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Little Lees, Charlbury

15/00567/FUL

Key points:

1. Application considered by Committee on 6 July. Scheme has been amended in accordance with Committee's request - 2 accesses.
2. Site is a scruffy piece of left-over land - proposal will make good use of it.
3. Charlbury is a sustainable location to take some additional development.
4. Proposal will not harm the historic core or the rural edge of the CA or the AONB - visually very well contained.
5. Carefully designed to minimise any impact on neighbours.
6. Both accesses are safe - the new roads will be adopted.
7. Ecological value of the site is recognised - species rich grassland - hence only proposing to develop half of it and retain the remainder as managed grassland and woodland. S106 will require the preparation and implementation of an Ecological Management Plan.
8. S106 will also ensure the remainder of the site is not developed at a later date - in accordance with applicant's intentions from the outset.

15/03132/FUL - Planning Committee Presentation

Chair and Members of Planning Committee,

The applicants are in full agreement with the conclusions of the delegated officer in his report, with the exception of matters of Highways

Therefore, the success of the application hinges on the acceptability of the existing access in relation to the proposal, which is considered acceptable for the following reasons:

1. Right of way along the track toward the rear of the Shaven Crown Hotel, and hence over the disputed access, is under the control of the applicants who, in preparation for the submission of the application, have restricted opportunity for passage over it. Vehicular access has been removed for the new residents at Gales Green, whose parking provision previously required passage over the track, resulting in a reduction of at least 7 trips per/day. Similarly, access has been restricted to members of the bowls club adjacent to the application site; resulting in a further reduction of at least 4 trips per/day. By virtue of recent planning consent for independent access onto the A361, Monks Gate, now have no need to utilise the access track. In combination, these factors account for a significant reduction in vehicles utilising the access, which is equivalent to more than 2 dwelling's gross worth of vehicular traffic per day. This calculation does not include up to 4 trips/day generated by the applicants through daily site visits to tend a garden at the application site. Alone this is equivalent to 30% of the calculated trips that would result from the proposed development and will continue irrespective of today's outcome. In light of the above, the scheme, if implemented, would reduce the total number of vehicle trips over the access in question, by a net reduction of at least 1 dwelling's worth of trips, resulting in an improvement in access safety, when compared to the present situation.
2. In terms of the visibility and geometry of the access the proposed development would have no greater impact on the present situation, which would be preserved accordingly. The issue is not whether the

access is substandard, but whether the proposal would exacerbate the current situation, which clearly it does not.

3. The authority claim the access is dangerous; however, they have provided no evidence in real terms to support this superstition. The applicants are not aware that the nature of the access has been responsible for any serious vehicular accidents. Until evidence is provide to the contrary, it is considered that site access, although sub-optimal in form, is not unsafe in highway terms.

4. With reference within the delegated report to a pervious appeal decision at the application site and the desire of the Appeal Inspector to improve access safety. The Inspector's intentions are admirable. However, development is approved routinely which does not lead to improvements in highway safety, but merely preserves the Status Quo. It is essential that new development should not adversely affect existing highways safety which, it has been demonstrated, the proposed development will not.

In summary, in terms of the issue of site access, the scheme would significantly reduce the number of trips over the access, in conjunction with continued restrictions in perpetuity. In all other highway regards the scheme would preserve the existing situation. Accordingly, the proposal complies with relevant local and emerging plan policies, notably BE3, concerning the provision for Movement and Parking, OS2 and H2, and it is respectfully requested that Members approve the scheme before them.

The officer has only 2 reasons for refusal in his report.

1. Your Architect, does not agree with the layout.

Layout is subjective. In discussions with previous officers, we were advised on layout. To them, it was acceptable in principle.

However, we are willing to revise, to reflect your architects comments.

We believe this is easily resolved, by withdrawing this element from the outline application and reserving it for future consideration.

Your officer was unsupportive, due to the need to reconsult, unless Members decided on a deferral to allow this to happen.

2. Settlement coalescence.

Using strict interpretation of policy, previous nearby development has been refused and appeals dismissed, although this was some years ago.

There is now new evidence, which was never previously evaluated.

For you to arrive at a decision, the NPPF requires an assessment of the benefits vs the impacts.

If you were to look at our proposal in a non AONB context, you would probably applaud its aims.

However, in the AONB, benefits were not high on the local parish councils agenda. We believe this would be a great loss for their communities.

Interestingly, none of the main affected parties objected.

The frontage retains an open character which would visually maintain the existing visual gap, with the car park located at the front of the site.

Adjacent to the site is a large open field, an island, trees, hedges, a stream, verge and widened road, protecting the visual and physical gap.

Please note exceptional benefits for deliberation:

Windfall housing,

Biomass heating, with potential to extend the scheme to the school under a S106,

Potential for community biomass,

Energy security. (The woodchip is local, not from Russia).

The scheme is supported by the Highways officer given the highway safety benefits for the school traffic and parking.

This is something the School has required assistance with for many years. It can be secured through a Section 106 agreement.

Educational and inspirational value for local schools.

Potential improvement in Ecology.

Green buffer zone between the villages, allowing permanent perception of separation.

Local family developer.

Employment for construction would be from Milton and Shipton.

Local employment opportunity at the biomass barn.

Exemplar Eco Tourism opportunity.

