

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 4th January 2016

**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	Page
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I5/03341/FUL	<u>Land East of Hanborough Bowling Club, Roosevelt Road, Long Hanborough</u>	21
I5/03356/FUL	<u>Land at Owls View Shipton Road, Milton under Wychwood</u>	28
I5/03680/FUL	<u>Land South of Anvil Cottage, Horseshoe Lane, Chadlington</u>	35
I5/03730/FUL	<u>1 The Long Barn, Oxford Road, Old Chalford, Chipping Norton</u>	43
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Application Number	I5/00567/FUL
Site Address	Land North of Little Lees Charlbury Oxfordshire
Date	18th December 2015
Officer	Catherine Tetlow
Officer Recommendations	Approve subject to Legal Agreement
Parish	Charlbury
Grid Reference	436333 E 219109 N
Committee Date	4th January 2016

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 unadopted 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 reconsultation 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 center, 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.

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| 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 space is 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.

I.16	Ecologist	Object - priority habitat (Lowland Meadows) would be affected.
I.17	Historic England	No Comment Received.
I.18	One Voice Consultations	See previous comments.
I.19	WODC Head Of Housing	See previous comments.
I.20	Parish Council	See other Parish comments.

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.

2.3 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.

3.7 Further comments received following Uplands Committee 30th November 2015:

The principal concern expressed by Committee on 6 July was the impact on existing adjacent properties of the whole development using the single access off Little Lees. Although there was no technical objection to the use of this access the applicants listened to Committee and agreed to spend time and expense on amending the scheme to include a second access off Lees Heights. Other detailed amendments were also made to the scheme (e.g. footpath links and car parking provision), and Section 106 draft heads of terms were drawn up. In short, the applicants did everything possible to address the concerns of Committee and accepted that this and the subsequent need for a further round of public consultation would delay matters.

At its meeting on 30 November, the Committee raised a new objection which was that the location of the affordable housing was not considered to be acceptable, as it was too segregated from the market housing. Mr Shaw pointed out that there was no policy reason to raise such an objection and that registered providers of affordable housing always prefer their dwellings to be located together for ease of management and maintenance. In addition, the Committee report confirmed that the Council's Head of Housing had raised no objections.

The applicants do not wish to make any further amendments to the scheme, but they would like the following points on the issue of affordable housing provision to be drawn to the Committee's attention. Firstly, as Mr Shaw pointed out, there is no policy requirement for affordable housing to be mixed with market housing. Adopted Local Plan Policy H11 and emerging Local Plan Policy H3 together with their accompanying text make no mention of it. And paragraph 3.7 of the Affordable Housing SPD simply says:

"Design standards for affordable housing should be no lower than for market housing and the affordable housing should not be distinguishable by its external appearance." Paragraph 26-040-20140306 of the Planning Practice Guidance says:

"Well-designed housing should be functional, attractive and sustainable. It should also be adaptable to the changing needs of its occupants. In well-designed places affordable housing is not distinguishable from private housing by its design, nor is it banished to the least attractive part of the site."

In accordance with the above policy requirements, all 22 proposed dwellings have been designed to a high standard and the affordable housing is not distinguishable from the market housing in terms of design, appearance or materials. In addition, the proposed affordable housing occupies a prime location on the site beside the existing access onto Little Lees. So there is no policy objection to the proposed location of the affordable housing. In addition, the following detailed matters need to be brought to Committee's attention:

- I. The affordable housing has always been proposed at the southern end of the site, so the amended layout has not introduced anything new. What has been introduced, at the request of Committee, is the new access off Lees Heights.

2. The location of the affordable housing is intended to complement the adjacent row of 15 existing affordable dwellings which were permitted in 2011. These dwellings are owned and managed by SOHA and, it is understood, are considered to be successful by local residents in terms of their design and physical relationship with the other housing in the local area.
3. Discussions have been held with SOHA regarding the proposed affordable housing, and SOHA have confirmed their preference for the new affordable housing to be located adjacent to their existing dwellings in the interest of easier management and maintenance.
4. Two of the 11 dwellings proposed off Little Lees are market houses - they are not all affordable housing.

