location and poor accessibility, the proposal is unlikely to meet this policy objective as the children residing at the home will be physically isolated from nearby communities and therefore will not likely have the opportunities for any meaningful interactions with existing communities.
- 5.18 Paragraph 70 of the NPPF relates to delivering social and community needs to help enhance the sustainability of communities. For similar reasons as listed above, the remote and isolated location of the proposed care home is not considered appropriate to ensure an integrated approach for this facility.

#### Siting, Design and Form

- 5.19 The proposal indicates that the existing bungalow will be upgraded in terms of replacement windows and doors and the addition of a dark stained cladding on the external wall elevations. Clay roof tiles are proposed, as existing. Officers have no objections to the changes in external materials on the existing bungalow, in principle.

- 5.20 The proposed new care home is two storey, with a single storey element proposed to extend forward, from the front elevation, to create an 'L' shaped footprint. The building is proposed in a limestone faced façade and with stained timber finish windows and doors at ground floor, largely, with white uPVC windows on the side elevations, and upper floor.
- 5.21 The existing barn has no particular architectural merit and to that extent your officers have no policy objection to proposal in terms of improving the visual appearance of the development, overall. However the barn has a simple and functional form which is appropriate to the context of the site. The proposed design of the care home does have some scope to be improved if the proposal is to be considered to be compliant with policy BE2 in terms of being easily assimilated into the landscape. The proposal inevitably introduces more domestic features such as windows, doors and photo voltaic panels which alters the rural character of the area. The massing of the building also obscures views of the original bungalow beyond, resulting in the new building being more prominent and becoming the more dominant domestic feature within the site therefore not assimilating within the landscape successfully.
- 5.22 Policy NE1 of the WOLP 2011 states that Development should not be permitted if it would damage the countryside and adversely affect the intrinsic nature of the agricultural environment unless there is an overriding social or economic need. As is discussed below at 5.6 from the evidence submitted there does not appear to be such a significant social need that would override the damage to the countryside. Officers therefore consider that the proposal is contrary to policy NE1 of the WOLP.

#### Highway

- 5.23 The Highways Liaison officer has visited the site and assessed the submitted travel plan and has commented that the site is isolated and poorly served by public transport. However, given there is an existing use on the site and the nature of the likely movements to /from the proposed development no objection is raised to the proposal subject to appropriate conditions to ensure the widening of the access track is carried out as submitted, parking and turning space is laid out as plan submitted and prior to occupation a Travel Plan is to be submitted and approved.
- 5.24 It is noted that there is no objection in terms of the generation of vehicle movements leading to any significant highway safety impacts however notwithstanding this, the site is remotely located and poorly connected by any sustainable modes of transport. Paragraph 32 of the NPPF states that developments should take account of providing safe and suitable access for all people; the site as proposed does not provide safe access by foot or other sustainable means transport to enable this.

#### Residential Amenities

- 5.25 The nearest residential property is at Upper Weaverly Farm to the rear of the application site. It is noted that there is sufficient distances between the properties that it would be unlikely that any adverse impact on neighbouring amenities would occur as a result of this proposal.
- 5.26 The neighbours' concerns regarding the travel plan and potential traffic increase on the site are dealt with above in relation to the Highway Liaison officer's comments.

### Provision of Care Facilities

- 5.27 Development of this type in the open countryside is not considered appropriate unless there is a genuine need or requirement demonstrated to outweigh the harm the proposal may result in. The applicant has sought information and statistics from national press, the Department of Education and the charity the NSPCC to demonstrate there is a growing need for care provision for 'looked after' children. The applicant has also sought comment from Oxfordshire County Council Social Services, Placement Duty and Supervised Contact Team Leader who commented;
- 5.28 "We have a duty to ensure 'sufficiency' of suitable accommodation for looked after children in our area and our placement strategy is to ensure that we keep children in or close to Oxfordshire. We have a large number of children placed a distance from Oxfordshire and we want to be able to bring them closer to their homes and support networks and to avoid placing children a distance from home in the first instance."
- 5.29 This evidence does indicate that there is a need for more accommodation like the accommodation proposed, within Oxfordshire in order to keep families close to their homes. However the applicant has not provided any details of how any figures specifically relate to this area of the district, or how the allocation of places would go to local children.
- 5.30 Whilst officers do not doubt there is a need for this type of accommodation, the need as demonstrated is not considered to outweigh the overall sustainability objectives of the local plan policies listed above and the overarching principles of the NPPF, which must be read as a whole.