The offer of the site as a base for a Low Carbon Car Club under a

S106.

Significant weight is given to the perceived coalescence issue.

However, on the southern side of the road, the two settlements have definitively coalesced. The Parish boundaries being adjacent to Milton Service station. The officer incorrectly refers to the school playing field in his report. That is not the edge of the village.

A significant visual and physical gap will remain on the north side of the Road, even with this development.

We have evidence of prior development on our site, and are within the line of our barn, office, stone building footprint, and older stone building footprint. Further on is the sewage treatment works, and solar farm.

We would urge you carry out a site visit so that you can appreciate what we have outlined.

There is no coalescence above that which has already occurred.

In any event, the benefits clearly outweigh the limited harm.

The Local Plan Inspector is likely to suspend the examination and require West Oxon to increase its housing target.

He has hinted that criteria for selecting sites should be loosened.

This site provides an ideal opportunity to assist in meeting the housing need, in a sustainable manner, whilst also providing significant community benefits.

It is inspirational and important. Please support it.



An aerial view of Shipton-under-Wychwood and the application site at No.15, High Street

The image clearly shows that this part of the village conservation area is characterised by purely frontage development, which only represents 28% of this application site. The remaining 72% site area is undeveloped green field land that lies beyond the built-up area of the village in open countryside that is specially protected as Area of Outstanding Natural Beauty. The proposals do not represent infill, rounding-off or conversion, as defined in either the adopted or emerging Development Plans, and as such the proposals would conflict with Local Plan policy H6 and paragraphs 109, 115 and 116 of the NPPF. By developing virtually 50% of the total site area with the proposed six dwellings plus its access road and driveways, this would represent a massive over-development. It would necessitate removal of most boundary trees, which would detrimentally affect the character and appearance of the conservation area and the heritage setting of three nearby listed buildings. It would also result in direct overlooking and substantial massing impacts over very close distances to properties in both Chapel Lane and Court Close. The resultant loss of residential amenity would be contrary to Local Plan policy H2 and paragraph 64 of the NPPF. The Council's ecologist has noted that redevelopment of the derelict former house and one of the associated outbuildings on the site frontage would result in loss of established bat roosts for both brown long-eared and lesser-horseshoe bats and that the suggested mitigation measures proposed for these protected species would fail to accord with the requirements stipulated in the Conservation of Habitats and Species Regulations, the Wildlife & Countryside Act or section 11 of the NPPF. Additionally, replacing the single site access with two new road and driveway entrances in such close proximity to the junction of High Street with Chapel Lane and Simons Lane and the driveways opposite would represent a highway safety hazard. For all of these reasons, we urge Committee Members to overturn the Officers recommendation and vote instead to refuse planning permission for what would otherwise be a detrimental development that could well set a dangerous precedent for other similar prejudicial developments on the edge of Shipton village.

Snowdrop Cottage Shipton under Wychwood

Our aspirations with this development site will be to refurbish, (and from what you have seen), a very rundown cottage along with the demolition of redundant agricultural buildings to create a scheme which is a sensitive response to the Area of Outstanding Natural Beauty.

Shipton under Wychwood is considered as an acceptable location for housing as seen in the West Oxfordshire Local Plan. The site lies in a Conservation Area and with the help and advice from the Council Architect and Case Officer, careful consideration has been undertaken on the layout, the scale, massing and visual appearance, as well as conforming to the Policy guidelines, in order to create a bespoke, high quality development both in terms of the design and the materials chosen.

You're aware of the Policy concerns raised by the Complainant Mr Andy Bateson; however we feel this has been addressed by Rural Solutions as part of the initial application submission and subsequent response to demonstrate how we are compliant with our scheme brought before you.

The site is an infill development which will round off the existing built up area. The scheme only proposes a density of 10 dwellings per hectare, with the standard average at around 30-40 dwellings; at only 10, we feel this is the right density for the Shipton built form.

From our extensive pre-application engagement we believe the design proposed would add value to the character of the area and enhance the natural and local environment whereby enabling each nearby listed building to flourish. A new lane leading to smaller courtyards with a framed view out to the fields will protect the valued landscapes.

The structures are stepped to follow the natural contours of the site and have been articulated in such a manner to reflect the local area. Each property is varied in elements and roof lines, to give the impression that each dwelling has been added to and joined together over time which is very distinctive for this type of settlement.

The existing unmaintained Leylandii will be removed and replaced with suitable native hedgerow and trees, and natural stone boundary walls. With this enclosure and the obscured glazing to southern first floor windows to Plot 3, any potential overlooking will be non-existent. All other first floor windows to plot 3 will be looking east and even with 45° sightlines, these will be 21m away from the listed buildings.

I would emphasise the photomontages previously sent do not truly represent Plot 3 in relation to The Old Chapel. The view from the east has been drawn somewhat 2m further out of the ground than proposed.

The view from The Old Chapel window, will be screened by more than one tree, and therefore again does not truly reflect the level or view. A condition has been placed on the finished floor levels of the proposed dwellings, and with this in mind all levels will be agreed to ensure there will be no impact to adjacent properties.

There are no Highway Authority objections to the scheme. The Ecology officer queried the location of the bat roosts not that the scheme as a whole failed to accord with the Regulations. This information has been sent to rectify the position.

Thank you.