Finally, it should be noted that the applicants are a local family business and have held discussions with Charlbury Town Council regarding the preferred tenure of the affordable housing - i.e. the split between social rented and shared equity and the possibility (in accordance with the Government's recent suggestions) that some of the affordable dwellings could be low cost starter homes. The applicants are open to suggestions on this matter and are very happy to hold further discussions with both the District Council and the Town Council.

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 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.
- 5.5 The application was again considered at the Uplands Committee on 30th November 2015 and deferred in relation to Member concerns about the distribution of the affordable housing on the site. In this regard, further submissions from the agent are included under the Applicant's Case section. The distribution of the affordable housing on the site, as shown in the latest revisions, does not differ significantly from that considered previously, i.e. the affordable housing occupies the southern end of the site and is not pepper potted throughout the site. The plans have not been amended and the Officer recommendation remains the same.

Background Information

- 5.6 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
- 5.7 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
S106 contributions
- Principle
- 5.8 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.

- 5.9 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.
- 5.10 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.
- 5.11 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.
- 5.12 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.
- 5.13 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

- 5.14 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.
- 5.15 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.
- 5.16 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.

- 5.17 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.
- 5.18 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.
- 5.19 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.
- 5.20 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".
- 5.21 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.
- 5.22 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.
- 5.23 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

- 5.24 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.

- 5.25 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

- 5.26 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.
- 5.27 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.
- 5.28 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.
- 5.29 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.
- 5.30 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.
- 5.31 Parking is provided in accordance parking standards, with additional visitor spaces. The open market houses also have garages.
- 5.32 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.

- 5.33 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

- 5.34 The submitted plans show that approximately half the site would be retained as open grassland with the existing belt of trees running through it.
- 5.35 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];

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.

- 5.39 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

- 5.40 No objection is raised by Thames Water in relation to waste water infrastructure.
- 5.41 The site is in Flood Zone 1 and at low risk of flooding. A sustainable surface water drainage scheme will be required by condition.

SI06 contributions

- 5.42 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.

- 5.43 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

- 5.44 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.
- 5.45 The siting, design and form of the development are acceptable with reference to the constraints of the AONB and Conservation Area.
- 5.46 There would be no material impact on privacy, light or general amenity in relation to neighbouring properties.

- 5.47 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.
- 5.48 The proposal would deliver a contribution to affordable housing which is compliant with emerging local plan policy.
- 5.49 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	I5/03341/FUL
Site Address	Land East of Hanborough Bowling Club Roosevelt Road Long Hanborough Oxfordshire
Date	18th December 2015
Officer	Michael Kemp
Officer Recommendations	Non Determination by Council
Parish	Hanborough
Grid Reference	442253 E 213925 N
Committee Date	4th January 2016

Application Details:

Creation of a playing field for Hanborough Manor School on part of a field in agricultural use and an area of grassland. Erection of storage shed.

Applicant Details:

Mr Graham Flint
Langford Locks
Kidlington
Oxfordshire
OX5 1HZ
United Kingdom

I CONSULTATIONS

- I.1 Sport England South East No Comment Received.
- I.2 OCC Strategic Planning Transport - No objections, although section 184 agreement is likely to be needed to allow connection between the site and Kents Bank.
- Archaeology - No objections
- Education - The development would address the site constraints at Hanborough Manor CE School and would address any capacity issues brought about by new housing development.
- Property - No objections subject to the development meeting requirements.
- Minerals - No objection
- I.3 Parish Council Hanborough Parish Council (HPC) objects to this proposal, and would do so even if it were presented as a project in its own right rather than as ancillary to planning application No.I5/02687/OUT. By itself, it would be an unnecessary community asset that required the sacrifice of a treasured open space; in conjunction with a development comprising up to 169 dwellings, it would not serve as

satisfactory compensation for children's loss of play space at their primary school. Its negative environmental and social impacts would result in far more detriment than could be justified by dubious economic benefits.

