

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 30th November 2015

**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

Application Number	Address	
I5/00567/FUL	Land North Of Little Lees, Charlbury	3
I5/02383/LBC	The Dragon Inn, 152 High Street, Burford	19
I5/02672/FUL	The Dragon Inn, 152 High Street, Burford	24
I5/02852/HHD	16 High Street, Shipton under Wychwood	32
I5/03132/FUL	Shaven Crown Hotel, High Street, Shipton under Wychwood	38
I5/03299/OUT	Land North Of Milton Road, Shipton under Wychwood	46
I5/03680/FUL	Land South Of Anvil Cottage, Horseshoe Lane, Chadlington	55
I5/03490/FUL	Land North West Of Lane House Farm, Milton Road, Shipton under Wychwood	63
I5/03848/FUL	Snowdrop Cottage, 15 High Street, Shipton under Wychwood	70

Application Number	I5/00567/FUL
Site Address	Land North Of Little Lees Charlbury Oxfordshire
Date	18th November 2015
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Charlbury Parish Council
Grid Reference	436333 E 219109 N
Committee Date	30th November 2015

Application Details:

Erection of twenty two dwellings and associated works (with access from Little Lees and Lees Heights).

Applicant Details:

Ede Homes Ltd
Eden House
Two Rivers Business Park
Station Lane
WITNEY
Oxfordshire
OX28 4BL

I CONSULTATIONS

- I.1 One Voice Consultations Highways - Comments received 17.04.2015 - no objection but point out that access is over an adopted road, public rights of way affected by the development and connections to them need to be fully accommodated, and cycle storage and parking arrangement need to meet standards. A contribution of £1,000.00 will be required towards improving public transport.
Comments received 29.10.2015 - no objection to revised access arrangements and previous observations still stand.

Archaeology - no objection subject to condition.

Education - Originally a contribution of £99,721.00 towards expansion of primary school capacity at Charlbury Primary School as requested. The response to the consultation dated 29.10.2015 requires £95,088.00 under a recalculation. A contribution of £5,186 is also requested towards special educational needs but OCC cannot require this via a legal agreement.

Property - The reconsultation response dated 29.10.2015 requires £1,356.00 towards libraries. A sum of £14,544.02 is also requested in relation to local libraries, central library, waste management, museum resource centre, and adult day care but OCC cannot

require this via a legal agreement.

The provision of fire hydrants should be in accordance with Fire and Rescue Service requirements.

Ecology - no comments provided.

I.2	Thames Water	No objection
I.3	Environment Agency	No objection subject to compliance with standing advice.
I.4	TV Police - Crime Prevention Design Advisor	No Comment Received.
I.5	WODC Community Safety	No Comment Received.
I.6	WODC Env Health – Uplands	No objection but a condition is recommended regarding potential contamination on the site.
I.7	WODC Env Consultation Sites	No Comment Received.
I.8	WODC Env Services – Engineers	No Comment Received.
I.9	WODC Env Services – Landscape	No Comment Received.
I.10	WODC - Arts	No objection. A contribution of £2,200.00 will be required towards a programme of temporary public art in the form of activities and events in Charlbury.
I.11	WODC - Sports	No Comment Received.
I.12	WODC Planning Policy Manager	No objection, but observations are made about policy considerations.
I.13	Wildlife Trust	Object - there will be an impact on priority habitat (Lowland Meadows) and protected species. It is considered that the reptile survey was not carried out in accordance with best practice.
I.14	WODC Head Of Housing	No objection - the intended 50% affordable meets policy requirements.
I.15	Parish Council	Comments received 27.03.2015 - No objection but it is questioned whether the access is adequate. Access to the rear gardens of the properties should be provided. Garages should be provided.

Comments received 30.10.2015 - There is a need to reconsult the public locally as the planned layout has changed. Can arrangements for refuse collection from properties at the southern end be clarified. Can the effect on infrastructure be considered. With respect to affordable housing, who is the registered social landlord? Will a local tie be enforced? We request that assurances are given that the affordable housing will be for local Charlbury people. Can some form of play equipment be provided for this site. Can a binding agreement be put in place to ensure the management of the remaining open spaces clear. The Town Council should be involved in the process of agreeing any covenants or a trust document. We regret the segregation between affordable and market housing. Otherwise no objection.

- 1.16 Ecologist Object - priority habitat (Lowland Meadows) would be affected.
- 1.17 Historic England No Comment Received.

2 REPRESENTATIONS

2.1 Fourteen objections have been received from local residents referring to the following matters:

- (i) Impact on highway safety arising from taking access from Little Lees.
- (ii) Access should be via Lees Heights.
- (iii) Open space should be provided but managed effectively to avoid anti-social behaviour.
- (iv) An allotment area would be of benefit.
- (v) Dense planting and post and rail fencing should be erected along the Woody Lane boundary.
- (vi) The gardens for the affordable housing appear small.
- (vii) Impact on AONB, landscape and encroachment into countryside.
- (viii) Impact on Conservation Area.
- (ix) The Council has a 5 year supply of land for housing.
- (x) The site is not identified in the Local Plan and sequentially preferable sites should be considered.
- (xi) The layout does not make the best use of land.
- (xii) Potential impact on protected species.
- (xiii) Lack of provision for walkers.
- (xiv) The development is not infilling or rounding off.
- (xv) The site is not an exception site and it was understood that further housing would not be built here.
- (xvi) Impact on utilities.
- (xvii) Impact on school capacity.
- (xviii) Impact on parking in the town.

2.2 Expressions of support have been received from 2 local residents referring to the following:

- (i) The development will utilise wasted land.
- (ii) The layout is sensible.
- (iii) Increased traffic via Little Lees will not be a problem.
- (iv) There is little room to provide a sensible access at Lees Heights.

A general observation has been received from 4 Lees Heights as follows:

As Owners of 4 Lees Heights our property is the only one that is significantly affected by the new layout in that we will now have a new road fronting our property where we have had just an area of grass for the past 25 years. In recognition of the affect this proposal will have on our property we consider that the following requirements should form part of the conditions for approval:

- 1) Installation of a dropped kerb along the face of our property approximately 10m in length as a continuation of the existing dropped kerb all subject to final agreement between ourselves and the builders.
- 2) Tying in the levels between our property and the new road to be subject to agreement between the builder and ourselves.
- 3) Close boarded fencing between our garden and the adjacent new properties subject to final agreement between ourselves and the builders.
- 4) Preservation of the trees presently annotated T13 T5 and T3 T1 to provide screening of our property
- 5) Tree T4 which is a field maple situated on our property has significant leaf fall in winter most of which will fall on the new road and the tree is also likely to have a negative effect on sightlines. In addition it is likely that the tree roots will foul the excavation for the new road and pavements. We would be prepared to accept that this tree is removed on safety grounds subject to agreement with the builder for a smaller replacement tree further back from the road.
- 6) We would wish that the existing road and pavement construction in Lees Heights be continued up to the start of the new development i.e the road and pavement to be black top to past our house.
Subject to the above we confirm that we fully support the proposed development

Charlbury Conservation Area Advisory Committee- The Committee was supportive of the proposal and welcomed the provision of affordable housing. Members felt that Cotswold plain tiles were a more appropriate roofing material than blue slate and would give the development a more homogeneous, and perhaps less socially- divisive, appearance.

- 2.3 General observations have been received from 3 local residents who do not object in principle but make the following remarks:
- (i) Large numbers of people born in Charlbury are unable to stay because house prices are unaffordable.
 - (ii) Steps should be taken to ensure that the boundary to Woody Lane is protected and restored. Trees that have been removed should be replaced.
 - (iii) The development should be of high quality and provision of green space should be mandated.
 - (iv) The housing will provide people employed in the area and support economic growth.
 - (v) More market housing is needed.
 - (vi) Two highway access points should be provided in the interests of highway safety.
 - (vii) The development may be visible in wider area.
 - (viii) The access is sensible but there are reservations about highway safety.

The Charlbury Society has no objection in principle but the potential impact on school capacity should be considered.

3 APPLICANT'S CASE

- 3.1. The Council's housing land supply is currently below the required five years, so policies relating to the supply of housing (including policy H7 of the adopted Local Plan) are no longer up-to-date. The current deficit in housing provision and the contribution that the proposed development will make in helping to address it are strong material considerations in favour of the proposal. In accordance with paragraph 14 of the Framework, therefore, the proposed development needs to be considered favourably provided that any adverse impacts of doing so would not "significantly and demonstrably" outweigh the benefits of the proposal.
- 3.2 The proposed development offers the following benefits:
- (i) providing a good mix of 22 high quality homes in a sustainable location to help meet the objectively assessed needs for market and affordable housing identified in the Oxfordshire SHMA;
 - (ii) delivering the houses immediately to help the Council make up its short-term housing deficit;
 - (iii) providing 11 affordable houses and flats;
 - (iv) generating additional spending power in the local economy;
 - (v) creating jobs for a local house building company;
 - (vi) securing a substantial New Homes Bonus;
 - (vii) securing appropriate Section 106 contributions to improve local services and facilities;
 - (viii) creating ecological and landscape enhancements, particularly through the proper management of the existing plantation woodland and species-rich grassland.
- 3.3 These benefits need to be afforded significant weight. To ensure they are delivered, the site is available for development now - there are no land ownership or infrastructure complications to delay delivery. The scheme is small-scale and deliverable and will be developed without delay. The proposal, therefore, complies with paragraph 47 of the Framework.
- 3.4 A good number of small greenfield sites in appropriate and sustainable locations such as this site will need to be developed to meet the substantial housing need (particularly the short-term housing need) identified in the SHMA.
- 3.5 The site is visually very well contained, so it makes only a limited contribution to the character of the area. It currently has an air of dereliction with no discernible function, so the proposed development with its traditional design will make a positive and sympathetic contribution to the character and appearance of the Charlbury Conservation Area. In addition, views into and across the site are very limited from the surrounding countryside, so the proposal will not have a harmful impact on the landscape and scenic beauty of the Cotswolds AONB.
- 3.6 Considering the Framework as a whole, and giving proper weight to the substantial benefits offered by the proposed development and the absence of any issues which amount to an adverse impact to "significantly and demonstrably" outweigh the benefits, the planning balance has to be in favour of granting planning permission.

4. PLANNING POLICIES

EH5NEW Flood risk
EH7NEW Historic Environment
BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
H2 General residential development standards
H7 Service centres
NE4 Cotswolds Area of Outstanding Natural Beauty
NE6 Retention of Trees, Woodlands and Hedgerows
NE13 Biodiversity Conservation
NE15 Protected Species
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
H1NEW Amount and distribution of housing
H3NEW Affordable Housing
H4NEW Type and mix of new homes
T4NEW Parking provision
EH2NEW Biodiversity
The National Planning Policy framework (NPPF) is also a material planning consideration.

5.0 PLANNING ASSESSMENT

- 5.1 The proposal relates to a parcel of agricultural land to the east of existing modern housing at Lees Heights. Development of further housing in this location has taken place to the south of the site at Little Lees. Land to the east of the housing proposal, which is in the same ownership, features a plantation belt of trees and open grassland. There are public footpaths to the eastern boundary of the land and also to the north where rights of way run along Woody Lane. The northern boundary is marked by sporadic hedgerow and hedgerow trees.
- 5.2 The scheme would provide 22 dwellings, 11 of which would be affordable.
- 5.3 Members carried out a site visit on 28th May 2015.
- 5.4 The application was considered at the Uplands Committee on 6th July 2015 and deferred to allow further consideration of access arrangements, provision for the retention and management of the adjoining open space, and S106 contributions/agreement. Arising from this, the Council has received amended plans, which have been consulted upon, and additional information in relation to the open space.

Background Information

- 5.5 The planning history is understood to be as follows:

W74/1136 - residential development (outline) - refused 12/03/75
W74/1137 - residential development (outline) - refused 12/03/75
W75/1156 - residential development (outline) - refused 14/01/76
W76/0062- housing development not exceeding 50 houses (outline) - refused 05/03/76
W84/1371 - erection of 8 dwellings - refused 07/12/84

W94/0634 - erection of doctor's surgery - refused 03/08/94
W97/1631 - 4 temporary agricultural buildings and restoration of northern boundary hedge including pedestrian gate - approved 07/01/98
11/1771/P/FP - erection of 15 dwellings with associated car parking, landscaping, and new footpath - approved 16/05/12
13/0752/P/S73 - variation of condition 2 of 11/1771/P/FP -approved 02/07/13

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

Principle

Siting, design, form and impact on the character of the area

Residential amenities

Highways

Open space and Ecology

SI06 contributions

Principle

- 5.7 The site is located immediately adjacent to the existing urban edge of Charlbury. The town has a wide range of local amenities, including primary school, shops, post office, doctor's surgery, community facilities, employment and railway station. It is accordingly one of the most sustainable settlements in the District.
- 5.8 Charlbury is recognised as an appropriate place for some new development under both adopted Policy H7 and emerging Policy OS2. Policy H7 allows for development representing infilling or rounding off, but the proposed development would not conform with this policy because the site would represent an extension of the settlement into the countryside. However, the emerging revised plan Policy H1 refers to the sub-area of Burford-Charlbury contributing 800 dwellings to the housing supply over the plan period to 2031. Although the precise locations for new housing within the sub-area have not been defined, it is expected that the larger settlements of Burford and Charlbury will be the focus for new development and will deliver significant numbers of windfalls. The site is not identified in the SHLAA, but this does not necessarily mean that the site is unsuitable for housing development.
- 5.9 Although the site is acknowledged to be greenfield, relatively few previously developed sites come forward in the district and it is necessary to consider greenfield sites in sustainable locations. The sub-area of Burford-Charlbury is washed over by the AONB designation and this is not considered an impediment in principle to development in this locality.
- 5.10 Emerging Local Plan Policy OS2 allows for development of an appropriate scale and type in Charlbury provided, amongst other considerations, that it forms a logical complement to the existing scale and pattern of development and/or the character of the area. Emerging Local Plan Policy H2 refers to development being appropriate within or adjoining the built up area of Charlbury.
- 5.11 The site is well screened by existing landscape features that would be retained. The site is not prominent in the wider landscape of the area, and the development would be seen in the context of existing housing in this part of Charlbury.

- 5.12 Given the site's relationship to the settlement, the nature of the locality, and the site's characteristics, it is considered that the proposal is in a sustainable location and development here is acceptable in principle.

Siting, Design, Form and Impact on the Character of the Area

- 5.13 The original plans showed access to the site as a whole being taken from Little Lees. Objectors and some Members questioned whether this would compromise highway safety. The amended plans now proposed show two points of access, one from Little Lees providing access to 11 properties and another from Lees Heights providing access to 11 properties. The proposed houses would be arranged in two cul-de-sacs.
- 5.14 The scheme would be a mix of detached, semi-detached, terrace and flats. The design of the buildings draws on vernacular influences and the appearance would be similar to the recently constructed houses at Little Lees. They would all be two storey, but with varying features such as projecting gables, porches and dormers.
- 5.15 Each unit would have adequate outside space and an appropriate balance between built form, roads/parking, and garden areas is achieved. Existing landscaping to the boundaries will be retained where possible.
- 5.16 The layout provides for a footpath link between the development and the right of way to the north. This will be important in integrating the scheme into the local area and maximising accessibility.
- 5.17 The provisions of paragraph 115 of the NPPF are acknowledged as regards the weight to be given to conserving the landscape and scenic beauty in the AONB. The topography of the area and presence of large numbers of mature hedgerows and trees in the landscape in all directions around the site, mean that it has no real visual presence beyond its immediate setting. It is therefore considered that there would be no material harm to the AONB in this location.
- 5.18 Paragraph 116 of the NPPF refers to development being permitted in designated areas only in exceptional circumstances where it can be demonstrated that they are in the public interest. It is debatable whether the 22 dwellings proposed in this instance constitutes 'major' development in this context. Nonetheless, having regard to the criteria therein, the development would make a valuable contribution to housing land supply and support the vitality and viability of Charlbury. It is important that Charlbury continues to deliver new housing, and in the Burford-Charlbury sub-area there are few opportunities to develop outside the designated area. The scheme includes retention of landscape features, including a large tree belt and open space, and therefore the potential detrimental effects on the environment are moderated.
- 5.19 The site lies within the Charlbury Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".
- 5.20 The site is not visually prominent in the wider area, and benefits from a significant sense of enclosure created by mature hedges and trees around the periphery. The site's relationship with the existing urban edge has a bearing on its suitability for development. The land is subject to informal public access because it is not fenced, but it is not formal open space and does not

represent an important gap, or perform a particular function in the area. Although the development would represent significant change, this is not necessarily the same as harm. On balance, given the characteristics of the site and its relationship with the existing urban edge, it is considered that the development would not be harmful to the Conservation Area and its character would be preserved.