### Ecology

- 5.31 The applicant has submitted an ecology reports which summarises there would be some level of habitats within the site that taken as a whole will have some intrinsic value. The Common Pipistrelle bat has been identified as roosting in the barn and therefore any works would have to be carried out with a licence and in accordance with the recommendations of the submitted ecology report. The proposal is unlikely to cause any long term or unacceptable harm to the habitats in the area.

### Conclusion

- 5.32 The proposal in this instance is for a new 11 bedroom care home in a fairly isolated and open countryside location and is found to be contrary to local plan policies for the reasons explained above. The use proposed is not considered an appropriate use in this location and is considered unsustainable in terms of the type of activities generated by the use proposed and provision of accommodation type. The site is not within a sustainable location for such a use and would result causing harm to the rural character of the area.
- 5.33 Furthermore the overarching aim of the NPPF is to ensure sustainable development is achieved to secure appropriate development, in sustainable locations. The proposal is not considered to be appropriate within the context of the countryside location which is not on a convenient bus route, nor easily or safely accessed on foot or by bike as there are no foot and cycle paths. The proposal will alter the character and adversely affect the intrinsic nature of the open countryside location contrary to policies BE2, NE1, TCL1, H2 and H4 of the WOLP and should therefore be refused.



## **6 REASONS FOR REFUSAL**

The site is in an isolated location in open countryside that is not well related to any settlement providing services and facilities. The nearest large settlement is Woodstock, the centre of which is approximately 2.8km away with access provided on minor country lanes which have no footways, street lighting or convenient public transport services. The use is considered inappropriate in this location because it would not provide safe and suitable access for all people and would therefore be contrary to West Oxfordshire Local Plan Policy BE3 and paragraph 32 of the NPPF.

The proposal is for a large, new, residential building in open countryside which would not be characteristic of the predominantly agricultural landscape in this location. It therefore fails to maintain or enhance the local character, quality and distinctiveness of the area, contrary to West Oxfordshire Local Plan Policies BE2, NE1, TCL1, and H2, and paragraphs 17 and 58 of the NPPF.

The proposed use in this location would not facilitate social interaction and inclusive communities, and would not integrate the use with existing development and services, contrary to paragraphs 69 and 70 of the NPPF. For these reasons, it is considered that the proposal does not represent sustainable development and is accordingly contrary to the overarching aims of the NPPF.

Application Number	I4/I296/P/FP
Site Address	Woodstock Town Football Club New Road Woodstock
Date	19th November 2014
Officer	Hannah Wiseman
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	445078 E 216735 N
Committee Date	1st December 2014

**APPLICATION DETAILS:**

Erection of six, 15m high floodlighting columns.

**APPLICANT DETAILS:**

Old Woodstock Town Football Club  
C/O Agent

**I CONSULTATIONS**

I.1 Woodstock Town Council

Strongly support the planning application but the integrity of the public footpath must be maintained at all times.

I.2 Sport England South East

No Comment Received.

I.3 WODC - Sports

Raises no objection to this application

I.4 WODC Env Health – Uplands

The Senior Technical Officer has assessed the lighting details submitted with the application and the relevant technical guidance and as a result has suggested that conditions would be required on any consent to ensure i) the lighting scheme shall comply with the Institution of Lighting Engineers guidance note on light protection dated 2005 ii) the luminance produced should not exceed 5 Lux in the vertical plane and iii) Suggested hours of use between 9am and 9pm.