HPC concludes that application No.15/03341/FUL is an attempt to serve the interests of those wanting to promote application No.15/02687/OUT, but that it does not represent a worthwhile addition to Hanborough's infrastructure. It fails to meet the criteria set in paragraphs 72 and 74 of the NPPF regarding school places and sports grounds and it fails to comply with emerging Local Plan policies OS4 and EHI among others concerning the local environment.

If more than two new classrooms are eventually needed to accommodate growth in Hanborough's population, then what the applicant is proposing would be an obstacle to finding a workable solution. Planning permission for a sports field that could not be used for informal games and play would serve no purpose except as an adjunct to two other planning applications: namely 14/1234/P/OP, which was unanimously refused and is now at appeal, and application 15/02687/OUT, which is currently with WODC for determination.

Having carefully considered the applicant's proposition, as set out in their planning statement and drawings, HPC finds it to be a futile attempt at compliance with NPPF requirements that offers no prospect of meeting children's needs adequately and that would cause demonstrable harm to the local environment. We therefore respectfully ask members of the Uplands Planning Committee not to allow it.

1.4 WODC Landscape And Forestry Officer No Comment Received.

1.5 OCC Highways No objections

2 REPRESENTATIONS

2.1 56 Letters of objection have been received these are summarised below. A petition with 80 signatures objecting to the proposals has additionally been submitted.

- The siting of the field is impractical from a child safety and supervision perspective and the fields are located an inappropriate distance from the school.
- The field is being developed to enable housing development in Hanborough including the site south of Witney Road (15/02687/OUT).
- There are no toilet or shelter facilities proposed.
- No details are given with regard to emergency procedures and access for emergency service vehicles.
- The proposed fencing is unsightly and inadequate.
- There no additional staff parking facilities for the school to expand.
- The development would be contrary to paragraph 14 of the NPPF.

- The expansion of the school would be detrimental from an educational perspective.
- The proposals would lead to the loss of the existing playing field at the primary school through the addition of further buildings.
- The expansion of the school would require the rebuilding of the existing structure, rather than just expansion.
- The playing fields would be open and widely visible in the landscape.
- The historic footpath would be closed in on one side losing the sense of openness.
- The development would affect views of Pinsley Wood and the adjoining agricultural land.
- A letter of objection has been received from the Hanborough Action Group objecting to the proposals on the following grounds:
 - Visual Impact – The development would obscure views of the agricultural land and Pinsley Wood and would enclose the adjoining footpath.
 - It is impractical moving children between the school and playing field during lesson time given the distances between the school and playing field. Disabled access is considered inadequate.

2.2 No Letters of support have been received in respect of this application.

3 APPLICANT'S CASE

3.1 Long Hanborough has seen much ad hoc development of recent years delivering some housing but very limited infrastructure improvements, resulting in huge strain on already at capacity service providers like the school and doctors surgery. The proposal gives Long Hanborough a chance to address these issues not only to accommodate the proposed Witney Road development, but also to address the impact of other recent developments in Long Hanborough and any future developments that may result from the emerging local plan and the Districts requirement to deliver housing numbers over the life of the plan.

3.2 The proposals are fully sustainable and accord with existing development plan policies. The proposals constitute sustainable development, and is in accordance with paragraph 14 of the NPPF.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 NE1 Safeguarding the Countryside
 NE3 Local Landscape Character
 TLC5 Existing Outdoor Recreational Space
 TLC1 New Tourism, Leisure and Community Facilities
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 EH1NEW Landscape character
 EH2NEW Biodiversity

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

5 PLANNING ASSESSMENT

- 5.1 This application is subject of an appeal against non determination by the Local Authority as a decision was not reached during the statutory eight week determination period. The following report outlines the Councils case for refusal of the application which will be made at appeal.