- 5.21 In the terms of NPPF paragraph 134, the benefits of the scheme, such as delivering new housing (and its attendant economic benefits), and delivering a contribution to affordable housing, would outweigh any less than substantial harm arising from the scheme.
- 5.22 The proposal is considered to comply with WOLP Policies BE2, BE5, NE4, and H2, as well as emerging plan policies OS2, H2, EH1 and EH7.

Residential amenities

- 5.23 The layout provides for appropriate privacy distances to be achieved between dwellings within the site. There would therefore be no unacceptable overlooking. The existing properties to the south would not directly face any main room windows in the proposal and the separation is acceptable. Plots 12-15 and 16 would have gable ends facing towards the gable of No.10 Lees Heights. Plot 1 would be gable-on to No.4 Lees Heights with no main windows facing in this direction. Plot 11 would have an oblique relationship to No.4 Lees Heights at a distance of approximately 18m which is acceptable.
- 5.24 An appropriate area of garden would be available for each unit, and general amenity would therefore be catered for. The space between dwellings is such that there would be no unacceptable loss of light to properties within or adjoining the site.

Highways

- 5.25 There is a good range of local facilities within easy walking distance of the site. However, for most employment, secondary education and higher order services, residents would need to travel out of Charlbury.
- 5.26 The site is estimated to generate approximately 10 vehicle trips (including in and out trips) in the morning peak hour and 9 in the evening peak hour. This equates to no more than one movement every six minutes, which is not expected to have a significant impact on the local transport network.
- 5.27 There is a good frequency of train service from Charlbury Rail station, and the future train specification would appear to provide at least an hourly service between Worcester, Oxford, Reading and London.
- 5.28 The site is well located for access to the bus stop on Sturt Road, which is served by the C1 'Charlbury RailBus' which runs between the Wychwoods and Charlbury station four times a day in each direction, the X9 between Chipping Norton and Witney every hour and the S3 linking Charlbury and Oxford every hour. It is also around 1.5km walking distance from Charlbury railway station. Hourly bus service S3 operates on a commercial basis between Charlbury, Woodstock, the proposed Northern Gateway site and along the Woodstock Road into Oxford. Charlbury people travelling to the northern part of Oxford and the 'Science area' may well prefer to use the bus than the train, as Oxford's station is located to the west of the city centre.

Hourly bus service x9 between Chipping Norton, Charlbury and Witney is financially supported by Oxfordshire County Council. It is quite well used on the Charlbury to Witney section of route. However, despite the apparently good bus links from Charlbury, there are deficiencies in service levels, especially at weekends and in the evening. A section 106 contribution of £1,000 per additional dwelling towards improvements in strategic public transport in Charlbury would be required.

- 5.29 The proposal is for vehicular and pedestrian access to be taken from both Little Lees and Lees Heights. Queries were raised previously about land ownership issues where the access would join Lees Heights. However, with reference to information submitted by the applicant, this appears to have been resolved. In any event, this in itself is not grounds for objecting to the planning application. No further concerns have been raised by OCC Highways in this regard, nor do they have any objection to the additional access to Lees Heights.
- 5.30 Parking is provided in accordance parking standards, with additional visitor spaces. The open market houses also have garages.
- 5.31 Designated cycle parking is provided for the flats in the form of a cycle store. However, OCC Highways have concern about the size of this. A condition is therefore recommended to require details of this, as well as bin storage arrangements.
- 5.32 Existing public rights of way have been shown on the amended layout and a new footpath link between the site and Woody Lane is proposed. No objection is raised by OCC Highways, subject to a suitable condition regarding appropriate width, surfacing, gates, etc. in relation to both existing and proposed paths.

Open Space and Ecology

- 5.33 The submitted plans show that approximately half the site would retained as open grassland with the existing belt of trees running through it.
- 5.34 An ecological assessment was carried out and found that no protected species would be affected and no further survey works are necessary. However, a number of recommendations are made in relation to the potential effects on habitat and mitigation and compensation measures that could be introduced.
- 5.36 The most notable finding of the assessment is that the site as a whole features areas of semi-improved grassland. Although there are no protected or rare species within the grassland, it supports a diversity of grass and herb species that are indicative of lowland meadow habitat which is recognised as nationally important. These areas are found both in the open area to be retained and where the houses would be built. There has been significant debate between the applicant's ecologist and the Council's ecological advisor as to how the impact on this habitat can be mitigated. One option suggested by the Council's ecologist would be to substantially retain the species rich areas and build around them, but unfortunately this would be impractical and lead to fragmentary, low density development.
- 5.37 Significant lowland meadow habitat would be retained in the eastern half of the site and subject to appropriate management, would be allowed to be maintained and possibly expand into less species rich areas. In addition, appropriate thinning of the pine plantation and the planting of native deciduous trees would enhance the biodiversity value of the site.

- 5.38 At the meeting on 6th July 2015, Members expressed concern about how the open space to the east of the site would be appropriately retained as open land and protected from development, as well as managed for biodiversity conservation in the future. Originally, a condition was recommended to require an Ecological Management Plan to be submitted and approved. However, the applicant is now proposing a legal agreement which would include a management plan. The heads of terms are as follows:
- (a) for the Developer to implement the works set out in the Management Plan to be carried out [within the first year] from the implementation of the planning permission;
 - (b) that prior to the occupation of the last open market dwelling pursuant to the Planning Permission the Developer will transfer the Open Space to a management company established to manage the Open Space and any other matters within the Development;
 - (c) for the owner of the Open Space for the time being to comply with the Management Plan as to future maintenance;
 - (d) a covenant not to erect any buildings on the land [other than necessary or desirable for the management of the land];
- 5.39 The Management Plan is a detailed document that is not available at present, but would be prepared should the Committee resolve to approve the application. Subject to agreement with the Council, it is considered that this would deliver the appropriate management of the open space in the future.
- 5.40 An arboricultural report was submitted and all the existing trees around the periphery of the site can be retained. A tree protection plan shows that the root protection areas can be kept clear of the development.

Drainage

- 5.41 No objection is raised by Thames Water in relation to waste water infrastructure.
- 5.42 The site is in Flood Zone I and at low risk of flooding. A sustainable surface water drainage scheme will be required by condition.

SI06 contributions

- 5.43 OOC was consulted on the revised plans and their updated advice is as follows regarding contributions:
- (i) £1,000.00 per dwelling towards improved public transport.
 - (ii) £95,088.00 towards Charlbury Primary School capacity. No contribution towards secondary education is required. Chipping Norton School, which is an academy, has capacity to take additional pupils.
 - (iii) £1,356.80 towards library provision
Whilst other potential contributions are identified, these cannot be required in the light of the CIL Regulations.
- 5.44 The Council requires:

- (i) £2,200.00 towards a programme of public art in the form of activities and events in Charlbury.
- (ii) Affordable housing - 11 units which complies with the objective of delivering 50% on schemes in this location.

Conclusion

- 5.45 The WOLP is time expired and the Council is now moving forward with a revised plan up to the year 2031. The proposal is consistent with the need to deliver windfall housing on suitably located sites within the Burford-Charlbury sub-area.
- 5.46 The siting, design and form of the development are acceptable with reference to the constraints of the AONB and Conservation Area.
- 5.47 There would be no material impact on privacy, light or general amenity in relation to neighbouring properties.
- 5.48 The highways constraints are noted but the development would not have an unacceptable impact on the operation of the highway network in this location or on highway safety generally.
- 5.49 The proposal would deliver a contribution to affordable housing which is compliant with emerging local plan policy.
- 5.50 Retention and protection of trees, appropriate landscaping, and suitable mitigation and enhancements for wildlife can be secured by condition.

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 the Planning and Compulsory Purchase Act 2004.

- 2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

- 3 Before above ground building work commences a schedule of materials (including samples) to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

REASON: To safeguard the character and appearance of the area.

- 4 Prior to commencement of above ground works, a sample panel of walling shall be erected on site and approved in writing by the Local Planning Authority. The panel shall thereafter be retained on site until the development is completed.

REASON: To safeguard the character and appearance of the area.

- 5 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, external doors, garage doors, porches, rooflights, and chimneys, 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 installation. 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.

- 7 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 8 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include the location, size and condition of all trees and hedgerows to be retained, together with measures for their protection during construction work. It must show details of all planting areas including plant species, numbers and sizes. The proposed means of enclosure and screening shall also be included, together with details of mounding, walls and fences and hard surface materials to be used throughout the development. The entire landscaping scheme shall have been completed by the end of the planting season immediately following completion of the development. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area.

- 9 Notwithstanding the submitted details, no development (including site works and demolition) shall commence until all existing trees which are shown to be retained within the Tree Survey Report by Venners Arboriculture (Revised October 2015) have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

- 10 All works, including site clearance shall be carried out in accordance with all of the recommendations contained in Section 5 of the "Ecology Report" dated December 2014 by Windrush Ecology. Compliance with this condition would be in the context of the Ecological Management Plan that forms part of a legal agreement accompanying this decision.

REASON: To ensure that loss of habitat is effectively mitigated, that biodiversity is protected and enhanced, and to ensure that mitigation measures become established and are appropriately protected.

- 11 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

REASON: To prevent pollution of the environment in the interests of the amenity.

- 12 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. 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.

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.

- 13 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety.

- 14 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

- 15 No dwelling shall be occupied until a travel information pack has been prepared, submitted to, and approved in writing by the Local Planning Authority. Individual travel information packs shall be distributed by the developer to each new resident and member of staff.

REASON: To ensure that opportunities for sustainable transport are taken up.

- 16 Prior to commencement of the development details of the width, means of enclosure, surfacing, landscaping and any lighting of the existing public footpaths within and adjoining the site, and the new path to be created through the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall have been implemented in full by the end of the planting season immediately following completion of the development.

REASON: To ensure public rights of way remain available and convenient for public use and integrate with the development.

- 17 Prior to the commencement of any site works, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare and Archaeological Written Scheme of Investigation relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the recording and inspection of matters of archaeological importance on site.

- 18 Following the approval of the Written Scheme of Investigation referred to in Condition 17, and prior to any site works (other than in accordance with the Written Scheme of Investigation) a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

REASON: To safeguard the identification, recording, analysis and archiving of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF.

- 19 Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

REASON: In the interest of improving connectivity in rural areas.

- 20 Notwithstanding the submitted details, prior to commencement of the development details for the provision of covered, secure cycle parking for 8 cycles and bin storage facilities for units 12-15 shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained for that purpose thereafter.

REASON: To ensure appropriate provision for cycles in accordance with Oxfordshire cycle parking standards, and to ensure appropriate storage of waste.

- 21 No development, including any works of demolition and site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- VIII Hours of operation of the site

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

NOTES TO APPLICANT

- 1 Please note the Advance Payments Code (APC) Sections 219-225 of the Highways Act is in force in the county to ensure financial security from the developer to offset the frontage owner's liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a Private Road Agreement must be entered into with the County Council to protect the interests of prospective frontage owners.
- 2 This decision should be read in conjunction with the accompanying legal agreement(s).
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application Number	I5/02383/LBC
Site Address	The Dragon Inn 152 High Street Burford Oxfordshire OX18 4QU
Date	18th November 2015
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425098 E 212074 N
Committee Date	30th November 2015

Application Details:

General internal alterations and refurbishment required for the change of use to four holiday lets. (Part retrospective).

Applicant Details:

Mr & Mrs Rick and Sally Lockyer
152 High Street
Burford
Oxfordshire
OX18 4QU

I CONSULTATIONS

- 1.1 WODC Architect The building is in generally poor condition, with a recent history of inadequate maintenance and inappropriate change. Internally, the structure has been subject to considerable alteration over the years and does not generally feature well preserved period fabric and features (at least that are conspicuous). There are no objections to the scheme.
- 1.2 Parish Council No Comment Received.

2 REPRESENTATIONS

- 2.1 Three objections and two comments have been received. These are summarised with relevance to the listed building as follows:

- 2.2 Impact on the listed building

Oxfordshire Architectural and Historical Society confirms that the Dragon Inn is an important building with a medieval core.

- Support change the use to four self-contained holiday lets, with the removal of redundant 20th century structures.
- However, the lack of a full heritage statement therefore request that a recording condition be placed on any permissions to proceed.

- an owner should not start this type of work on a listed property when they would know of the planning restrictions and then rely on applying for retrospective approval.

3 APPLICANTS CASE

- 3.1 A Heritage Statement and Design and Access Statement has been received and is available to view online. It is summarised as follows:
- 3.2 The listing places a strong emphasis on the importance of the building's interior, the new internal layout has been designed to retain as much of the basic fabric of the existing building as possible and, in addition, the original tiled and timber floor finishes to the older front section of the building will be retained and refurbished to enhance the appearance of the existing listed building.
- 3.3 The proposal is in line with the Council's key economic objectives CO9 and CO10 in that it will help to achieve a prosperous and sustainable tourism economy and add vitality to the town centre.
- 3.4 As the Change of Use will be achieved without excessive alteration or extension or the removal of any features of architectural or nature conservation interest, the proposal is also in line with the Council's Core Policy 13 which encourages the re-use of non-residential buildings.
- 3.5 The proposal is also in line with the Council's Core Policies 14 and 16 as the new holiday lets will reuse an existing building within Burford town centre which has a significant tourist role to perform in the Council's plans.
- 3.6 As the existing landscape features on the site are being retained, the proposal satisfies the aims of the Council's Core Policy 17.
- 3.7 With regard to the Council's Core Policy 18, the Applicant will be erecting bat boxes both in the existing derelict outbuilding and the rear garden to enhance the biodiversity of the site.
- 3.8 The proposal also includes provision for the management and treatment of waste and recycling in line with the Council's Core Policy 22.
- 3.9 With the Change of Use being achieved without excessive alteration or extension or the removal of any features of architectural or nature conservation interest, the proposed renovation and refurbishment of the existing building will enhance the listed building so that it can continue to make a positive contribution to the existing townscape in line with the Council's Core Policy 23.
- 3.10 The proposal also includes the provision of a secure bike store in line with the aims of the Council's Core Policy 24.
- 3.11 The proposed conversion from restaurant to holiday lets will be a much more viable and sustainable use and, as such, will be able to maintain and prolong the life of the listed building. The proposal is very much in line with the relevant policies in the Council's Draft Local Plan.

4 PLANNING POLICIES

BE5 Conservation Areas
BE6 Demolition in Conservation Areas
BE7 Alterations and Extensions to Listed Buildings
BE9 Change of Use of a Listed Building
EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Committee as the Town Council has objected to the application.
- 5.2 The application seeks planning permission and listed building consent for the change of use of the building to 4 holiday lets including the physical internal and external alterations required. This report should therefore be read in conjunction with 15/02672/FUL since the issues raised are interlinked.
- 5.3 The application site relates to a mid-19th Century front elevation, Grade II Listed burgage house constructed out of freestone under a Cotswold stone roof. The application site is located within a prominent location along High Street in the Burford Conservation Area.