**2 REPRESENTATIONS**

2.1 Sixty nine neighbours were notified of the application and there have been twelve objections received in relation to the proposals. The following is a summary of the principal matters raised in response to the application proposals;

- Light pollution contravening policy BE2I affecting the night sky and reasonable living conditions of the local residents.
- Noise pollution of after dark games
- Loss of amenity land and prevention of access to footpath
- Adverse visual impact due to the height of the columns
- The light emitted will affect our garden and the habitable rooms to the rear of our house

- Evening matches will increase the vehicular and pedestrian traffic causing likely parking problems.
  - Concerned about the amount of use and difficulty of the lighting to be controlled and policed.
  - Extending the playing house in to the evening would be Intolerable in this residential area
  - Landscaping will not be sufficient and new planting will not establish in time
  - The access is inadequate for the increase in use of the club
  - Noise pollution from more players and spectators
  - Previous application of similar type previously refused by Uplands Area Sub Committee and this scheme is no different
  - The site is bordered on three sides by residential houses and this would be unsuitable development in this location
  - The proposal would completely change the residential character of the area
  - Where would the additional spectators park?
  - Alternative sites should be sought
- 2.2 One comment has been received from 6 Recreation Road, citing there is no objection to the application per se, but that the access road Recreation Road is on the deeds of the property and they have to contribute to any road repairs that may occur, increased use may well add to general wear and tear of this road when it is used for parking.
- 2.3 One comment of support has been received from a resident on New Road.

### **3 APPLICANT'S CASE**

- 3.1 The following document was submitted in support of the application and is summarised below:

#### Design Statement

- 3.2 The Woodstock Town Football Club was formed in 1911 and has always been located in New Road. The club has been used for local neighbouring community uses for over 100 years and runs different clubs, hosts quizzes and fete's etc. The team has now reached a position in the league where they cannot progress any further until evening matches can be held. The proposal is to erect 6x 15m high floodlights to allow evening matches to take place.
- 3.3 The lighting scheme has been devised by an experienced specialist company which has been devised to minimise any upward lighting. There have been revisions to the previous proposal by the way of relocating the playing area 6m east, further away from Cadogan Park. The position of the lights with hoods will result in little impact on the immediate neighbourhood or surrounding landscape.
- 3.4 The club requires the floodlights in order not to be relegated to a lower league and their continued success depends on being able to host evening matches. It is hoped that the revised application will be received favourably so that the club can continue to provide a valid service to the local community and beyond.

## 4 PLANNING POLICIES

BE2 General Development Standards

BE5 Conservation Areas

BE21 Light Pollution

TLC1 New Tourism, Leisure and Community Facilities

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

## 5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the erection of six, 15m high floodlighting columns around the pitch at Woodstock Town Football Club. The application site is located within a predominantly residential area to the south of New Road which is in a conservation area and is some distance away from the World Heritage Site.

### Background Information

- 5.2 The planning history for the site is as follows; W96/1061: Erection of twelve 7m high floodlighting columns on three tennis courts at the Woodstock Bowls and Tennis club - Refused and 09/0287/P/FP: Erection of six 15m high floodlighting columns- Refused

- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Impact upon neighbouring amenity
- Impact on upon the wider Landscape

### Impact upon the wider Landscape

- 5.4 The erection of the six columns around the edge of the grass pitch are not considered in themselves, to have any unduly harmful impact on the character or the area and they will not be widely visible from many public vantage points. As detailed above there would be minimal vertical light spillage associated with the proposed floodlighting due to the provisions of the hoods on the lights and the directed beams of the particular bulbs used. As a result it is not considered that the proposal would have any harmful impact on the wider adjacent conservation area.

- 5.5 The comments received also indicate a concern that the relocation of the pitch area further east would encroach or affect the footpath to the east of the site. The layout plans indicate that this would not be the case and that the pitch can be relocated slightly and not affect the footpath running south from Recreation Road. The access to the recreation ground beyond the pitch also remains unaffected.

### Impact on neighbouring Amenities

- 5.6 The application site is bounded on three sides by residential properties; to the east it is adjacent to Woodstock Primary School. The distance from the rear gardens to the nearest floodlighting columns on New Road is approximately 21m and approximately 33m from the boundary of the nearest property at Cadogan Park. The previous application, ref. 09/0287/P/FP was refused by the Uplands Area Planning Committee on the grounds that;