Background Information

- 5.2 The application seeks approval for the creation of a 6000 square metre playing field to serve Hanborough Manor CE Primary School. The proposed playing field would be created on an area of grassland and an agricultural field to the South East of the school, around 170 metres from the front entrance of the primary school. The site lies on the South Eastern edge of the village in an area of open countryside adjacent to a recreation ground and a modern housing development extending off Riely Close. The development would consist primarily of open space, with the exception of a single storey stone building to house toilets and sports equipment which has been added within amended plans, which have been submitted by the applicant.
- 5.3 The main access to the site is via Riely Close, a residential cul-de-sac to the north of the site although there are a series of footpaths leading to the site from the public playing fields to the west and Riely Close to the North. A public footpath runs adjacent to the east of the site leading to Main Road to the North and Church Hanborough to the South. The land to the south and east of the site consists of an area of open countryside extending between Long Hanborough and Church Hanborough.
- 5.4 Hanborough Manor School is situated within a contained site to the North East of the proposed site behind the nearby public playing fields. The school consists predominantly of one main building with a number of ancillary outbuildings. A small car park is located to the side of the school near the main entrance. The school has a modest area of grass playing fields to the South of the main school building, with a concrete play area to the North and East of the main building.
- 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 principle of development
Impact on Local Landscape character
Design, Scale and Siting of development
Highways
Ecology

Principle

- 5.6 It is intended that the proposed development would enhance sport and recreation facilities at Long Hanborough CE Primary School and act as an enabling mechanism for the future expansion of the school, which at present is severely restricted due to the size constraints associated with the site, which means that any development would lead to the loss of the existing school fields.
- 5.7 NPPF Paragraph 72 specifies that great weight should be given to the need to create, expand, extend or alter schools. This application does not specifically relate to any application to extend

the school, other than the addition of the playing fields, however it is referenced in the planning statement that the future expansion of the school is something which would be potentially considered to meet future educational needs, particularly if further housing development were to be approved in the locality. The application refers to two other proposed developments in Long Hanborough (14/1234/P/OP) and (15/02687/OUT). Both applications are for 169 dwellings south of Witney Road, Long Hanborough (15/02687/OUT is the amended application for 14/1234/P/OP). Any future requirement to expand the school would be potentially dependant on the outcome of these applications. It has been stated by the applicants that it is unlikely that the development within this application would be implemented were either of the aforementioned applications not allowed. Notwithstanding this the application must be considered on its own merits in relation to its compliance with relevant Local and National planning policy.

- 5.8 When assessing the suitability of the proposed facilities in relation to the existing open recreational space at the primary school weight should be given to Paragraph 74 of the NPPF, which relates to the loss of open space and the provision of alternative facilities. It is strongly implied within the plans that the development would be an alternative, rather than a supplement to the existing recreational space at the school as the considered need to expand the school is clearly referenced within the submitted planning statement. Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land should not be built on unless the proposed development would be replaced by equivalent or better provision in terms of quality in a suitable location; or the development is for alternative sports and recreation provision, the needs for which would clearly outweigh the loss. The provisions of existing Local Plan Policy TLC5 similarly require the provision of at least equivalent suitability of recreation space, which includes the dimension of accessibility; this is also referred to in the relevant Policy, E5 of the emerging West Oxfordshire Local Plan.
- 5.9 The proposed field would be located approximately 300 metres from the front entrance of the primary school. This has some practical implications for users of the facility namely children and staff accessing the field during lesson time, Officers consider however that the recreation ground is safely accessible via Riely Close and is not an excessive distance from the school. The lack of alternative sites in which to provide a large school field in Long Hanborough in close proximity to the school is additionally taken into account. Oxfordshire County Council education services have raised no objection to the proposals, although it is noted that these comments are made in relation to a scenario where housing development in Long Hanborough, namely either scheme for 169 dwellings is permitted and there is a requirement for the school to expand.
- 5.10 Officers consider that the provision of a larger recreation ground for the school would be an improvement in terms the quality of recreation space provided for the school and would facilitate and enable any future expansion of the school. It is considered that the principle of creating a new playing field is acceptable in relation to NPPF paragraphs 72 and 74; Policy TLC5 of the existing Local Plan and Policy E5 of the emerging Local Plan, although this is not withstanding the developments compliance with the wider policies of the existing and emerging Local Plans and the provisions of the NPPF.