Planning History

- 5.4 Planning history relating to the site is as follows:
- 15/00777/FUL - 2 No. new dormers to front roof slope - approved 12.05.2015
 - 15/00778/LBC - 2 No. new dormers to front roof slope - approved 12.05.2015
 - W99/1632 and W99/1933 sought permission for the removal of part of the wall and the creation of a new vehicular access to the rear of 152 High Street, Burford. These applications were both granted on 08/02/2000.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are the impact on the Listed Building and Conservation Area;

Impact on the Listed Building and Conservation Area

- 5.6 The design and listed building aspects of this application have been subject to discussion with the Conservation Architect at pre-application stage. It is unfortunate that some of the alterations had already commenced prior to the submission of the listed building consent, these works are considered acceptable on the whole.
- 5.7 The building is in generally poor condition, with a recent history of inadequate maintenance and inappropriate change. Internally, the structure has been subject to considerable alteration over the years and does not generally feature well preserved period fabric and features (at least that are conspicuous). The application entails a sweeping refurbishment of the entire structure, including roofs, windows and internal works, with some physical alteration. In respect of the refurbishment works the Conservation Architect considers these acceptable.

- 5.8 The building as a whole is greatly in need of a sympathetic repair and renovation. In respect of the proposed material changes to the listed building, mainly to partitions, some windows and stairs, again there are no objections. The Conservation Architect did raise one question-mark over the proposal to cut through an early tie-beam in order to create a stairway access to the rear of the building. However, officers feel this is of limited merit and in such poor condition that a partial loss here (amounting to c.1m) is supportable. The application also proposes the removal of a C20 screen and glazed ceiling located between the two wings. This is considered acceptable.
- 5.9 Overall, this represents a fairly sensitive scheme, and has the potential to secure the future of the listed building within the Conservation Area without undue loss of character. The proposal would not result in harm to the character and visual appearance of the Conservation Area.

Conclusion

- 5.10 In light of these observations and the confirmed agreement from your Conservation Officer, your officers consider that the proposed alterations to the listed building are all acceptable, and having considered the relevant planning policies and all other material considerations, your Officers consider that the proposed development is acceptable on its planning merits and would comply with adopted West Oxfordshire Local Plan 2011 policies BE2, BE5, BE6, BE7 and BE9, emerging West Oxfordshire Local Plan 2031 policy EH7, as well as the NPPF.

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 the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by 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 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.

- 4 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.

- 5 A detailed record drawing of the original structure to a scale of not less than 1:50 for the plan and 1:20 for the details indicating clearly the elements to be removed or relocated, shall be submitted to and approved in writing by the Local Planning Authority before any demolition or stripping out takes place.

REASON: To ensure that an accurate record is maintained of the works to the Listed Building.

- 6 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been let and planning permission has been granted for the redevelopment for which the contract provides.

REASON: In accordance with Section 17 of the Planning (Listed Buildings in Conservation Areas) Act 1990 to prevent demolition before confirmation of reconstruction.

- 7 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery details (including 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 that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

Application Number	I5/02672/FUL
Site Address	The Dragon Inn 152 High Street Burford Oxfordshire OX18 4QU
Date	18th November 2015
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425098 E 212074 N
Committee Date	30th November 2015

Application Details:

Change of use to four self-contained holiday lets (Part retrospective).

Applicant Details:

Mr & Mrs Rick And Sally Lockyer
152 High Street
Burford
Oxfordshire
OX18 4QU

I CONSULTATIONS

- | | | |
|-----|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I.1 | Parish Council | We object in principle to the change of use. Burford needs to preserve commercial premises in the High Street. We object on the grounds that adequate parking cannot be provided. The impact of increased noise on the almshouses should also be taken into account. |
| I.2 | WODC Planning Policy Manager | Acceptable in principle against policy. Highways response should be considered regarding lack of parking. It may be worth considering whether a planning condition is appropriate to restrict the building to holiday use, to ensure that we maintain control over the changing character of the area. |
| I.3 | WODC Env Health – Uplands | No comments. |
| I.4 | OCC Highways | No Objection. The proposals are unlikely to create a material increase in the demand for parking compared to the pre-application use of the property. The Oxfordshire County Council as Local Highway Authority hereby notify the District Authority that they do not object to the grant of planning permission from a traffic and highway safety point of view. |
| I.5 | OCC Ecologist | No Comment Received. |

2 REPRESENTATIONS

2.1 Three objections and two comments have been received. These are summarised as follows:

2.2 Principle

- Object to change of use, i.e. changing from a business to accommodation.
- Object to lack of car parking.
- Loss of a community facility - See CAMRA objection below.

2.3 Impact on the listed building

Oxfordshire Architectural and Historical Society confirms that the Dragon Inn is an important building with a medieval core.

- Support change the use to four self-contained holiday lets, with the removal of redundant 20th century structures.
- However, the lack of a full heritage statement therefore request that a recording condition be placed on any permissions to proceed.
- an owner should not start this type of work on a listed property when they would know of the planning restrictions and then rely on applying for retrospective approval.

2.4 Residential Amenity Impacts

- Nuisance generated from letting this accommodation as holiday lets. If approved, what restrictions could be placed on noise and how would they be enforced?

2.5 Loss of a community facility

North Oxfordshire branch of the Campaign for Real Ale - objection

We object to this application on the basis that it would result in the loss of a community facility.

Retention of pubs allows them to continue to:

- meet the needs of differing communities by maintaining a healthy and varied choice for the consumer;
- ensure a place of informal social meeting, eating and drinking;
- provide a place of employment for the Landlord and family and in many cases full and part time staff;
- enliven the local economy through purchasing from other local outlets/shops and bringing visitors to the local area.

Public Houses are explicitly classified as community facilities in the National Planning Policy Framework [NPPF]. Para 28 of NPPF states: "To promote a strong rural economy, local and neighbourhood plans should... promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship." Para 70 of NPPF states: "To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- * plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- * guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;..."

- 2.6 Whilst we recognise that the Dragon Inn has not operated as a pub for a number of years, but rather as a restaurant, it remains possible for it to return to public house use. The applicants have failed to provide a viability case to show that its existing and former uses cannot be made viable, thus the loss of community facility has not been justified.

3 APPLICANTS CASE

- 3.1 A Heritage Statement and Design and Access Statement has been received and is available to view online. It is summarised as follows:
- 3.2 The listing places a strong emphasis on the importance of the building's interior, the new internal layout has been designed to retain as much of the basic fabric of the existing building as possible and, in addition, the original tiled and timber floor finishes to the older front section of the building will be retained and refurbished to enhance the appearance of the existing listed building.
- 3.3 The proposal is in line with the Council's key economic objectives CO9 and CO10 in that it will help to achieve a prosperous and sustainable tourism economy and add vitality to the town centre.
- 3.4 As the Change of Use will be achieved without excessive alteration or extension or the removal of any features of architectural or nature conservation interest, the proposal is also in line with the Council's Core Policy 13 which encourages the re-use of non-residential buildings.
- 3.5 The proposal is also in line with the Council's Core Policies 14 and 16 as the new holiday lets will reuse an existing building within Burford town centre which has a significant tourist role to perform in the Council's plans.
- 3.6 As the existing landscape features on the site are being retained, the proposal satisfies the aims of the Council's Core Policy 17.
- 3.7 With regard to the Council's Core Policy 18, the Applicant will be erecting bat boxes both in the existing derelict outbuilding and the rear garden to enhance the biodiversity of the site.
- 3.8 The proposal also includes provision for the management and treatment of waste and recycling in line with the Council's Core Policy 22.
- 3.9 With the Change of Use being achieved without excessive alteration or extension or the removal of any features of architectural or nature conservation interest, the proposed renovation and refurbishment of the existing building will enhance the listed building so that it can continue to make a positive contribution to the existing townscape in line with the Council's Core Policy 23.
- 3.10 The proposal also includes the provision of a secure bike store in line with the aims of the Council's Core Policy 24.
- 3.11 The proposed conversion from restaurant to holiday lets will be a much more viable and sustainable use and, as such, will be able to maintain and prolong the life of the listed building. The proposal is very much in line with the relevant policies in the Council's Draft Local Plan.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
BE6 Demolition in Conservation Areas
BE7 Alterations and Extensions to Listed Buildings
BE9 Change of Use of a Listed Building
TLC2 Use of Existing Buildings
TLC12 Protection of Existing Community Services and Facilities
SH3 Changes of Use in Town Centres
OS2NEW Locating development in the right places
OS4NEW High quality design
T4NEW Parking provision
EH7NEW Historic Environment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application is to be heard before the Committee as the Town Council has objected to the application.
- 5.2 The applicant seeks planning permission and listed building consent (part retrospective) for the change of use of the building to four self-contained holiday lets including the physical internal and external alterations required. This report should therefore be read in conjunction with 15/02383/LBC since the issues raised are interlinked.
- 5.3 The application site relates to a mid-19th Century front elevation, Grade II Listed burgage house constructed out of freestone under a Cotswold stone roof. The application site is located within a prominent location along High Street in the Burford Conservation Area.

Planning History

- 5.4 Planning history relating to the site is as follows:
- 15/00777/FUL - 2 No. new dormers to front roof slope - approved 12.05.2015
 - 15/00778/LBC - 2 No. new dormers to front roof slope - approved 12.05.2015
 - W99/1632 and W99/1933 sought permission for the removal of part of the wall and the creation of a new vehicular access to the rear of 152 High Street, Burford. These applications were both granted on 08/02/2000.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of Development and Change of Use
Design
Impact on the Listed Building
Impact on the Conservation Area

Highways and Parking Implications
Residential Amenity Impact
Ecology

Principle

- 5.6 In considering the principle of the development officers would have regard to the provision of the West Oxfordshire Local Plan 2011, the Emerging West Oxfordshire Local Plan 2031 and the guidance of the National Planning Policy Framework.
- 5.7 There are two key areas of policy that are useful to consider this proposal against including whether the introduction of holiday lets within a designated town centre is appropriate and whether the existing building is suitable for conversion to the proposed use.

Town Centre Policies

- 5.8 Town centres contain the most diverse range of land uses of any location. Shopping is clearly the use which underpins the centres, but other uses are vital to their health.
- 5.9 Burford Town Centre is quite compact and is largely arranged in a linear pattern focusing on the High Street. It is recognised that the mix of uses in Burford town centre which includes residential properties, shops and hotels contributes to the attraction and charm of the centre.
- 5.10 The adopted Local Plan sets out two clear objectives for Town Centres and shopping.
- To enhance the character and improve the environment of the main town centres and to increase their attraction to all users.
 - To maintain and improve where possible the overall range and quality of the District's shopping facilities but to resist proposals that would damage the vitality and viability of existing service centres and measures to improve them.
- 5.11 It is considered by officers that the change of use from restaurant to self-contained holiday lets would be consistent with the objectives of the plan and will add to the mix of uses within the town centre as advocated by Policy SH3. It is considered that the introduction of holiday lets to the town centre will be complementary to existing uses in the town centre, particularly as Burford represents one of the key tourist destinations in the District.

Use of Existing Building

- 5.12 Policy TLC2 of the adopted Local Plan covers proposals for the change of use / conversion of existing buildings to visitor accommodation. Such accommodation will be permitted provided:
- a) There is adequate off-street parking or other public parking available
 - b) The scale of proposals does not generate a level of activity which would have detrimental effect on the character or appearance of the area
 - c) The existing building should be capable of conversion to visitor accommodation without excessive alteration or rebuilding which would damage its character or setting.
 - d) The character and setting of the existing building is not damaged.

- 5.13 It is considered that the proposal is consistent with the provisions of Policy TLC2 and the proposals will lead to an enhancement of the existing building with the replacement of poor quality features such as windows, doors and outbuildings with better quality additions.
- 5.14 In relation to parking, this is discussed below.
- 5.15 In light of the above policy considerations, Policy TLC12 relating to the loss of existing community facilities has less relevance. However, the applicant is of the view that the proposal does meet the following criteria, adding weight to the argument for the change of use.
- a) the existing use is not viable; or
 - b) adequate and accessible alternative provision remains or will be provided.
- 5.16 Jackson -Stops had been marketing the property for 8 years but, despite showing many prospective buyers around the premises and reducing the asking price, they were unable to find a purchaser. In addition, Central Business Agency have confirmed they were still actively involved in marketing the property in October 2013 for a further 8 months, 16 months before the Applicants purchased the property in February 2015. Officers agree that despite a lengthy and active marketing campaign, the property did not attract any interest from parties wishing to continue the A3 use.

Design

- 5.17 The Conservation Architect notes the generally poor condition of the building and its history of inadequate maintenance and inappropriate change. The proposed material changes to the building to facilitate the creation of the 4 holiday lets are considered to be sympathetic repair and renovation comprising some changes to partitions, some windows and stairs. The physical alterations to the building are felt to be in accordance with adopted West Oxfordshire Local Plan 2011 policies BE5 and BE7 and Emerging West Oxfordshire Local Plan policies OS04 and EH7.

Impact on the Listed Building and Conservation Area

- 5.18 The property is listed and is located within the Burford Conservation Area. The proposals include measures to improve the quality and condition of the building while retaining features of heritage value. Officers consider that the proposals comply with policies BE5, BE6, BE7 and BE9 of the adopted Local Plan and policy EH7 of the emerging Local Plan which seek to protect features of architectural and historic interest and the character and appearance of Conservation Areas.
- 5.19 It is noted that the works are part retrospective which is unfortunate. The applicant has worked closely with the Conservation Architect at pre-application stage to get the application submitted and the listed building works authorised.

Highway and Parking Implications

- 5.20 The Highway Officer has confirmed that the proposals are unlikely to create a material increase in the demand for parking compared to the pre-application use of the property as an A3 use with ancillary accommodation comprising 7 staff rooms.

- 5.21 The applicants have looked into the use of part of the rear garden area for parking but have not pursued this due to the cost to gain access over the private driveway. It is also not at the insistence of the Highway Authority and therefore parking for the site remains at the free public car park and unrestricted on-street parking within walking distance.
- 5.22 The proposal is considered acceptable having regard to adopted Local Plan policies BE2, T4 and emerging Local Plan policies OS2 Locating Development in the Right Places), T1 (Sustainable Transport) and E6 (Town Centres).

Residential Amenity Impact

- 5.23 The property appears to always have included ancillary residential accommodation. The restaurant use included 7 live-in staff accommodation rooms. The holiday let accommodation comprises 4 separate units with 2, 2-bed units, 1 3-bed unit and 1 1-bed unit. The net increase in rooms is therefore 1 bedroom. The amount of noise generated from the site is likely to be less than its use as a restaurant which comprised visiting members of the public, staff and a commercial kitchen. As 4 holiday lets, and assuming each room is a double, there would be at most 14 people on this site at a time when it is at capacity and all occupants are in. It is important to note that there are also likely to be times when the property is unoccupied and the very nature of holiday lets means that visitors are often out during the day. Environmental Health Officers make no comment on this application. As such, officers do not consider the change of use would be unduly harmful to the residential amenity of nearby residents having regard to Local Plan policies BE2 and H2 of the adopted Local Plan 2011 and Policy OS2 of the emerging Local Plan 2031.

Other Matters

- 5.24 Ecology - The bat survey found no evidence of bats within the buildings. New bat boxes are proposed in the rear garden and in the existing outbuilding. The Ecologist has been consulted for comments and these are awaited.
- 5.25 Paragraph 7.20 of the adopted Local Plan emphasises that pressures for change of use in Burford town centre are high. A new planning application for residential use would be required should the applicant seek to change the holiday let use. This would have to be assessed against the town centre policy at the time.

Conclusion

- 5.26 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. Permission is therefore recommended subject to appropriate conditions.

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 the Planning and Compulsory Purchase Act 2004.

2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3 The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.

REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.

5 The occupation of the accommodation shall be limited to holiday tenancies not to exceed 6 weeks (in each case) and no person shall occupy the accommodation in consecutive tenancy periods.

REASON: The accommodation is on a site where residential development would not normally be permitted. The site is within a defined town centre with a previous A3 use.

6 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery details (including details of 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 that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

Application Number	I5/02852/HHD
Site Address	16 High Street Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6DQ
Date	18th November 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427674 E 217240 N
Committee Date	30th November 2015

Application Details:

Removal of existing derelict outbuildings. Erection of extension to include the lowering of a window on the existing building, the addition of a door on the existing building and the addition of two windows on the existing building.