*'The proposed lighting due to the level of illumination and glare, together with the extent of the horizontal light pollution will have a detrimental impact on amenity of the occupiers of neighbouring residential properties, particularly 14 and 15a Cadogan Park. As such the proposal is considered to be contrary to policies BE2 and BE21 of the adopted West Oxfordshire Local Plan 2011. The proposed Floodlighting will result in unreasonable disturbance and loss of amenity to the occupants of neighbouring residential properties. As such, the proposal is considered to be contrary to policies BE2 and BE19 of the West Oxfordshire Local Plan 2011.'*

- 5.7 The closest properties which are likely to be most affected by the proposal are 6 Recreation Road and 14 and 15a Cadogan Park as noted above. The occupiers at 6 Recreation Road have not objected to the proposal on the grounds of the flood lighting but with regard to the ongoing maintenance of the access road. This would not be a planning matter; this would be a private matter between the owners and whoever else holds title deeds to the road to resolve. The eastern elevation of 15a Cadogan Park is approximately 40m from the nearest floodlight column. This elevation features a gable end with one window which appears to serve a stairs landing.
- 5.8 The application is supported by a layout plan which indicates the light spillage from the proposed lighting. The plan shows that the light would spill in to the rear gardens of 15a, 14 and 13 Cadogan Park but that the lux level at that point where it spills to the garden boundaries would be approximately 2-5 lux. To give an indication of what this light spillage would equate to, a typical well lit residential street would be approx. 15 lux and a sunset around 10 lux. The light spill would therefore be at a very low level at this point at the edge of the residential properties.
- 5.9 The details provided of the lamps show that they face down, have hoods and by their design reduce light overspill and any upward light glare. The hoods will be finished in a light grey power coating and the columns will rise to a height of 15m and be in a galvanised metal finish. The re-design and the positioning of the floodlights in this application has been done so as to cause as minimal impact upon neighbouring amenity as possible and to overcome the previous objections raised by members in the 2009 application. The drawings show that the light spillage will have some impact on neighbouring amenities but officers do not consider that the level of light spillage would be harmful to the extent that would warrant refusal of the application. Any limited harm caused by the light spillage, in this instance, is considered to be outweighed by the clear benefit to the local community by supporting the continued success of the local football team and community use of the facilities. Policy TLCl states that permission will be granted for community facilities to meet local needs and where possible facilitate new and improved provision to maximise the potential for community buildings and that a balance will need to be struck if the benefits of the scheme will outweigh any potential adverse environmental impact.
- 5.10 Comments have been raised within the consultation responses that the use of the club may intensify as a result of the night time playing being available. The applicant submits that evening matches are likely to be held once a week at a maximum which would finish around 9.20pm, allowing for extra time in a match, 9.50pm. In the winter a weekend match may extend until around 5pm when the lights may be required. It is not considered that the provision of the lights would lead to an intensification of the grounds which would result in adversely affecting the existing character and nature of the area. Concerns were also raised regarding the sometimes offensive nature of the language overheard on match days. It is clearly beyond the control of the council to be able to monitor this and it is not considered that the provision of the lights would have any additional adverse impact on this element of the spectator aspect of the sport. It is

however suggested that a condition be imposed restricting the hours of use so that the lights are never on between the hours of 22:00 and 09:00 in the interest of protecting neighbouring amenities into the evening.

### Conclusion

- 5.11 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.

## **6 CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with plan No.s 187112:2, 1: 187112: 3, UKS5665/5, HL250D15MAST, and submitted technical details of the model 'Challenger 1 AL570'.  
REASON: For the avoidance of doubt as to what is permitted
- 3 The use of the floodlighting hereby permitted shall not be operational between the hours of 22:00 and 09:00.  
REASON: In the interest of protecting neighbouring amenities and ambient light levels.
- 4 The illumance produced by the asymmetric distribution floodlighting shall not exceed 5 Lux in the vertical plane at heights at or above ground level, along or beyond the perimeter of the site.  
REASON: In the interest of protecting neighbouring amenities and uses.

Application Number	I4/I360/P/LB
Site Address	Lower Dornford Farm Wootton
Date	19th November 2014
Officer	Richard Wheeler
Officer Recommendations	Approve
Parish	Wootton Parish Council
Grid Reference	444925 E 220518 N
Committee Date	1st December 2014

**APPLICATION DETAILS:**

Internal alterations to form level access shower room.