Design and Impact on Local Landscape Character

- 5.11 The proposed development would include the redevelopment of what is currently a combination of open grassland and agricultural land. The grassland does not contain any public

rights of way although there is an informal well used path through the middle of site leading to the public recreation ground. A well-established concrete public right of way adjoins the site, which connects Main Road, Long Hanborough with the village of Church Hanborough. The site is within the open countryside and outside the village boundary which clearly ends at the relatively new housing development adjoining Riely Close. The land adjoining this new development contains an area of space used as a green buffer shielding views of this development from the area of adjoining open countryside. The proposed development would involve the planting of a grass pitch and erection of a relatively small stone building housing toilet facilities and sports equipment. A 2.1 metre high mesh fence would be erected around the perimeter of the fields, which would serve as a means of enclosure and security.

- 5.12 The development would clearly encroach into an area of undeveloped open countryside. Although the relatively small stone building is the only structure proposed, the development would clearly alter the appearance and landscape character from what is currently undeveloped rural land. The site is not located within the AONB or any other area of designated land value; however the land is considered to be significantly valuable in terms of its local contribution to the settlement character of Hanborough. The adjoining public path is an important historic route between Church Hanborough and Long Hanborough and is one of only two direct pedestrian routes between the two villages. The flat, undeveloped nature of the land adds significantly to the character and rural feel of this area of countryside which adds significantly to the experience of users of the public right of way through the fields. The undeveloped nature of the land in its current form offers important wide views across the open fields towards the listed church at Church Hanborough.
- 5.13 The protection of the countryside and local landscape character is supported within Existing Local Plan Policies NE1 and NE3. Policy NE1 requires that development should maintain and enhance the value of the countryside for its own sake, its beauty, local character and distinctiveness. Policy NE3 states that development will not be permitted if it would harm the local landscape character of the district and proposals should respect and where possible enhance the intrinsic character, quality and distinctive features of the individual landscape types. Policy BE4 of the existing Local Plan similarly requires that the development adjoining the built up area a settlement should not result in the loss of an area of open space which makes an important contribution to both; i) the distinctiveness of a settlement; and ii) the visual amenity or character of a locality.
- 5.14 Although the proposals do not include development which would be visually obtrusive for example the erection of buildings of any significant scale, the proposals would clearly urbanise a visually attractive area of open countryside. The open nature of the land adjoining the public footpath would be lost through the addition of 2.1 metre high mesh fencing and the existing grassland and agricultural fields would be replaced by laid grass. The erection of 120 metres of fencing would enclose the public right of way and lead to the loss of the open feel of this space. The site is highly visible in the adjoining landscape and any large development would substantially alter the character of the immediate area. Although the development is predominantly at ground level, with the exception of the mesh fencing and stone toilet building, the laying of grass pitches would also significantly alter the nature of the site from what historically been open agricultural land and grassland. The sites prominent location adjoining the settlement boundary and adjacent to an important public right of way means that this is an important area of open space, which in its current form provides an important contribution to the settlement character of Long Hanborough. Taking into account the value of the site from a landscape and visual amenity perspective it is considered that the proposed development would clearly alter and urbanise the

rural landscape character of the immediate area. Officers consider that the development cause harm to the immediate setting contrary to existing Local Plan Policies BE2, BE4, NE1 and NE3 as well as emerging Local Plan Policy EH1.

Highway

- 5.15 Officers do not consider that there is any major highway safety or amenity issues associated with the proposed development. There is a low vehicle use associated with the proposed development and there is no requirement for parking to be provided given the proposed use.