Applicant Details:

Mrs Janet Waumsley
The License
High Street
Shipton - Under - Wychwood
Oxon
OX7 6BA

I CONSULTATIONS

- I.1 WODC Architect Satisfied that the proposals would not result in harm or less than substantial harm to either the setting of either neighbouring Grade II listed building or the Conservation Area setting.
- I.2 Parish Council Whilst the Parish Council has no objection in principle to the development of the site, it felt that the scale of what is proposed is at the extreme edge of what is acceptable. The PC was particularly concerned about the view of the proposed development when seen from the street and asks that the Planning Authority gives particular attention to the materials used so that the visible stonework harmonises with all the historic buildings on the road. In addition there is an existing flower bed on the right hand side of the development which adds a softer feature to the rather harsh development and would like this preserved as a condition. It is assumed that this is not a listed building.

2 REPRESENTATIONS

2 letters of objection have been received:

Dr Simon Gregson objects to the proposal for the following reasons:

- * The property would appear overbearing in relation to the adjoining Grade II listed building.
- * The property extends too far down the garden beyond the existing building line. The proposed expanse of flat roof and the proposed roof lantern would be alien in appearance to the heritage architecture of the Conservation Area and would constitute overdevelopment of the site.
- * Objects to the location of the home cinema due to the fact that this would be in a room with a party wall adjoining his property.
- * The extension includes large windows which would overlook his property.

Matt Pettit objects to the proposals for the following reasons:

- * The proposals are big, clumsy and out of keeping with the setting.
- * The proposals would double the size of the semi-detached dwelling.
- * The proposals represent over-development of the site.
- * The proposals would have a detrimental impact on the adjoining listed building 17 High Street.
- * The development being out of sight does not make the scheme acceptable.

3 APPLICANT'S CASE

- 3.1 The new and improved development takes its inspiration from its surroundings and modern design standards. The extension will harmonise with the host dwelling and help to soften the appearance of a previously built awkward extension to the host property.

Care has been taken to use materials sympathetic to the original property and to balance the new extension and garage's appearance so as to align with other properties within the area.

A letter from Jeremy Flawn of Bluestone Planning was received on 30th October in support of the applicant's case. The key points are summarised below:

- * The scheme works well and achieves a difficult balance between providing additional floorspace and delivering a dwelling which will look and feel compatible with the character of the villages Conservation Area.
- * The development would not result in overshadowing or light loss to the adjoining patio area.
- * The degree of separation between the proposed extension and the old Malthouse would be 25 metres which is more than acceptable from an amenity and heritage asset perspective.
- * The use of roof heights and proportions would be consistent with Appendix 5 of the Districts adopted design code on alterations and extension having regard to the extension roof, the building span and its subservient nature.
- * The planning balance is clear; planning permission should be granted subject to conditions as appropriate.

4 PLANNING POLICIES

BE6 Demolition in Conservation Areas
 BE3 Provision for Movement and Parking
 BE2 General Development Standards
 H2 General residential development standards
 OS4NEW High quality design
 BE5 Conservation Areas

EH7NEW Historic Environment
BE8 Development affecting the Setting of a Listed Building
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application was deferred from the previous planning committee on 02/11/2015 to allow Members to visit the site.

Background Information

- 5.2 The application seeks approval for the removal of three derelict stone outbuildings and the erection of large rear extensions incorporating single and two storey elements and an attached garage. The proposals involve the addition of two side elevation windows, the installation of a new front door and the lowering of an existing front elevation window.
- 5.3 The extensions would be constructed to the rear of 19 High Street, (The Old Bakehouse), an unlisted Cotswold Stone dwelling located within the Shipton-Under-Wychwood Conservation Area. A previously withdrawn application (15/00900/HHD) was submitted in 2015. The existing application has been reduced in terms of scale with design enhancements made to improve the sensitivity of the scheme in relation to the main dwelling and conservation area setting.
- 5.4 The extensions consist primarily of three elements: A 1.5 storey, 8.1 metre extension off the rear wall of the dwelling which would adjoin a further 10 metre extension set slightly below the adjoining section. The 10 metre extension would further adjoin a single storey rear extension and attached garage which would measure 7.9 metres in length and 14.2 metres in width. The height of the single storey element of the extension would be 3 metres to the eaves.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

The design, scale and siting of the development
Impact on neighbour amenity
Impact on the Conservation Area setting
Impact on the adjoining Grade II listed buildings (17 High Street and The Old Malthouse)

Principle

- 5.6 There is no objection to the principle of extending the dwelling or the demolition of the stone outbuildings. The property has a large area of rear curtilage space in which to accommodate a substantial extension and the majority of the rear curtilage is hidden from view behind the main dwelling. Of the three outbuildings indicated on the plans two have already been removed and the remaining outbuilding is vacant. The remaining single storey stone outbuilding is traditional in appearance, however it could not be argued that the building contributes significantly to the character of the Conservation Area.

Siting, Design and Form

- 5.7 It is acknowledged that the proposed extensions would be large in relation to the scale of the existing dwelling. However, there is a notable drop in the height of the roof ridge of the extended section of the property, when compared with the roof ridge of the main dwelling; this ensures a degree of visual subservience in the extension design. The proposals are considered to be a significant improvement on the previously submitted application (15/00900/HHD), which appeared bulky and overbearing in relation to the main property. The current application excludes the previously proposed dormer windows which were inappropriate in scale and out of keeping with the character of the property and conservation area setting. The proposals, although large in scale would not appear visually overbearing, partly due the proposed progressive drop in the roof ridge height across of the extended sections of the dwelling. The overall scale and impact of the development has been considerably reduced from the originally proposed scheme.
- 5.8 The overall design is considered acceptable and the proposed use of matching natural Stone and slate roofing materials are consistent with the materials used in the existing property and those used within the Shipton Under-Wychwood Conservation Area. The single storey element of the property is more contemporary in terms of appearance, however the design is not considered to be inappropriate.
- 5.9 There is no objection to the principle of adding the two proposed windows to the north elevation of the property, or the addition of the new door to the front of the dwelling. The proposed fenestration design appears appropriate, however more detailed drawings of the proposed windows are required as a condition.

Impact on Listed Buildings and Conservation Area

- 5.10 The property adjoins 17 High Street a Grade II listed building and is located close to another, detached Grade II listed building known as The Old Malthouse. Local Plan Policy BE8 requires that new development should not detract from the setting of a listed building. Paragraphs 132 to 134 of the NPPF require an assessment to be made to determine as to what extent a development would cause harm to heritage assets. Section 66 of the Listed Buildings and Conservation Areas Act 1990 also requires the consideration of setting as regards Listed Buildings. Section 72 of the Listed Buildings and Conservation Areas Act 1990 deals with Conservation Areas.
- 5.11 With regards to The Old Malthouse the extensions would be sited some distance from the listed building itself and although the 1.5 storey element of the building would be visible from this property it could not reasonably be considered that the proposals would have any significant impact on the setting of this building.
- 5.12 The 1.5 storey and single storey elements would be sited close to No 17 High Street, also a Grade II listed building, and the development is clearly within the setting of this particular building. However, it is considered that the siting, scale and design of the proposal would result in little effect on the setting of this property and no material harm would arise.
- 5.13 The extensions would be located predominantly to the rear of No 16 and only the garage, which is significantly set back, would be fully visible from the immediate streetscene in the High Street. The impact on the Conservation Area setting has been substantially lessened following the amendments made to the original planning application (15/00900/HHD), which featured a poorly sited garage, close to the frontage of the property which impacted negatively on the

Conservation Area. Given the lack of visibility of the extensions and the proposed design, which is largely in keeping with the local vernacular, it is not considered that the proposals would detract or cause harm to the Conservation Area.

Highways

- 5.14 The proposed development would not be detrimental from a highway safety or amenity perspective. It is considered that sufficient off-street parking has been provided.

Residential Amenities

- 5.15 No 17 High Street is the only dwelling directly affected by the works. The existing layout of No 16 is unusual as the rear wall of the property adjoins the rear curtilage space and patio area of No 17.
- 5.16 The extended 1.5 storey section of the property which adjoins the domestic curtilage of No 17 would measure 5.5 metres in height. The extension would result in some overshadowing and light loss to the rear patio area of the property and a section of the adjoining garden; however the extension would not result in light loss to any rear windows of the dwelling. The 1.5 storey extension at 5.5 metres in height is not considered to have an overbearing impact on the property and both sections of the extension would be partially hidden behind a stone boundary wall.
- 5.17 The south facing rooflights to the dining room would be at a high level of approximately 3.8m above floor level. They would therefore not allow overlooking to the neighbouring property at No.17.

Conclusion

- 5.18 The proposed extensions, although large in terms of scale would not cause harm to the setting of the adjoining Grade II listed building or the setting of the Conservation Area. The overall design and use of materials is considered appropriate and it is not considered that the development would have a significantly detrimental impact on neighbour amenity. The proposals are therefore considered acceptable and compliant with Local Plan Policies BE2, BE3, BE5, BE6, BE8 and H2.

6 CONDITIONS/REASONS FOR REFUSAL

- 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 the Planning and Compulsory Purchase Act 2004.

- 2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without

modification) no extension (or alterations) otherwise approved by Classes A, B, C or E of Part I of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

REASON: To avoid over-development of the site.

- 4 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.

REASON: To safeguard the character and appearance of the area.

- 5 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 any roofing commences.

REASON: To safeguard the character and appearance of the area.

- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all windows, doors, garage doors, rooflights, lantern and chimney 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 that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 7 The development shall be carried out in accordance with the recommendations contained in Section 6 of the Bat Survey Report dated May 2015 by Windrush Ecology. Prior to any part of the development hereby approved being brought into use, details of bat mitigation and enhancement measures shall have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall have been fully implemented on completion of the development or the development being brought into use, whichever is the sooner, and maintained thereafter.

REASON: To safeguard and enhance biodiversity.

Application Number	I5/03132/FUL
Site Address	Shaven Crown Hotel High Street Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6BA
Date	18th November 2015
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427837 E 217845 N
Committee Date	30th November 2015

Application Details:

Erection of detached dwelling and garage.

Applicant Details:

Mr & Mrs Mehrtens
C/O Agent

I CONSULTATIONS

I.1 OCC Highways The access from the A361 is substandard in terms of visibility and geometry. Within the site the access drive is narrow and turns a right angle in the direction of the bowls club. Vehicles travelling from the bowls club direction have little visibility of vehicles using the public house car park.

Any vehicular intensification of the substandard access that lacks adequate visibility and geometry would be detrimental to the safety and convenience of public highway users and users of the access drive.

I.2 WODC Architect A modest new house on this site would be acceptable in principle; and nothing in the application alters this view.

Concerning the form massing and design: the site location and general form make sense; however, I do have some concerns:

The application is absolutely silent on materials this is not acceptable in a conservation area and I strongly recommend that the applicant submit a full schedule of materials before the application is determined. This should include natural stone; good quality roof materials, timber windows;

The dormers should not have barge boards and should generally be in simple with plain verge and as close to the detail in the Design Guide as possible.

Ideally we would have a revised elevation drawings with simple dormers and all materials annotated for the avoidance of doubt

I.3 Parish Council Shipton-under-Wychwood Parish Council has no objections to this planning application and believes it adds to the general ambience of the village.

I.4 OCC Archaeological Services The application site is located in an area of considerable archaeological potential. The heritage statement included in the application does not however make any reference to the potential presence of below ground archaeology although both the NPPF and the Local Plan see it as a material consideration of the historic environment.

The settlement of Shipton under Wychwood dates to at least the middle Saxon period with a minster church and cemetery. The Shaven Crown Hotel is a Grade II Listed Building with elements of it dating to late fourteenth or fifteenth century. It is thought to have originally formed part of the monastic holdings belonging to the Cistercian Bruern Abbey and was originally used as a guest house. Subsequent to the dissolution it served a number of roles including a hunting lodge.

An archaeological watching brief was undertaken in 1998 to the west and the south of the hotel building. This revealed medieval deposits that included a cobbled surface and a dump of animal bone that showed evidence of butchery. The constraints of the foundation trenches did not allow the extent of these features to be defined. It is possible that further medieval features exist to the rear of the hotel and given that little is known about such monastic buildings the development may reveal significant medieval features that will further our knowledge of the village and monastic functions.

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.

2 REPRESENTATIONS

2.1 Seven letters of objection have been received. The objections can be summarised as:

- * The existing access to the site is considered dangerous with visibility poor.
- * The application is overdevelopment.
- * The height of the development would impact on Bank House, a Grade II listed property. The proposed development would overlook the conservatory of this dwelling.
- * The approval of the application would set a precedent for the development of the bowling green in the future.
- * Over development of the conservation area and the removal of trees on site.
- * The development would have a detrimental impact on the Shaven Crown due to noise, dust, dirt and pollution.

- * The positioning of the garage would be unsightly and would overlook a seating area.
- * The design of the dwelling would have a detrimental impact on the setting of the Grade II* listed Shaven Crown Hotel.

3 APPLICANT'S CASE

The proposed development would respond sympathetically to the character and appearance of the Shipton-Under-Wychwood Conservation Area and Cotswolds AONB and would preserve the settings of the adjacent listed buildings.

The development delivers economic, social and environmental benefits in line with the frameworks overarching objectives and would not harm neighbouring amenity. The scheme provides suitable vehicular access and parking provision in line with authority guidance.

Response to Oxfordshire County Highways objections

A report was submitted responding to objections raised by Oxfordshire County Highways the key points are clarified below:

Our Parish Council has not objected to our proposal. Indeed the Parish Council has stated that it has no objections “—and believes it adds to the general ambience of the village.”

We should point out that our application relates to land we own at the rear of the Shaven Crown Hotel and is nothing to do with the hotel itself. We also own the access/driveway leading to the site.

At this stage it is worth noting that there are new standards regarding accesses set out in the National Planning Policy Framework (“NPPF”) where, for example, development should not be restricted unless it creates “severe harm”, which patently is not the case with our development of a single dwelling for our own use and occupation. One other factor to be borne in mind is that in March 1990 W.O.D.C. refused an application (W90/1763) to erect 2 dwellings on land to the rear of the Shaven Crown Hotel and to assimilate the existing owners/managers cottage into additional bedrooms for the hotel. This refusal was appealed and on 3 January 1992 the inspector dismissed the appeal. This decision has been referred to by the PO as one of the reasons why he has to refuse our application. We do not see that reference to a January 1992 appeal decision of a planning refusal dated 6 March 1990 (over 25 years ago) can have any weight in today’s circumstances because road conditions have improved, vehicle technology has improved and planning policy, practice and research has changed significantly since then, as indeed have inspectors opinions on transport and access matters. The proposal to use the cottage for hotel guests as well as building 2 houses would definitely have created additional vehicular use of the access/driveway whereas our proposal reduces vehicular use.

It is also pertinent to point out that we own and maintain the access/driveway and it is within our purview to grant or not rights of way over it. Permission has been granted to the Shaven Crown Hotel and restricted numbers of dwellings which front the A361.

Using empirical data from the national database figures 1 house is expected to generate 7 vehicle trips per day and there would be 106 vehicle trips per day for a 15 bedroom hotel. The Shaven Crown Hotel has 9 bedrooms and, therefore on a pro rata basis, would generate 63 vehicle trips per day. Added to this would be the hotel owners 7 vehicle trips per day from the

cottage at the rear of the hotel and trips that were generated by rights of way granted to a restricted number of dwellings which front the A361 (28 vehicle trips per day) and the historical use by members of the Bowls Club giving rise to, say, 7 vehicle trips per day plus our existing use. On this basis of using the national database figures there was a total of 112 vehicle trips per day.

The proposals would lead to a reduction of 21 vehicle trips per day (18% reduction). There is, therefore, no intensification of use arising from our application and, therefore, the PO/HO recommendation to refuse is illogical and the national database figures support our contention that our application should be approved.