**APPLICANT DETAILS:**

Mr Michael Parsons  
 Lower Dornford Farm  
 Wootton  
 Woodstock  
 Oxfordshire  
 OX20 1ES

**1 CONSULTATIONS**

1.1 Wootton Parish Council

No Comment Received.

1.2 WODC Architect

No Comment Received.

**2 REPRESENTATIONS**

2.1 No representations received

**3 APPLICANT'S CASE**

3.1 We are forming a new level access shower facility in the above property. The attached plans and specification set out the works to be carried out. We have designed the works in our opinion for minimum damage to the fabric of the building.

**4 PLANNING POLICIES**

BE2 General Development Standards  
 BE7 Alterations and Extensions to Listed Buildings  
 The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### Background Information

- 5.1 The site is a Grade II listed farmhouse and the application seeks listed building consent for a level access shower. The proposal is brought before committee as the District Council are the agent for the application.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

### Principle

- 5.3 The principle of creating a shower room is acceptable and considered to be in accordance with policy BE7.

### Design and impact on the Listed Building

- 5.4 The proposal entails the conversion of an area once used as a passageway into a shower room. In terms of impact on the character and listed fabric, the works are minor in nature and have been designed to be reversible.
- 5.5 The limestone paving will remain in situ and is to be unaffected. The changes are entirely reasonable and sympathetic to the context of the building.

### Highway

- 5.6 There is no impact on Highway safety.

### Residential Amenities

- 5.7 The proposals are internal and have no impact on neighbouring properties

### Conclusion

- 5.8 The proposal is considered to accord with Local Plan policy and section 66 of the of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

## **6 CONDITIONS**

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.  
REASON: To comply with the requirements of S.18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.



Application Number	I4/01434/HHD
Site Address	Idlecombe Burditch Bank Wootton Woodstock Oxon OX20 IEH
Date	19th November 2014
Officer	Cheryl Morley
Officer Recommendations	Approve
Parish	Wootton Parish Council
Grid Reference	443944 E 220244 N
Committee Date	1st December 2014

### **APPLICATION DETAILS:**

Erection of two storey extension

### **APPLICANT DETAILS:**

Mrs Neghat lakadwalla  
Idlecombe  
Burditch Bank  
Wootton  
Woodstock  
Oxfordshire  
OX20 IEH

## **I CONSULTATIONS**

### **1.1 Parish Council**

Wootton (Woodstock) Parish Council would like to register their unanimous objections to the above planning application. The scale of the proposed extension is far too large and completely out of character with the surrounding dwellings. At the meeting of the Parish Council tonight (10/11/14) there were several members of the public attending who wished to express their concern at the proposed plans. It would be appreciated if this could be looked at more closely.

### **1.2 OCC Highways**

No objection.

## **2 REPRESENTATIONS**

### **2.1 Three letters of representation have been received and are summarised as follows:**

Mr Day - Lamorna, Burditch Bank

- Changes the frontage of a pair of semi-detached bungalows and street scene;
- The plan shows the extension far bigger than any other and destroys character of the area;
- Having french doors on the bedroom window, take away the original design of the bungalow;
- No other bungalow has two stories to the front;
- No other extension has such a dominating extension to the front;
- Front of the bungalows never sees the sun;
- It will set a precedent for Burditch Bank and the rest of the village.

#### Ms Stradling - Mount Nyssa, Burditch Bank

- Design, height, scale, location;
- It will affect the character of the area;
- Harms simple linear form of integral designed pair comprising Lamorna and Idlecombe;
- Affects established character and local distinctiveness of the designed built form of Burditch Bank properties.
- Contrary to WODC Design Guide, Appendix 4 in not respecting the form, siting and scale of surroundings.
- Harms amenity and the domestic enjoyment of private space of the occupants of Mount Nyssa by means of height, scale, form and location of the extension.
- The blank side elevation would dominate the front garden and driveway and block currently enjoyed views over Burditch Bank to the open countryside and beyond.
- The full height glazed screen to the proposed sitting room and bedroom would overlook the access drive and front garden to Mount Nyssa and is contrary to WODC Local Plan and Design Guide, Appendix 4, which states that the new development should be designed to ensure views into and out of the Conservation are not harmed.
- The proposed extension neither preserves nor enhances the character or appearance of the Wootton Conservation Area, by means of design and harmful impact on neighbouring properties, the streetscape and the views in, out and around the Conservation Area.
- The proposed extension breaks the retained design of the original properties.