Residential Amenities

- 5.16 The proposals and nature of development are not considered to have any significantly detrimental impact on the amenity of neighbouring residents in Reily Close.
- 5.17 The erection of the 2.1 metre high fence would detract from the quality and setting of the existing right of way to the west of the site; however the proposals would not directly obstruct the amenity of the amenity of this route for pedestrians.

Ecology

- 5.18 The site has relatively low ecological value however the area of rough grassland is identified as being a habitat which supports reptiles. The suggested mitigation measures are considered appropriate and would avoid harm being caused to any protected species on site.

Conclusion

- 5.19 The development as proposed would lead to a visible urbanisation of a large area of undeveloped countryside lying immediately adjacent to the settlement boundary of Long Hanborough. The development, including the erection of 2.1 high mesh fencing along with ground works would appear incongruous and highly visible in the immediate landscape. The development would partially enclose the adjoining footpath which is an important and historic public right of way.
- 5.20 Officers consider that the development as proposed would have an adverse impact on the local landscape character of the area and as such would be contrary to Existing West Oxfordshire Local plan Policies BE2, BE4, NE1 and NE3; Emerging Local Plan Policies OS4 and EH1; as well as the provisions of the NPPF.

6 REASON FOR REFUSAL

- I The development as proposed would lead to the urbanisation of an attractive area of open countryside and the visible erosion of the local landscape character and setting contrary to Policies BE2, BE4, NE1 and NE3 of the existing West Oxfordshire Local Plan; Policies OS4 and EH1 of the emerging Local Plan; and the provisions of the NPPF.

Application Number	I5/03356/FUL
Site Address	Land at Owls View Shipton Road Milton under Wychwood Oxfordshire
Date	18th December 2015
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Milton Under Wychwood
Grid Reference	427167 E 218158 N
Committee Date	4th January 2016

Application Details:

Erection of two detached dwelling with separate garage and associated private amenity space. Formation of new vehicular accesses's to both dwellings.

Applicant Details:

Mr Calum Taylor
Owls View
Shipton Road
Milton under Wychwood
Oxfordshire
OX7 6JT
United Kingdom

I CONSULTATIONS

- I.1 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.2 WODC Architect There is no doubt that the site contributes significantly and conspicuously to the current physical and visual separation between Milton and Shipton as distinct settlements. Travelling along Shipton Rd., this area of open land forms a substantial break on the north side of the road, with views through to the open agricultural landscape beyond. If anything, the nature of the development on the south side of the road (albeit with a significant gap opposite the application site) makes the preservation of the currently undeveloped nature of the application site even more important. Despite the protestations of the D&A statement, I do not believe a case could coherently be made that the proposed development would not cause further (and damaging) settlement coalescence.
- I.3 WODC Drainage Engineers Soakaways may not be suitable for this site due to the slowly permeable and clayey soils identified for this postcode, although this can be confirmed by soakage testing.

The susceptibility to groundwater flooding should be considered with regards to design / construction of the dwellings. Groundwater levels should be monitored during soakage testing to ensure infiltration is suitable on this site.

A safe access / egress needs to be considered due to the susceptibility of Shipton Road to surface water flooding.

The surface water drainage 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.

- 1.4 Parish Council The parish Council objects on the grounds that it closes the gap between the two villages thereby preventing a clear and distinct boundary between the two. A Previous application was rejected at Planning committee for a neighbouring property on the same principle.
- 1.5 Adjacent Parish Council The Parish Council is concerned to preserve the separation of the two villages, a principle supported on appeal by the Hoplands case (10/1136/P/FP). The current application, taken in isolation, would materially reduce the separation of the two villages, but would be exacerbated were the Council minded to approve planning application 15/03299/OUT.

We would also wish to draw attention to the increased number of vehicle movements in close proximity to the school with the obvious safety implications.