On all the above points it is apparent that our access is safe, that there is a reduction in vehicular traffic and that the concerns of the HO are not well founded.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

H2NEW Delivery of new homes

H4 Construction of new dwellings in the open countryside and small villages

H5 Villages

OS2NEW Locating development in the right places

BE5 Conservation Areas

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks approval for the erection of a detached 1.5 storey dwelling located behind the Shaven Crown Hotel in a relatively central position in Shipton-Under-Wychwood. The site consists of an area of private garden amenity space and is sited behind a row of dwellings on the A361 High Street and the Grade II* listed Shaven Crown Hotel, the land is within the designated Shipton-Under-Wychwood Conservation Area. The site adjoins the rear car park of the Shaven Crown Hotel and an area of land used as a bowling green. Due to its location behind a row of properties the main area of the site is not visible from the adjoining streetscene in the High Street. Access to the site is obtainable via a vehicular access drive onto the A361 High Street. The access drive is located alongside a row of cottages and consists of a private gravel track to the car park serving the Shaven Crown Hotel. The site is consists predominantly of grass with a number of mature trees located in the centre of the site.
- 5.2 The proposed dwelling would be 1.5 storeys and extend to a total height of 7.5 metres to the roof ridge. A 5.5 metre high single storey detached 3 car garage would be located within the curtilage area of the property. The design would feature a steeply pitched roof with front and rear dormer windows. A small conservatory would be attached to the rear of the dwelling.
- 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:

Siting, design and form of the development
Impact on neighbour amenity
Access and highway amenity
Impact on the Conservation Area setting
Impact on the Grade II* listed Shaven Crown Hotel

Principle

- 5.4 The Council has a hierarchal approach to the development of new housing outlined within Local Plan Policies H4-H7. Development within the built area of Shipton-Under-Wychwood is covered within Local Plan Policy H6, which refers specifically to development within Medium Sized Villages listed within Group B of Figure 5:2 of the adopted Local Plan. Policy H6 allows for infill development, the rounding off of the existing built area and the conversion of existing buildings. The erection of a single detached dwelling in the proposed position is considered by Officers to constitute rounding off. The dwelling is well contained within the settlement envelope of Shipton-Under-Wychwood and it is considered by Officers that the development would complement the existing scale and pattern of development in the immediate area consistent with the provisions of Policy H6 of the existing Local Plan and Policy H2 of the Emerging Local Plan.

Siting, Design and Form

- 5.5 The site is located near to Listed Buildings and is within a Conservation Area. The Council must therefore have regard to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, with regard to preserving the setting of listed buildings and preserving or enhancing the character of Conservation Areas.
- 5.6 Although the development would result in the loss of an open space within the settlement of Shipton-under-Wychwood it is not considered, with reference to Local Plan Policy BE4 that the proposals would lead to any erosion of the visual character of the immediate area. The space is to the rear of a row of properties and is hidden from the adjoining streetscene in the High Street.
- 5.7 The development is for a single dwelling of a relatively modest scale with a relatively large quantity of amenity space provided ensuring that a degree of openness is retained. The scale of the dwelling would appear appropriate with the roof ridge of the property sitting below that of the closest neighbouring properties on the High Street. The inclusion of dormer windows at the front and rear of the property, along with the pitched roofscape is consistent with local vernacular design. It is therefore considered that the design of the property would be in keeping with the Conservation Area. No schedule of materials has been provided, although the elevation drawings suggest that the dwelling would be constructed from stone. In order for the dwelling to harmonise appropriately with the surrounding properties and with the wider Conservation Area setting it is considered essential that natural stone and traditional roofing materials are used in the external surfaces of the dwelling.
- 5.8 Given the separation distance between the site and the Grade II* listed Shaven Crown Hotel and other listed properties on High Street, along with the appropriateness of the general siting, scale and design of the development, it cannot reasonably be considered that the development would result in detriment to the setting of the Grade II* listed building.

- 5.9 The site currently functions as domestic curtilage with relatively low ecological value. The site plan contains an appropriate landscaping scheme which would ensure the retention of all but one of the mature trees on the site, and appropriate screening and tree cover would be maintained.
- 5.10 With reference to the provisions of the Act and paragraphs 132 and 134 of the NPPF, it is considered that the setting of the Listed Buildings and character of the Conservation Area not be materially adversely affected. No objection is raised by the Council's Conservation Officer. The proposal would comply with Local Plan Policies BE2, BE4, BE5, BE8, and H2.

Highway

- 5.11 Access to the proposed dwelling would be obtained via an existing private access road from the A361 High Street serving the Shaven Crown Hotel car park and the bowling club. A new driveway would serve the proposed dwelling, with parking for 2 vehicles proposed to the front of the property which is adequate for the dwelling size.
- 5.12 Significant concerns were raised by Officers of Oxfordshire County regarding the suitability of the existing access and the impact of additional vehicular traffic generated by the provision of an additional dwelling on highway safety and amenity. The existing access adjoins a section of 30mph road. Visibility to the South when exiting the site onto the A361 (High Street) is severely restricted due to the presence of a sharp bend in the road. Visibility in a Northern direction upon exiting the site is considered to be adequate. The access road leading to the site is hidden behind a row of properties adjoining The Shaven Crown Hotel and is not sufficiently visible to road users of the A361. The means of access falls significantly short of modern highways standards. The poor visibility of the access and sharp bend to the south of the site means that vehicles pulling out of the site are likely to cause a significant hazard to road users.
- 5.13 It is noted that the drive is an approved means of access serving the Shaven Crown Public House, however, it is considered by Officers that the addition of a dwelling in the proposed position would intensify vehicular use of this substandard access. The addition of a new dwelling would generate approximately 7 additional vehicular movements per day. Officers note an appeal decision in 1990 (APP/D3125/A/91/182972/P8) for an application where 2 dwellings were proposed on land to the rear of the Shaven Crown Hotel. The application was refused by West Oxfordshire District Council on the grounds that the additional vehicular movements brought about by the erection of two dwellings would compromise highway safety. In dismissing the appeal the planning inspector ruled that the access was inadequate by modern standards. It has been suggested by the applicants that vehicular use of the access has declined within recent years, partly due to a decline in use by members of the adjoining bowling club. It is suggested that accounting for the dwelling there would be around 91 vehicular movements using the access, compared with 112 trips historically. It was proposed within the 1990 application for 2 dwellings that members of the bowling club would cease to use the access if the application was successful, which would result in a net reduction of vehicles using the access and this would partially offset concerns regarding the safety of the access. This was dismissed by the Inspector who stated that "anything that could be done to reduce traffic from the substandard access should be done, in the interest of public safety".
- 5.14 Whilst it may be the case that vehicular use has declined in recent years the proposal for a new dwelling would generate a net increase in vehicle movements, when compared with present use

of the access. The applicants state that the 1990 appeal decision is no longer relevant due to policy changes as well as improvements in vehicle technology. Whilst it is accepted that these observations regarding policy and vehicle technology are in part correct, there have been no improvements to the quality of the access in terms of its visibility for road users or visibility splays in either direction when exiting the site. Additionally there have been no changes in the immediate area that would improve the safety of the access and it is considered likely that vehicular usage of the A361 has increased since 1990. The access remains inadequate and unsafe by modern standards and it is considered that additional vehicular usage of this access would compromise the safe movement of vehicular traffic on exiting the site and on the adjoining A361 (High Street) contrary to Policy BE3 of the West Oxfordshire Local Plan 2011 and Policy OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031.

Residential Amenities

- 5.15 The dwelling is relatively isolated and a fairly significant separation distance exists between the dwelling and the nearest properties which are located on the High Street. This includes the Grade II* listed Shaven Crown Hotel, where a car park and garden area adjoins the site of the proposed dwelling. It is not considered that the scale and siting of the property would negatively impact on the nearest neighbouring properties. Given the separation distance, Officers have no significant concerns with overlooking, overshadowing or loss of privacy to any neighbouring properties.
- 5.16 The proposed garage would be sited close to the boundary of the Shaven Crown, however, it is not considered that the impact of this would be significantly detrimental, beyond some possible slight overshadowing. The concerns raised by the adjoining resident regarding construction noise and dust would not constitute a reason for refusal as it would be possible to agree methods of working with the developer should permission be granted.
- 5.17 The application includes the provision of a significant degree of quality amenity space, which is considered to be adequate for the size of the proposed dwelling.

Conclusion

- 5.18 The proposed scale, design and location of the dwelling is considered to be appropriate and it is not considered that the development would substantially impact on the amenity of any of the neighbouring dwellings.
- 5.19 Officers consider that the development as proposed would not result in material harm to either the setting of the nearby Listed Buildings or the Shipton-Under-Wychwood Conservation Area.
- 5.20 Notwithstanding the submissions of the applicant on highways matters, the existing access onto the A361 is considered substandard. Visibility of the access is severely restricted for road users due to presence of the sharp bend to the south of the site and the location of the access, which is hidden behind a row of buildings on the High Street. Visibility to the south for users of the access is severely restricted and it is considered that a net increase in vehicles using the proposed access would compromise the safe movement of vehicular traffic contrary to Policy BE3 of the West Oxfordshire Local Plan 2011, Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031 and Paragraph 32 of the NPPF.

6 REASON FOR REFUSAL

The development as proposed would result in a net increase in vehicular traffic using a sub-standard and unsuitable means of access onto the public highway. Visibility when existing onto the A361 (High Street) is severely restricted in a southern direction and further net vehicular use of this access is likely to compromise highway safety and amenity. The development is therefore considered to be contrary to Policy BE3 of the West Oxfordshire Local Plan 2006, Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031 and Paragraph 32 of the NPPF.

Application Number	I5/03299/OUT
Site Address	Land North Of Milton Road Shipton Under Wychwood Oxfordshire
Date	18th November 2015
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427271 E 218150 N
Committee Date	30th November 2015

Application Details:

Erection of 5 New Dwellings and School/Community car parking area

Applicant Details:

Mr & Mrs Sammy Simson
Mill Hill Barn
Woodway Road
Sibford Ferris
Banbury
Oxon
OX15 5DA

I CONSULTATIONS

- I.1 OCC Highways
- The widening of the access and access track were the subject of a previously approved application.
- The communal parking area will remove a number of vehicles from on street parking at school drop off/pick up times. Vehicles will be able to be parked off street and children/parents walk to the school crossing the busy main village road at the crossing point where the school crossing patrol operates. The benefit in terms of highway safety and convenience outweighs any potential hazard from the increase of turning movements at the proposed access.
- The proposed five dwellings will, if permitted, generate 3/4 vehicular movements during the morning peak hour. These will not cause such conflict with the vehicles using the proposed communal parking area or vehicles travelling along the main road past the proposed access that would warrant the refusal of a planning permission. No objection
- I.2 WODC Drainage Engineers
- The surface water drainage design will need to take account of the areas susceptible to surface water flooding and ensure there is a safe access / exit route due to the susceptibility of Milton Road to surface water flooding.

Soakaways should be designed to cope with all storm events up to the 1 in 100 + 30 % cc return period.

An exceedance flow routing plan for flows above the 1 in 100+30% event shall be submitted with the proposal. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to the highway. Flow routes through gardens and other areas in private ownership will not be permitted.

I.3 Thames Water

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

I.4 Ecologist

Whilst this is an outline application the plan clearly shows the identified boundary habitats can be retained and if all the recommendation in section 6 are followed low level enhancements will be achieved. Ideally if the communal parking could be reduced then an attractive green space could be provided will no parking on it as this would provide a better biodiversity gain.

If all the recommended enhancements and mitigation are incorporated & implemented, the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including section 11) and the habitat regulations & NPPG are all met.

- | | | |
|-----|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I.5 | WODC Env Health – Uplands | No Comment Received. |
| I.6 | WODC Architect | There is a strong set of objections to any development that allows these two settlements to coalesce. |
| I.7 | Adjacent Parish Council | <p>The Councillors are in strong opposition to the development's position in what is already a dangerous location due to the heavy traffic flow, particularly at the beginning and end of the school day. The site access is currently at a junction where existing users include petrol tankers, sewage work vehicles, recovery vehicles and school traffic. The volume of pedestrians crossing the road at the site entrance, especially children, is such that any access to the proposed development will only create a further hazard. As well as creating a further hazard, the proposed community/school car parking will in no way relieve the school car parking problem which would require far more than 13 car parking places and in addition, the location for school children is totally inappropriate since they would need to negotiate the traffic in order to reach the school.</p> <p>Finally, the Parish Council would like to remind the Planning Committee of a previous application which was refused due to the fact that it would result in the merging of the two villages rather than maintaining the clear physical gap in the landscape which defines and helps the villages retain their identity. This undesirable effect would also be the result should this application be approved.</p> |
| I.8 | Parish Council | Shipton PC strongly objects as the proposal erodes the separation and individual character of Shipton and Milton. the dwellings would be too close to the sewage farm. There is a precedent where the application to extend Hoplands on the Milton side was refused on the grounds that it eroded separation |

2 REPRESENTATIONS

14 letters of objection have been received these are summarised below:

- The land lies within the Shipton-Under-Wychwood Conservation Area and the proposals would encroach into the gap between the two settlements and lead to the loss of identity of the two settlements (Milton and Shipton).
- The site has history of flooding and the environment agency report does not account for surface runoff.
- The proposed does not sit comfortably in the AONB and Conservation Area location.
- The proposed density is too high for the rural location.
- The proposed access is dangerous from a road user and pedestrian safety perspective.

5 Letters of support have been received the key points are summarised below:

- The development of smaller sites is preferable to larger development schemes and would increase local housing stock.

- The development has the potential to increase road safety along Milton Road.

3 APPLICANT'S CASE

The scheme will provide a viable and high quality development that will make a positive contribution to this part of the Wychwoods adding valuable housing stock with a minimal detrimental impact on neighbours and the surrounding countryside.

It offers an excellent opportunity to provide the school and local community with an innovative and long term solution to parking issues.

It could also provide a unique low carbon heating and environmentally friendly heating proposal to the proposed new dwellings, and potentially the school and wider community.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

BE5 Conservation Areas

NE1 Safeguarding the Countryside

H2 General residential development standards

H6 Medium-sized villages

NE3 Local Landscape Character

NE4 Cotswolds Area of Outstanding Natural Beauty

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH1NEW Landscape character

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks approval for the erection of five dwellings and a school/community car park on a 0.5 hectare area of land North of Milton Road. The site lies on the far edge of Shipton-Under-Wychwood. The outline application seeks approval for the principle of development and a proposed layout of five detached dwellings located behind a car park fronting Milton Road.
- 5.2 The site lies immediately to the West of Shipton-Under-Wychwood, adjacent to the village boundary in a relatively small area of land between the villages of Shipton-Under-Wychwood and Milton-Under-Wychwood. There is a minimal separation distance between the developed areas of the two villages. A small brook to the north and west of the site forms an informal boundary between the two settlements, although the village signs for Shipton and Milton are located to the west of the brook adjoining the site, beyond the Milton Service Station garage. The built area of Shipton is considered to end at Castle Bank a detached property adjoining the site, an area of green open space used as Playing fields for Wychwood Primary School lies to the South of the site. A loosely linear pattern of development in Milton-Under-Wychwood

continues up to Milton Service Station on the southern side of Shipton Road, two dwellings are located to the rear of the garage fronting Shipton Road.