#### Mrs Pomfret - High Bank, Burditch Bank

- The extension would be out of character;
- No one has built an extension to the front;
- Over shadow neighbours and myself;
- Interrupted light from our westerly view.

### **3 APPLICANT'S CASE**

- 3.1 Although located within the village's Conservation Area, the immediate surrounding context is a row of 1960s bungalows. The appearance of the proposal seeks to work with this distinct aesthetic in a complimentary manner. The use of timber cladding helps to tie the extension to the original building. the eaves and ridge heights match the existing, helping the proposal blend in by mirroring the form of the vast majority of bungalows to the left and right.

### **4 PLANNING POLICIES**

BE2 General Development Standards

BE5 Conservation Areas

BE3 Provision for Movement and Parking

H2 General residential development standards

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

## 5 PLANNING ASSESSMENT

### Background Information

- 5.1 The site is located within the village of Wootton, in an elevated residential area of 1960s bungalows arranged along a no through road known as Burditch Bank situated within the Wootton Conservation Area.
- 5.2 The application seeks planning permission for a 2 storey gabled extension to the front elevation of the bungalow to form additional living accommodation.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Residential Amenity;
  - Design and Siting;
  - The Conservation Area;

### Principle

- 5.4 The proposal is essentially to provide additional living space for the applicant and to modernise the existing building. In principle officers are not objecting to the extension proposed to the site.

### Siting, Design and Form

- 5.5 Burditch Bank currently consists of a range of 1960s Bungalows which characteristically have a projecting forward gable to the front of the bungalows. Some of the bungalows have also converted the roof to living accommodation. Currently, five of the seven properties in this development have front-projecting gables. However, Idlecombe and the connecting bungalow Lamorna do not have a projecting gable. The proposed extension is designed to resemble the similar forms found along Burditch Bank and it is therefore considered that the proposed extension will be in keeping with the surrounding street scene and no detriment to the existing form and design.
- 5.6 The proposed front extension will project 3 metres forward and the eaves and ridgeline will match the existing building echoing that of adjoining properties. Although the new extension would be visible in longer and glimpsed views, the visual impact, such as it is, would largely and meaningfully be restricted to the immediate setting and would not cause a detrimental effect to the Conservation Area. It is accepted that the design is contemporary but paragraph 60 of the NPPF is clear that planning decisions should not attempt to impose architectural styles or particular tastes, and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development styles or forms.
- 5.7 The proposed materials are to match the existing. The existing bungalow already demonstrates a contrast of walling materials of brick and timber cladding, which the proposed extension has been designed to complement. A condition is proposed to be attached if the application is approved for a sample of the timber cladding to be provided to the Local Authority to make sure the finish of the proposed cladding will not cause a negative impact or harm to the surrounding street scene or Conservation Area.

### Highway

- 5.8 The proposal will not have a detrimental impact on the adjacent road network.

### Residential Amenities

- 5.9 Officers have fully noted the concerns raised by the nearest residential properties Mount Nyssa and Lamorna, and it is accepted that in terms of residential amenity they are the properties most likely to be affected by this proposal. However, Officers do not consider that neighbouring amenities will be adversely affected in terms of material loss of light or loss of privacy, given the extent of the projection of the extension and position of windows.
- 5.10 Idlecombe is already set in front of Mount Nyssa with windows located to the front elevation as existing and it is therefore considered that the concerns raised in regards to the loss of light and loss of privacy to Mount Nyssa are not justifiable due to the distance the proposed extension would be from the property (10 metres) and the existing fenestration. An acceptable outlook would be maintained in that the proposed extension would not be considered overbearing, and loss of view is not a material planning consideration.
- 5.11 Officers have also taken into consideration all the other representations received in regards to the application.

### Conclusion

- 5.12 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 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 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.  
REASON: To safeguard the character and appearance of the area.
- 4 The parts of the external walls of the extension to be constructed with timber boarding; 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.