- 5.3 The site itself consists predominantly of an open grass field bounded by hedgerows and trees to the South, North and East and by the small brook to the West. The area to the North of the site has recently been developed as a large Solar Farm, approved in 2011 (11/0305/P/FP) and a large agricultural barn was approved north of the site in 2013 (13/0707/P/AGD). Vehicular access to the site is currently obtainable via a private road serving the solar farm. The site is located within the Cotswolds AONB and Shipton-Under-Wychwood Conservation Area.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

The principle of development and suitability of the location for housing
The impact of the development on the Conservation Area setting
The loss of open space and settlement coalescence
The proposed layout of the development
Flood risk
The impact of the development on the AONB setting
Highways and Accessibility

Principle

- 5.5 NPPF paragraph 14 requires that all planning applications including applications for housing are determined in accordance with the presumption in favour of sustainable development, which means approving developments which accord with Local Plan, when Policies are considered to be in date. Referring to Paragraph 49, this requires Councils to demonstrate a five year supply of housing, West Oxfordshire District Council are able to demonstrate an adequate five year supply of housing the application is determined in accordance with the relevant housing location strategies outlined within Policies H4-H7 of the existing Local Plan and H2 of the emerging Local Plan as well as all other relevant existing and emerging Local Plan Policies.
- 5.6 The site is question is an edge of settlement site. Shipton Under-Wychwood is classed as a medium sized village within the existing Local Plan and development is assessed in accordance with the relevant existing Local Plan Policy H6. Policy H6 of the existing Local Plan permits development in the following circumstance: a) Infilling; b) rounding off of the settlement boundary and c) The conversion of appropriate existing buildings. Infill development is defined as the filling of a small gap in a continuous built frontage. The rounding off of the settlement boundary relates to residential development within the built up area of a settlement which would be of a logical compliment to the existing pattern of development. The proposed development is not considered to accord with either parts a) and b) of Local Plan Policy H6. The site is part of an area of undeveloped open space between Shipton and Milton-Under-Wychwood which runs from Castle Bank a detached dwelling on the edge of Shipton-Under-Wychwood to Owls View a detached dwelling on the edge of Milton-Under-Wychwood. The extent of the space and the fact that development would be located between the two villages, as well as the quantity of houses being proposed means that the proposals cannot constitute infill development.

- 5.7 As this is an edge of settlement site clearly outside the built area of Shipton-under-Wychwood, officers consider that the proposals do not represent a rounding off of the settlement boundary in accordance with part b) of existing Local Plan Policy H6. Whilst development continues up to Milton Service station on the South side of Shipton Road the area to the North of Shipton and Milton Roads remains undeveloped and is part of an undeveloped buffer zone between the two villages. The development therefore constitutes encroachment into undeveloped space and cannot be considered as rounding off. West Oxfordshire Emerging Local Plan Policy H2 does allow for development on land adjoining the built up area of villages where the criteria of part 3 of Emerging Local Plan Policy H2 is met. The principles of part 3 of Policy H2 require that new housing development should form a logical complement to the existing scale and pattern of development and must avoid the coalescence and loss of identity of separate settlements.
- 5.8 Development in the immediate area is relatively linear to Milton Road in Shipton and is one dwelling deep to the east of the site up to a point beyond the Primary School. Development generally set back a distance from the road. The houses closest to the site in Shipton-Under-Wychwood are a mix of detached and semi-detached properties of a non-uniform appearance. The proposed plans show a row of five detached dwellings in a uniform layout. Officers consider that the proposed layout is suburban in its nature and does not relate to the existing loosely defined built form of the immediate area. Given the scale and nature of the site it is not considered that five dwellings could be incorporated in such a way that the existing built form of the area would be retained. The arrangement of dwellings in the manner proposed is considered to be unsuitable for an edge of settlement site and is inconsistent with the rural appearance and character of the area.
- 5.9 Policy H2 of the West Oxfordshire emerging Local Plan specifies that development should not lead to a coalescence and loss of identity of separate settlements. The site forms part of a clear, distinguishable and important buffer of undeveloped land between Milton and Shipton-Under-Wychwood. Whilst the built form of Milton-under-Wychwood stretches to Milton Service Station on the Southern side of Shipton Road the area of land to the North is part of an undeveloped section of land stretching from a detached dwelling in Shipton (Castle Bank) to a detached dwelling in Milton-Under-Wychwood (Owls View). The area to the south of the site forms part of the School playing fields and although by definition this land is developed this is an open space without any physical structures and forms part of the open land between the two settlements. The minimal distance between Milton and Shipton means that any significant development is likely to lead to a coalescence of the two settlements. Retaining this land as a buffer between the villages is considered to be vital in maintaining the individual identity of the settlements and avoiding a spacial merging of the two settlements along Shipton and Milton Road.
- 5.10 The applicant refers to a report by Atlantic Consultants conducted in 1998 which describes the settlements as 'paired'. Whilst the settlement areas are spatially close the space between the villages is important in retaining the individual character of the villages which although geographically close are separate entities. The Draft settlement summary for Milton produced in 2011 as part of the West Oxfordshire SHLAA document stated that "The gap between Milton and Shipton is, particularly small and the area is considered unsuitable for development due to the prominence of the area in the wider landscape, its contribution to the separate identities of Milton and Shipton and also to avoid areas of flood risk".
- 5.11 A planning application submitted in 2008(08/0942/P/FP) for a single dwelling on land adjacent to Castle Bank was refused by West Oxfordshire District Council on the grounds that the

development would visually extend the limits of the village eroding an important gap between the two villages. The subsequent appeal was dismissed by the planning inspector (APP/D3125/A/08/2083407). Attention is drawn to paragraph 7 of the appeal decision. The inspector states that "The proposal would bring development closer to the garage/petrol filling station on the other side of the stream towards Milton, narrowing the gap between the villages and eroding the rural quality". Paragraph 8 summarises that the "proposal would be unacceptably harmful to the character and appearance of the area. This would be contrary to the aims of LP Policies H6, H4, BE4 and BE5 which aims to protect the countryside, the setting of the village and the conservation area". The nature of the site and immediate area has not changed since this appeal was dismissed in 2008 although the Policy context has changed in relation to the introduction of the NPPF and emerging Local Plan. As such officers are of the view that the application is highly contradictory to the relevant housing Policies of the emerging Local Plan and the NPPF and the appeal decision remains highly relevant given the importance of the site.

- 5.12 The importance of maintaining the open space between the villages is similarly supported by a more recent appeal decision in 2012 at Hoplands (APP/D13125/A/12/2168828). This application, which sought approval for the erection of two dwellings at Hoplands house, around 50 metres from this site was refused due to the adverse impact of the development of the dwellings on the character and appearance of the area and the consideration that the development would further coalesce the two settlements. The inspector ruled in dismissing the appeal that the consolidation of the built form would erode the distinction between the two settlements.
- 5.13 It is noted that the applicants intend to provide additional parking for the nearby primary school. The under provision of parking at the school and resulting parking along Milton Road is considered to be an important local issue which would be addressed in this application. Officers are of the view that this has not been fully justified within the application why this is considered to be an appropriate site for additional parking and the proposed gains resulting from this are not considered to be sufficient in outweighing the developments contradiction with wider existing and emerging Local Plan Policy.
- 5.14 The applicant's intention to provide the dwellings with low carbon heating is a positive and innovative aspect of the application. Environmentally sustainable means of development are supported within NPPF paragraphs 93 and 95. The provision of low carbon energy would not offset however the schemes wider non-compliance with Local and National Policy. It is also not fully explained within the application how the low carbon scheme would be provided as the design and access statement merely states that there is an opportunity to include low carbon technology within the development.

Siting, Design and Form

- 5.15 Policy BE4 of the existing Local Plan states that development proposals should not result in the loss of an open area which provides an important contribution to: i) The distinctiveness of a settlement and ii) the visual amenity of an area. The open and undeveloped nature of the site clearly plays an important role in reinforcing the distinctiveness of both Shipton and Milton and retaining the individual identity of these settlements. The undeveloped nature of the site also plays a role in retaining the visual amenity and qualities of the immediate area.
- 5.16 The site is reasonably well screened by existing hedgerows and could be further screened if new dwellings were to be provided. The dwelling would not be highly visible from the east and west

but the impact of the proposed car park regardless of any potential screening is likely to have a negative impact on the visual qualities of the immediate area and streetscene in Milton/Shipton Road through the loss of undeveloped open space. The addition of parking with housing behind would lead to a visible urbanisation of an important buffer zone of rural land and open space between the villages. Although the development is not considered to have a negative landscape impact on the wider setting of the AONB, the development is considered to have a negative impact on the visual qualities of the immediate area. It is considered that the proposals are contrary to Existing Local Plan Policies NE1 and NE3.

- 5.17 The site lies within the boundaries of the Shipton-Under-Wychwood Conservation Area. Policy BE5 of the existing Local Plan specifies that development should not erode the character of Conservation Areas or affect the setting of the designated area. Policy EH17 of the emerging Local Plan requires that all development should enhance the character and distinctiveness of the historic environment. The application proposes five dwellings within an important undeveloped open space in the Conservation Area.
- 5.18 The undeveloped nature and character of this open space provides an important contribution to the setting of the Conservation Area and it is considered that the development of five dwellings and a car park in this space would erode and negatively affect the visual amenity and character of the Conservation Area.
- 5.19 NPPF Paragraphs 131 and 137 state that Local Authorities should look for opportunities for development within Conservation Areas and look favourably on developments which preserve important elements of the setting and make a positive contribution to the setting of the Conservation Area. The addition of five dwellings and a car park in an incongruous form are not considered to make a positive contribution to the Conservation Area setting and the development is considered to be contrary to existing Local Plan Policy BE5, Emerging Local Plan Policy EH17 and NPPF Paragraphs 131 and 137.

Highway

- 5.20 Access is not being considered within this outline proposal; however it is indicated by the applicants that the existing access serving the approved solar farm development would be used to serve the five dwellings. The widening of the existing access has been previously been approved. Visibility on exiting the site is relatively restricted in both directions to the east and west and the proposed development would bring about increased vehicle movements, particularly due to the addition of the car park although it is not considered that this would compromise highway safety or amenity.
- 5.21 It is noted that the proposals would result in the reduction in vehicles parking along Milton Road. On balance offices consider that the existing access would be suitable for the proposed quantity of five dwellings and the proposed car park.

Residential Amenities

- 5.22 The proposed development is not considered to have a substantial impact on the amenity of the only immediately adjoining dwelling, Castle View as there is a sufficient separation distance between the proposed dwelling and the proposed properties.

Flood Risk

- 5.23 The western section of the site closest to the stream is identified as being at high risk of flooding. It is noted that development is not proposed in this area of the site and that the five dwellings would be in an area at low risk of flooding. It is not therefore considered that the proposals would significantly exacerbate the existing flood risk.

Conclusion

- 5.24 NPPF paragraph 14 requires a presumption in favour of development when determining all planning applications. It is accepted that the development would have social benefits in terms of providing additional parking for the Primary School as well as five dwellings contributing to local housing supply requirements. It is also noted that the applicants intend that the development would be powered by the biomass scheme in the adjoining agricultural barn which would be a sustainable energy scheme or though the specifics of this have not been fully identified.
- 5.25 It is considered that the development would lead to the erosion of a valuable open space between Shipton and Milton-Under-Wychwood which is vital in retaining the character of the two settlements which in turn would lead to the coalescence of the two settlements contrary to emerging Local Plan Policy H2. The development of the site for five dwellings and a car park is likely to have a deleterious impact on the setting of the Shipton Under-Wychwood Conservation area and would erode and urbanise the rural character and appearance of this part of the Conservation area and is considered to be socially and environmentally unsustainable. A proposal for a single dwelling was dismissed at appeal on this site in 2008 and the site remains an important undeveloped open space between the two settlements.
- 5.26 The proposals are therefore considered to be contrary to Existing Local Plan Policies BE2, BE4, BE5, NE1, H2 and H6 as well as Emerging Local Plan Policies OS1, OS2, H2, EH1 and EH7 and Paragraphs 109, 115, 131 and 137 of the NPPF. The development is considered to be unsustainable and non-compliant with the provisions of paragraph 14 of the NPPF.

6 REASONS FOR REFUSAL

- 1 The application would lead to the loss of an important area of open space between Milton-Under-Wychwood and Shipton-Under-Wychwood which would lead to a spatial coalescence of the two settlements, and erosion of the open rural character of the area. The proposed development and loss of important open space would have a deleterious impact on the setting of the Shipton-Under-Wychwood Conservation Area.

The proposals are considered to be contrary to Policies BE4, BE5, H2 and H4 of the existing West Oxfordshire Local Plan, Policies OS1, OS2, OS4, H2 and EH1 of the Emerging West Oxfordshire Local Plan and NPPF Paragraphs 109, 115, 131 and 137.

- 2 The proposed layout is incongruous and suburban in form and is inappropriate for the rural location of the site. The proposed development would not represent a rounding off the settlement boundary of Shipton-Under-Wychwood and the development would not complement the existing scale, pattern of development or the character of the area.

The proposals are considered to be contrary to existing West Oxfordshire Local Plan Policies H2 and H6 and emerging West Oxfordshire Local Plan Policy H2.

Application Number	I5/03680/FUL
Site Address	Land South Of Anvil Cottage Horseshoe Lane Chadlington Oxfordshire
Date	18th November 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Chadlington Parish Council
Grid Reference	432757 E 221838 N
Committee Date	30th November 2015

Application Details:

Construction of detached dwelling together with associated works.

Applicant Details:

A Gomm And I Cox
C/o Frankswell House
Fishers Lane
Charlbury
Oxon
OX7 3RX

I CONSULTATIONS

- I.1 WODC Architect No Comment Received.
- I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

No objection
- I.3 WODC Drainage Engineers No response as of 17/11/2015
- I.4 Parish Council There were a variety of views expressed by Councillors and, since there wasn't total consensus, I am advising you of what the essence of those views were.

The site has been rather an eyesore for a number of years as it has been a dumping ground so some welcomed that a development would at least solve that concern. Some Councillors raised the question about the stability of the land for development as all manner of things have been buried there over the years ie parts of vehicles etc. but they presume that the developers and builders will address this potential problem.

One Councillor is strongly opposed to the proposal: The development is outside the curtilage of the village, and as it is the entrance to Chadlington, the design and materials is crucial to maintaining the character of the village. This is also a concern about it not being Cotswold stone and development 'creep'.

Others share these concerns but somewhat less vehement in their views.

Another councillor did not believe the curtilage was being extended per se but more cutting across the corner of it due to the angle of the planned development compared to neighbouring houses and gardens.

Other Councillors are less concerned about materials and feel that the village cannot stay in a time warp as far as style of development is concerned. There was recognition that there is a housing shortage and each village needs to contribute to meeting unmet housing need as long as it is on a small scale and appropriate to the setting.

2 REPRESENTATIONS

2.1 2 letters of objection have been received from Mrs Hoffman and Mr Norris these are summarised below:

Planning application 06/0956/P/OP was previously refused, the recommendation being upheld on appeal. The development would not constitute rounding off,
The proposed design is incongruous and would be out of keeping with the AONB setting
The dwelling would be inappropriately sited in relation to the existing building line
The building overlooks the land to the rear
The site has issues of contamination due to rubbish
There are past issues relating to sewage
The site contains a valuable ecosystem
The proposal would put a strain on existing road, sewage and drain infrastructure

3 APPLICANT'S CASE

In order to blend in with the traditional character of Chadlington, the new house has been designed so that a stone-built cottage with a slate roof and traditional joinery is presented to Horseshoe Lane to ensure that the vernacular qualities are respected. The site is unused and used for vehicle storage until recently.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
NE4 Cotswolds Area of Outstanding Natural Beauty
H2 General residential development standards

H5 Villages

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks approval for the erection of a three storey detached dwelling located at Horseshoe Lane on the southern edge of Chadlington Village. The site currently consists of unused vacant land adjacent to a two storey stone dwelling known as Anvil cottage. The development is within the AONB but outside the Chadlington Conservation Area.
- 5.2 The existing pattern of development along the western side of Horseshoe Lane ends at Anvil cottage although development continues for around 50 metres further along the eastern side of the road, up to Horseshoe Lane cottages around 40 metres from the site. The site is steeply elevated and slopes downwards from Horseshoe Lane, something which is accounted for in the stepped design of the proposed dwelling.
- 5.3 The western, lower part of the site is currently heavily overgrown with trees and vegetation. The eastern section of the site adjoining Horseshoe Lane and Anvil cottage consists of gravel hardstanding. The site was formerly used as a lorry park although there is no formal planning use associated with this use of the site. The site is currently visually unattractive, is overgrown and contains a number of waste vehicle parts and a disused trailer.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of development

Design, scale and siting of the development

Impact on the streetscene

Impact on the landscape and setting of the AONB

Neighbour amenity

Principle

- 5.5 NPPF paragraph 14 requires that all planning applications including applications for housing are determined in accordance with the presumption in favour of sustainable development, this means approving developments which accord with Local Plan, when Policies are considered to be in date. Referring to Paragraph 49, which requires Councils to demonstrate a five year supply of housing, West Oxfordshire District Council are able to demonstrate a five year supply of housing therefore the relevant housing development policies which accord with the relevant provisions of the NPPF are considered to be in date.
- 5.6 The Council has a hierarchal approach to the development of new housing as outlined within Local Plan Policies H4-H7. Chadlington is listed as Group A village within the Councils existing Local Plan. The existing Local Plan specifies that new housing is permitted in within Group A

villages where development constitutes infill or the conversion of an existing building. The proposed development would not constitute infill development given that the site is on the edge of Chadlington and is not infilling a gap in the built frontage of the streetscene. The Councils emerging Plan Policy H2 states however that development within the settlements listed in table 4.1 will be permitted on undeveloped land adjoining the built up area, where development forms a logical complement to the existing scale and pattern of development and the character of the area, although this is notwithstanding the developments compliance with the wider policies of the Emerging Plan.

- 5.7 Officers consider that the dwelling proposed would continue the existing linear pattern of development along the eastern side of Horseshoe Lane. The scale and form of the dwelling proposed is considered to be consistent with the immediate built form. Whilst a dwelling in the proposed location would extend the built form of the village into an undeveloped space, the site is contained to a degree by the adjacent hedgerow. The adjoining agricultural field is distinctly within the open countryside and clearly outside the village boundary. This adjacent hedgerow logically marks the edge of the settlement and it is not considered that the development of a new dwelling on the site would set a further precedent for the development of dwellings on this adjoining land which is far less contained and significantly more visible.
- 5.8 Development of a single dwelling has previously been refused by the Council in 2006 (06/0956/P/OP) on the grounds that the development would be contrary to existing Local Plan Policy H5, this decision was subsequently upheld at appeal . Whilst it is not disputed that the development would be contrary to existing Local Plan Policy H5 as the proposals do not represent infill development, it is considered by Officers that significant weight should be given to Policy H2 of the Emerging Local Plan which allows edge of settlement housing where development forms a logical compliment to the existing built form.
- 5.9 Paragraph 55 of the NPPF states that housing should be located where it enhances and supports the vitality of local communities. Although Chadlington is considered to be a smaller settlement within the district it is considered that the addition of a single dwelling on this site would represent a sustainable and well contained growth of the village. The proposed dwelling would be located in relatively close proximity to local services, facilities and a bus stop and is considered to be a sustainable location for a single dwelling. It is considered that the development would support and maintain the vitality of the village consistent with the provisions of NPPF paragraph 55.

Siting, Design and Form

- 5.10 Horseshoe Lane contains a mix of dwelling types including traditional stone cottages and more modern stone detached and semi-detached dwellings located on the western side of Horseshoe Lane. The site is in a prominent location in Chadlington and is clearly visible when entering the village in a northerly direction. The proposed position of the dwelling would be highly visible in the streetscene.
- 5.11 The frontage of the proposed dwelling would be of a traditional vernacular design similar to that of the adjoining stone cottages on Horseshoe lane. The setback position of the dwelling is consistent with the adjoining cottages on the eastern side of Horseshoe Lane. The overall height of the frontage of the dwelling has been amended and reduced to 6.5 metres in height to match the height of the adjoining properties. It is considered that the development in its scale, siting and design respects the built form and design of dwellings in the immediate streetscene.

- 5.12 The edge of village location and the position of the site on a key route into Chadlington alongside the elevated nature of the site in relation to adjoining landscape is an important consideration. The site is located within an elevated and highly attractive area of landscape within the Cotswolds AONB. The existing dwellings in Horseshoe Lane are visible from a wide area of countryside to the south of the village along with the lower southern sections of Chadlington including Bull Hill. The site offers wide views across the surrounding landscape however the site assimilates visually into the existing built form of the southern periphery of Horseshoe Lane, notably the adjoining property, Anvil Cottage when viewed from any significant distance. The scale and position of the dwelling ensures that the development should assimilate with the existing built form and would not appear visually prominent in the wider landscape consistent with the requirements of existing Local Plan Policy BE2.
- 5.13 The design of the rear of the dwelling is more contemporary, which is reflected in the prominent use of glazing including the rear balustrade. The dwelling is stepped at the rear accounting for the decline in elevation in the lower sections of the site. The rear design of the property is considered acceptable and given the decline in elevation within the site; the lower section of the property would be less visually prominent.
- 5.14 Views of the side and rear of the property would be partially shielded by the existing hedgerows on the southern boundary of the site. It is considered that the provision of further landscaping by condition would help to mitigate the visual and landscape impact of the proposed development. The existing and previous condition of the site is additionally taken into account. The site has long been cited as a negative visual feature in the immediate streetscene owing to its previous use as a lorry park and the existing waste and disused trailer currently lying on the site. The site is overgrown to the extent where the lower half of the site is inaccessible. It is considered that the provision of a well-designed dwelling on the site would lead to an enhancement of the immediate setting and streetscene. On balance it is not considered that the proposed dwelling would be detrimental to the local landscape character of setting of the Cotswolds AONB and is compliant with Local Plan Policies NE3 and NE4.

Highway

- 5.15 The application proposes three car parking spaces two to the northern side of the property with a further space adjacent to Horseshoe Lane. This is considered to be adequate for the size of the proposed dwelling.
- 5.16 It is not considered that the proposed access onto Horseshoe Lane would be detrimental from a highway safety or amenity perspective.

Residential Amenities

- 5.17 The dwelling is located adjacent to a single property, Anvil Cottage. It is not considered that the siting of the proposed dwelling would be significantly detrimental to the amenity of this property. The scale of the proposed dwelling is considered not be adversely overbearing and there is sufficient separation distance between the two properties.
- 5.18 There are no first floor side elevation windows proposed in the north elevation facing Anvil Cottage. The proposed roof terrace would not directly face the garden of Anvil Cottage and potential overlooking to the side has been partly addressed by the amendment to alter the side

glazed balustrade to a stone wall. The proposed dwelling and balustrade would face the curtilage area of a property to the rear, however this is in excess of 30 metres from the dwelling and it is not considered therefore that this would result in a substantial loss of privacy to the occupants of this property.

Ecology

- 5.19 It is not considered that the site is of any substantial ecological value and that the redevelopment of the land would harm any protected species. The retention of important trees on the site can be controlled by way of condition.

Conclusion

- 5.20 The application proposes a single dwelling on the edge of Chadlington. The siting, scale and design of the development is considered by officers to be consistent with the adjoining built form. Although the construction of a dwelling on the site would be contrary to existing Local Plan Policy H5 the proposals would be consistent with the provisions of the emerging Local Plan Policy H2 with regards to edge of settlement housing development in villages within the district. The development of the dwelling is considered to form a logical complement to the existing built form, and the contained nature and position of the site allows for the addition of a single dwelling on the edge of the village, without visibly encroaching into the adjoining open countryside. The proposed dwelling would assimilate well into the existing built form of Horseshoe Lane and would not be detrimental to the wider landscape of the Cotswolds AONB.
- 5.21 The proposed development would enhance a site which has been neglected and is of a poor visual quality. The site is a sustainable location within close proximity to local services and facilities in Chadlington. The design of the proposed dwelling is considered appropriate and consistent with existing Local Plan Policies BE2 and H2 and emerging Local Plan Policies OS4 and H2.
- 5.22 As such the proposals are considered on balance represent sustainable development consistent with the provisions of paragraph 14 of the NPPF and Policy OSI of the emerging Local Plan.

6 CONDITIONS

- 1 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 11/11/2015
- REASON: The application details have been amended by the submission of revised details.
- 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 external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
- REASON: To safeguard the character and appearance of the area.

- 4 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 any roofing commences.

REASON: To safeguard the character and appearance of the area.

- 5 The external walls of the dwelling; proposed to be rendered shall be rendered, in accordance with a specification which shall be submitted to and approved in writing by the Local Planning Authority before any rendering commences.

REASON: To safeguard the character and appearance of the area.

- 6 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include any proposed planting and boundary treatments; and shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To safeguard the character and landscape of the area.

- 7 The existing hedge along the south boundary of the land shall be retained and any plants which die shall be replaced in the next planting season with others of a similar species and shall be retained. The hedge shall be protected whilst development operations are in progress, in accordance with a scheme to be first agreed in writing with the Local Planning Authority and to be implemented before development commences.

REASON: To safeguard a feature that contributes to the character and landscape of the area.

- 8 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.

- 9 Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) no extension (or alterations) otherwise approved by Classes A, B, C or E of Part I of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

REASON: To avoid over-development of the site.

Application Number	I5/03490/FUL
Site Address	Land North West Of Lane House Farm Milton Road Shipton Under Wychwood Oxfordshire
Date	18th November 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427628 E 218158 N
Committee Date	30th November 2015

Application Details:

Removal of existing portal frame yoga studio and mobile home. Erection of single dwellinghouse.

Applicant Details:

Ms R White
c/o JPPC Chartered Town Planners
United Kingdom

I CONSULTATIONS

I.1 Parish Council
The Parish Council has strong reservations about the density of the proposed development and believes it should be considerably reduced in floor area and height to harmonise with nearby dwellings. We are unaware of any previous planning permission granted in respect of the mobile home

I.2 WODC Drainage Engineers
Due to the underlying geology, soakaways may not be adequate, therefore another SUDS technique may have to be suggested, however this will be confirmed during infiltration testing.

If a soakaway is proposed then it will need to be designed to accommodate a 1 in 100year event +30% Climate Change. If it is found that the groundwater level is above 1 meter below the invert of soakaway inlet pipe, then shallow storm cells with a void capacity of 90% could be proposed subject to them being installed more than 5mtrs from any structure.

According to the application form, two parking spaces will be provided, however there is no detail on the hard standing surface. The detail must be submitted.

A detailed drainage strategy will need to be submitted incorporating all surface water drainage systems.

An exceedance route plan will need to be submitted, showing the route that surface water will take, if the surface water drainage

system/s were to over capacitate and surcharge.

A topographical survey drawing will need to be submitted detailing precise levels on the application site.

1.3 OCC Highways No Objection

1.4 WODC Architect The form, massing and design of the proposed replacement building are well handled and acceptable in principle. Removal of the portal shed and replacement by the proposed new dwelling will enhance the setting of the adjoining listed building.

There are no design objections to this proposal. If approving, please fully condition materials, joinery details.

2 REPRESENTATIONS

Mrs Rigby objects to the proposal on the grounds that this represents overdevelopment of the Lane House Farm site

3 APPLICANT'S CASE

The proposed development represents an opportunity for the replacement of utilitarian buildings with a high quality building in the local vernacular to the benefit of the character and appearance of the Conservation Area and the setting of the listed farmhouse. The development would be of benefit to the AONB and improve highway safety in the immediate vicinity. The scheme would not be harmful to the amenity of neighbours and would contribute a family home to the local housing stock.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

NE4 Cotswolds Area of Outstanding Natural Beauty

H2 General residential development standards

H6 Medium-sized villages

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks approval for the erection of a single dwelling and includes demolition of a portal framed building, currently used a yoga studio and removal of a mobile home. The site is located on the northern edge of Shipton Under-Wychwood, North of Milton Road and north of

several dwellings which including barn conversions and former farmhouse buildings including the Grade II listed Lane House Farmhouse. The land immediately to the North of the site is open and used for agricultural purposes. The site is located within the Shipton-Under-Wychwood Conservation Area but is not highly visible from the adjoining streetscene in Milton Road.

5.2 The dwelling would be sited in the position of an existing portal framed yoga studio, which was formerly an agricultural barn. The existing barn is a relatively tall green steel framed utilitarian structure. The barn has undergone a lawful change of use from an agricultural building to Class D2 Leisure use for which prior approval was not required (15/00415/CLASSM). The existing barn is located on an area of hardstanding behind Haycom cottage; the proposed dwelling would cover the majority of the footprint of the existing steel framed barn. An existing mobile home is located on the site to the south of the steel barn adjacent to Haycorn Cottage. There is no record of any planning application being made for the mobile home, which appears to have been in place for several years. The mobile home is however listed within the application as a dwelling, although the scale and context of the mobile home means that the dwelling subject of this application is not being considered as a direct replacement property for the mobile home.

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

Principle of development

The design, scale and siting of the development

Access and parking

Neighbour amenity

Impact on the Conservation Area setting

Principle

5.4 NPPF paragraph 14 requires that all planning applications including applications for new housing are determined in accordance with the presumption in favour of sustainable development; this means approving developments which accord with Local Plan, when relevant Policies are considered to be in date. Referring to Paragraph 49, which requires Councils to demonstrate a five year supply of housing, West Oxfordshire District Council currently claim to be able to demonstrate a five year supply of housing therefore the development is considered in accordance relevant housing location policies where these are consistent with the provisions of the NPPF.

5.5 The Council has a hierarchal approach to the development of new housing as outlined within adopted Local Plan Policies H4-H7. Development within the built area of Shipton-Under-Wychwood is covered within Local Plan Policy H6, referring specifically to development within Medium Sized Villages listed within Group B of Figure 5:2 of the adopted Local Plan. Policy H6 allows for infill development, the rounding off of the existing built settlement area and the conversion of existing buildings. Although located on the edge of the village, the site immediately adjoins a number of converted farm buildings and the site is currently occupied by the existing steel framed yoga studio. The dwelling is considered by officers to be contained within the settlement area of Shipton Under-Wychwood. The design and form of the development complements the existing built form in the immediate area which is an agricultural type arrangement of converted barns and former farm buildings of a vernacular appearance. Given the existing developed nature of the site and the fact that the development is consistent with

the built form of the immediate area the proposals are considered by officers to represent a rounding off of the settlement boundary permitted within existing Local Plan Policy H6 and emerging Local Plan Policy H2. The site is previously developed brownfield land, the reuse of such sites is supported within Paragraph 111 of the NPPF and Policy H2 of the emerging Local Plan, and is considered in policy terms to be a favourable site for development as the site has no ecological value.

- 5.6 The proposals would see the removal of a mobile home, which is listed in this application as an existing dwelling. Policy H14 of the existing Local Plan permits mobile homes for a temporary period only and they cannot be seen as a market dwelling, additionally there is no record of an application being made for the existing mobile home. Notwithstanding these points, given the comparative scale of the new dwelling in comparison to the existing mobile home it could not reasonably be considered that the dwelling could be considered as a replacement for the mobile home.
- 5.7 There is no objection to the principle of removing either the yoga studio or mobile home from a design perspective. The removal of these relatively incongruous buildings would lead to an enhancement of the immediate area. The yoga studio is for private rather than community use and the loss of this leisure function is not considered to be contrary to any specific policy within either the existing or emerging Local Plans.
- 5.8 The provision of a well-designed dwelling would contribute towards the local supply of housing and maintaining the vitality of Shipton-Under-Wychwood, supporting local services and facilities consistent with NPPF Paragraph 55. Although the development is located on the edge of Shipton, the location is considered to be sustainable in terms of its relative proximity to local services, facilities and public transport.

Siting, Design and Form

- 5.9 The proposed dwelling is of a similar scale to the existing converted barn and farmhouse dwellings in the immediate vicinity including Lane House Farmhouse and stairways. The built form in the immediate area is relatively enclosed in a typical farm/rural type arrangement. It is considered that the positioning form and scale of the new dwelling would fit in well with this arrangement. The length and siting of the buildings are consistent with the converted barn dwellings in the immediate vicinity within the Lane House Farm site.
- 5.10 The dwelling has been designed to fit in with the local vernacular, reflecting the adjoining farmhouses and converted barns. The use of stone and timber as well as slate roofing is in keeping with the adjoining buildings as well as the local use of materials within the conservation area. The dwelling would be hidden behind a number of existing buildings and would not be highly visible from the streetscene in Milton Road. The use of stone materials and timber is consistent with materials used within the local area, although the precise materials will be subject to condition. The proposed window and door openings appear appropriate although the specific details will be subject to condition.
- 5.11 The existing portal framed studio is an incongruous building which does not contribute to the character of the conservation area. Likewise the appearance of the mobile home detracts from the visual quality of the surrounding buildings. It is considered that the erection of a dwelling, which is of a more appropriate design in keeping with the local vernacular, would provide a

visual enhancement that would contribute to the conservation area setting. The scale of the proposed dwelling would not be significantly greater than that of the existing barn.

The proposed design is considered to enhance the appearance of the Conservation Area through the replacement of an incongruously designed building with one of a more vernacular appearance consistent with the rural setting of the site. Given that the erection of the dwellings is considered by officers to enhance the setting of the Lane House Farm site it is considered that the development would enhance rather than harm the setting of the Grade II listed Lane House Farmhouse.

Highway

- 5.12 The existing access onto Milton Road would be used and the proposed development would generate little in the way of additional vehicular use. It is indicated that parking would be provided for 2 vehicles which is considered adequate for the size of the proposed dwelling.

Residential Amenities

- 5.13 There is considered to adequate separation distance between the property and adjoining dwellings to prevent any significant overshadowing or loss of light to the nearest adjoining dwelling, which lies to the south of the proposed dwelling. The maximum height and mass of the dwelling is not dissimilar to that of the existing barn. It is not therefore considered that the proposed dwelling would appear overbearing.
- 5.14 There is a separation distance of approximately 12 metres between the modestly sized and secondary south facing windows of the proposed dwelling and nearest adjoining property to the south of the site, which has a number of North facing windows serving habitable rooms. The separation distance between these windows is considered adequate and it is not considered that the provision of the south facing windows would result an unacceptable loss of privacy for the adjoining residents of this property, particularly given that the position of an adjoining boundary fence limits views into the North facing windows of the adjoining property.
- 5.15 Sufficient residential amenity space is provided for the dwelling however further details regarding the landscaping and boundary treatments will be required by condition.

Conclusion

- 5.16 The proposed dwelling is considered to represent sustainable development in accordance with Paragraph 14 of the NPPF. The dwelling complements the existing built form of the immediate area and represents a rounding off the settlement boundary consistent with existing and emerging Local Plan housing Policies H6 and H2 and is the site is considered to be a sustainable location for a new dwelling.
- 5.17 The overall design is consistent with that the immediate area and wider conservation area setting and is compliant with Local Plan Policies BE2 and H2. The proposed development would lead to enhancement of the immediate setting through the removal of two incongruously designed buildings. On balance the proposals are considered to represent sustainable development in line with the provisions of the Existing and Emerging West Oxfordshire Local Plans as well and the wider provisions of the NPPF.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by 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 external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.

REASON: To safeguard the character and appearance of the area.

- 4 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 any roofing commences.

REASON: To safeguard the character and appearance of the area.

- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all windows and doors; 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 that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 6 No dwelling shall be occupied until the hard surfacing including the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure loose materials and surface water do not encroach onto the adjacent highway or neighbouring properties to the detriment of road safety

- 7 Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30% CC event has been submitted to and approved in writing by the Local Planning Authority.

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).

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) no extension (or alterations) otherwise approved by Classes A, B, C or E of Part I of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

REASON: To avoid over-development of the site.

- 9 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include any proposed planting; and shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme.

REASON: To safeguard the character and landscape of the area.

- 10 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 use hereby permitted is commenced.

REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

- 11 The mobile home indicated on the site plan; shall be demolished or otherwise removed from the site within one month of commencement of the development hereby permitted.

REASON: To safeguard the character and appearance of the area.

- 12 A sample of the timber materials to be included in the external walls of the dwelling hereby permitted 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.

Application Number	I5/03848/FUL
Site Address	Snowdrop Cottage 15 High Street Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6DQ
Date	18th November 2015
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427700 E 217268 N
Committee Date	30th November 2015

Application Details:

Residential development of 5 dwellings and refurbishment and extension of existing cottage.

Applicant Details:

Miss Kirsten Johnston
Abbeymill Homes Ltd
6 Rose Court
Olney
Buckinghamshire
MK46 4BY

I CONSULTATIONS

- | | | |
|-----|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I.1 | Parish Council | Shipton Parish - comments expected 20th November. Will update Members in the additional representations report. |
| I.2 | OCC Highways | The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.

No objection subject to conditions |
| I.3 | WODC Drainage Engineers | No Comment Received. |
| I.4 | WODC Architect | No objection subject to conditions. |
| I.5 | Ecologist | Refuse due to insufficient information unless additional mitigation information is submitted accompanied by drawings which identify the bat loft location and other details |
| I.6 | WODC Landscape And Forestry Officer | No Comment Received. |

2 REPRESENTATIONS

2.1 The application was advertised by site notice and in the Oxford Times and publicity expires on 26th November. To date three representations have been received and are summarised as follows:

Squeezing 6 large houses into such a small area is inconsistent with the conservation character of the village

The access is a narrow lane which is totally unsuitable for the additional 21 car spaces

The developers have submitted an artistic impression document which stresses the linear nature of the development. However, Plot No. 6 is the opposite of linear. In fact the rear elevation of No. 6 will face Oakwood House, slab-like

The developers also stress in their artistic impression the roof dominated style of the new houses. Plot No. 6 is not at all roof dominated. In fact it is the only house which is three storeys high, so at least 8 metres tall

The artistic impression pictures are highly misleading in suggesting an airy feel with wide open spaces. Yet the reality is that this is crammed in and will have a very narrow entrance

There is no proposed new screening for the development except for a few deciduous trees. The current 1.3m high block wall is wholly insufficient to avoid a major invasion of privacy for the houses to the north of the development.

The developer has included elevations or impressions from the East and West but nothing at all from the North or the South. In this regard it is important to note that the ground level for e.g. No. 6 would be at least 3 metres higher than that of Oakwood House, due to the steep gradient of our garden. The reason for this omission by the developer seems obvious: The elevation from the North would show the blight that the development as a whole, but particularly Plot No. 6, would cause to Oakwood House and our immediate neighbour Hunters Moon. I suspect that residents of the houses to the South of the development will have a similar problem

In summary, the proposed development should either be rejected in whole as being poorly located as regards access and suitability for a conservation area, or radically reduced and altered so as to minimise the impact on other houses, particularly to the north.

The land has been used for pigs and may not be safe for development as pigs are associated with a number of human diseases

Drainage is a problem in this part of Shipton, not clear if adequate consideration has been given to drainage and sewerage

Will result in loss of privacy to north through removal of leylandi hedge

plot 6 will overlook the back garden of Bould House

Fails to preserve or enhance conservation area

We do have concerns over the number and location of the dwellings proposed. We believe the site would be better served by

reducing the number of dwellings to three new- build plus the refurbished cottage, four in total.

Also, every effort must be made to ensure the privacy and sight-lines of the properties on Chapel Lane (Springside, The Chapel, Mulberry Cottage and the Old Laundry are the most affected).

Progress has been made in the revised submission however further refinements are needed.

Well managed negotiation (communication), including a site meeting with planners, will enhance the possibility of a successful outcome to this sensitive development.

3 APPLICANT'S CASE

- 3.1 The application is accompanied by several supporting documents which are available to view online. The executive summary of the Planning Statement is copied below.

This Planning and Sustainability Statement has been prepared in support of this planning application for the redevelopment of this redundant farm site for residential use. The proposed development involves the construction of five new family 3, 4 and 5 bedroom homes, all individually designed to reflect local vernacular and create an interesting lane scape, and the refurbishment of an existing farmhouse.

The principle of a housing development in this location is considered acceptable. The site is well located within the village in an existing predominantly residential area. Shipton-under-Wychwood is classified within the 'village' tier within the current West Oxfordshire Local Plan, a group of settlements considered as an acceptable location for new housing due to their range of services and facilities. Shipton-under-Wychwood demonstrates many such attributes, hosting services including a railway station, primary school, medical centre and village store and village hall, the latter of which hosts many community services, clubs and societies. Overall the village is considered a sustainable location to host new development, and the proposed development site is well connected to the village and its services, making it a suitable development site capable of being integrated physically and socially into the village.

The site lies within the village conservation area and this has influenced the design process which has had regard to local vernacular and character in the development of its design. The opportunity to remove the existing large redundant agricultural buildings and replace with a high quality and sympathetic development will preserve and enhance the significance of the conservation area and the setting of nearby listed buildings.

Like many of the surrounding villages, Shipton-under-Wychwood lies within the Cotswolds AONB. However the sites location within the existing built form of the village and the proposed treatment of the site in terms of scale, massing and landscaping, will ensure no harm to the special characteristics of the landscape.

The proposed development will make a modest but important contribution to the future vitality and viability of the settlement, introducing new family homes into the village. Census data suggests future demographical challenges facing the community, with a shrinking and ageing population, and the introduction of new family homes will enable families to both remain and return to the village thus providing support and patronage to vital services and facilities.

National Planning Policy dictates that in the absence of up to date local planning policies sustainable development should be approved unless any adverse impacts arising from the development would significant and demonstrable outweigh the benefits. The table overleaf illustrates the challenges threatening the future vitality of the village and articulates the potential benefits of the proposed development which would address some of these threats, thus demonstrating a clear positive balance of effects from the proposed development.

In conclusion, the proposed development is considered consistent with national and local planning policy which seeks to deliver housing development in rural areas where it will contribute to the vitality of rural communities. As demonstrated overleaf the proposed development would deliver tangible benefits to the village. There are no environmental, economic or social detrimental impacts which would arise as a result of the proposed development and it represents a deliverable form of sustainable development, and should thus be viewed positively.

4 PLANNING POLICIES

BE2 General Development Standards

BE4 Open space within and adjoining settlements

BE5 Conservation Areas
 NE4 Cotswolds Area of Outstanding Natural Beauty
 H2 General residential development standards
 H6 Medium-sized villages
 T1 Traffic Generation
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 H2NEW Delivery of new homes
 H4NEW Type and mix of new homes
 T4NEW Parking provision
 EH1NEW Landscape character
 EH7NEW Historic Environment
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for the redevelopment of a farm yard and derelict house to a small residential development of 6 dwellings (net gain 5 units).
- 5.2 The site is within Shipton Conservation Area and the Cotswolds AONB. The Lamb public house and residential properties lie to the north, residential properties to the west and south (including Grade II listed buildings) and agricultural land to the east (predominantly surrounded by residential properties and allotments).
- 5.3 An application to erect a dwelling was refused under application W89/0520 in 1989 but that was considered under different local plan policies and is not considered to be relevant to this application.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle
 - Siting, design and form
 - Highways
 - Residential amenities
 - Ecology

Principle

- 5.5 The site is within a medium sized village and should therefore be considered against policy H6 of the Adopted Plan and Policies OS2 and H2 of the Emerging Plan.
- 5.6 It is considered that in the context of Shipton Under Wychwood, with its relative sustainability and presumption in favour of sustainable development, development of this scale on this site is acceptable provided it respects the village character and would help to maintain the vitality of the local community. Officers consider that the proposal is in keeping with the surrounding development in terms of layout and density, and that the proposal effectively constitutes rounding off of the village under the definitions of the adopted and emerging policies.

5.7 The site falls below the threshold for on-site affordable housing as advised by the NPPG therefore the Council are not seeking a contribution for off-site provision. The site provides a mix of housing (3, 4 and 5 bed properties) in accordance with policies H3 of the Adopted Plan and H4 of the Emerging Plan.

5.8 Officers consider that the principle of redevelopment of this site is acceptable in policy terms.

Siting, Design and Form

5.9 The development is partially on previously developed land and partially on former agricultural land. There is a slight dip to the east of the site.

5.10 The spacing between the buildings is between the looser traditional development to the west, and the tighter, more recent, development to the northeast. In terms of massing the proposed forms are also reasonably consistent as they are largely relatively low-lying forms, divided up into individual small-scaled elements.

5.11 The designs are considered to have been carefully composed, with typical traditional vernacular forms, with well-resolved junctions, and with generally good proportions. The proposed materials are natural stone and artificial stone slates which are in keeping with the adjacent properties. The site layout works with the contours of the site, with buildings primarily running along the contour, resulting in generous garden areas that relate well to the dwellings, and giving sufficient access and general amenity space.

5.12 A key consideration of the siting of development is prominence in the longer views to the east and south, given that the site is within the Conservation Area and AONB. When viewed from the public footpath running through the allotments to the south, the site is set in a small valley, reducing prominence, and the proposed buildings would be read in the context of existing development in all of the longer views.

5.13 In that regard the proposal is considered to accord with policies BE2, BE5, NE4 and H2 of the adopted plan and OS2, OS4, EH7 and EH1 of the Emerging Plan.

Highway

5.14 The proposal has shown a minimum of two spaces per dwelling. The vehicular access from the High Street is existing and the proposal is not considered to result in an unacceptable intensification of this access. Sufficient on plot parking has been provided for each property.

5.15 The County Council as Highway Authority were consulted and have raised no objection subject to conditions being imposed.

5.16 The proposal is considered to accord with BE3 of the Adopted Plan and T4 of the Emerging Plan.

Residential Amenities

- 5.17 The existing property is in a state of considerable disrepair and it is considered that the proposal to renovate and extend the property will improve the street scene in that regard. The proposed new dwellings are all considered to have sufficient amenity space.
- 5.18 In terms of residential amenities, there are residential properties to the north, west and south of the site. Those to the north are 40m from the boundary so their privacy is not considered to be detrimentally affected, and plot 6 which is closest to the shared boundary has been designed to avoid adverse impacts on this properties. The existing properties to the west are 17m from the site boundary and over 40m away from the closest facing property and the proposed orientation of the plots 5 and 6 are considered to be such as not to detrimentally affect their residential amenities, or those of future occupiers.
- 5.19 Officers consider that the properties to the south on Chapel Lane are most affected as they are much closer to the shared boundary and on lower ground than the application site. It is 19m from rear south facing elevation of plot 3 to the rear of the closest property of Chapel Lane. However, a condition has been attached to ensure the first floor south facing landing and secondary bedroom window will be obscurely glazed to minimise the perception of overlooking. As the proposed properties are to the north of Chapel Lane which will not result in overshadowing to their gardens, it is considered, on balance, to be acceptable and generally in accordance with policies BE2, H2 of the adopted plan and OS4 of the Emerging Plan.
- 5.20 Drainage has been raised as a concern by neighbours. Members are advised that a sustainable drainage condition has been attached to the recommendation.

Ecology

- 5.21 The ecological surveys submitted in support of the application identified that the existing buildings are used by two species of bat. The Councils Ecologist has requested further information on the mitigation measures for certainty that no protected species will be harmed. At the time of agenda preparation the information had just been submitted but the Ecologist has yet to comment. An update will be given in the additional representations report.

Conclusion

- 5.22 The proposal is considered to accord with local plan policies. In particular it accords with Policy H6 of the adopted plan in that it is rounding off an area of residential development and it will contribute towards the housing land supply figures. It is considered to be in character with the existing properties in the vicinity of the site, it is not considered unduly detrimental to neighbouring amenities. Subject to the ecology issues being resolved and to no further substantive issues being raised the application is recommended for conditional approval.

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 the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

REASON: To safeguard the character and appearance of the area.

- 4 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery details (including 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 that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

- 6 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.

REASON: To safeguard the character and appearance of the area.

- 7 The roof(s) shall be covered with artificial stone slates a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.

REASON: To safeguard the character and appearance of the area.

- 8 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character and appearance of the area.

- 9 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.

- 10 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

- 11 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.

- 12 No dwelling shall be occupied until all the roads, driveways and footpaths serving the development have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety.

- 13 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. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. 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.

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.

- 14 Prior to the commencement of any residential development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a superfast broadband service (>24mbs) to that dwelling from a site-wide network, is in place and provided as part of the initial highway works, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a superfast broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

REASON: In the interest of improving connectivity in rural areas.

- 15 Before first occupation of the building/extension hereby permitted the window(s) at first floor in the south facing elevation of plot 3 shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development falling within Class A-E of Part 1 of Schedule 2, other than those expressly authorised by this permission, shall be carried out..

REASON: Control is needed to consider the effect of any future proposals on neighbours.