2 REPRESENTATIONS

2.1 Twelve Letters of objection and seven letters of support have been received in respect of this application.

2.2 The objections are summarised as follows:

- The development would reduce the definition between Milton and Shipton and erode an important area of open space.
- The development would not benefit the community as there is a requirement for smaller homes.
- The proposed access onto Shipton Road would be dangerous.
- The land has previously flooded.
- Housing has previously been refused at Hoplands opposite the site.
- The development does not represent infilling or a rounding off of the settlement boundary.

- Development would be harmful to the character and appearance of the area as well as the residential amenity of neighbouring properties.
- Wychwoods primary school is close to full.
- Concerns regarding the access through the gates of the neighbouring Grade II listed Malt House.
- The development would harm the setting of the Cotswolds AONB.

2.3 The letters of support are summarised as follows:

- The development would be visually beneficial and in keeping with existing development on Shipton Road.
- Development on small scale parcels of land is preferable to large edge of village development.
- There is a local requirement for more family housing.

3 APPLICANT'S CASE

3.1 The scheme is considered to accord with relevant development Plan Policies in particular emerging Policy OS2 in that the proposal compromises of limited development which respects the character and local distinctiveness of the village and emerging Policy H2. In line with the most relevant criteria set out within Policy H2, the proposal complies as follows.

- The development would meet local housing need.
- Would avoid the coalescence and loss of identity of settlements.
- The development would not have a harmful impact on the amenity of the adjoining properties, given the separation distance between the site and nearby properties.
- The development would form a logical compliment to the existing scale and pattern of development.
- The site is at low risk of flooding and appropriate drainage solutions will be implemented.
- The development reflects the local landscape and vernacular.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 NE1 Safeguarding the Countryside
 NE3 Local Landscape Character
 H2 General residential development standards
 H6 Medium-sized villages
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 H2 General residential development standards
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH3NEW Public realm and green infrastructure
 EH5NEW Flood risk

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 two dwellings on a 0.15 hectare area of land adjacent to Owls View, a 1.5 storey detached stone dwelling located on the edge of Milton-under-Wychwood. The land consists of an open area of grass paddock currently used for grazing horses. The land forms part of a relatively small area of open space between the villages of Milton-Under-Wychwood and Shipton-under-Wychwood. The existing pattern of development in the immediate area runs linear to Shipton Road and consists of mainly vernacular detached dwellings of a non-uniform design, although there is a row of more modern properties further along Shipton Road to the West of the site. The site faces an open area of front curtilage space belonging to a large dwelling known as Hoplands. Owls View marks the edge of the settlement on the Northern side of Shipton Road, although the built form of Milton-under-Wychwood continues up to Milton Service Station.
- 5.2 The development comprises of two, two storey detached dwellings of matching appearance in a uniform layout with associated landscaping and parking, set back slightly from the adjoining streetscene in Shipton Road. The existing stone wall adjoining Shipton Road would be largely retained with the exception of two small sections of wall which would be removed where vehicular access points are proposed. Two detached garages are located to the side, west elevation of each property.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.4 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. Paragraph 49 of the NPPF requires Councils to demonstrate a five year supply of housing, West Oxfordshire District Council claim to be able to demonstrate an adequate five year supply of housing therefore 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 where policies are considered to be consistent with the criteria of the NPPF.
- 5.5 The site is on the periphery of Milton-under-Wychwood and is an edge of village location. Milton-under-Wychwood is classed as a medium sized village within the existing Local Plan and any development is assessed in accordance with 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. Notwithstanding the location of site in its relationship with the built form of both Milton and Shipton, as well as the contribution of the open space to the immediate setting it is considered that the siting of two dwellings in the proposed position would represent a rounding off of the

settlement boundary of Milton-under-Wychwood. Officers consider that the location of site is sustainable in respect of its proximity to a range of services, facilities and bus links in both Milton and Shipton.

- 5.6 Policy H2 of the emerging Local Plan permits the development of edge of village sites where development is required to meet local housing need, however this must be consistent with the wider Policies of the existing and emerging Local Plan and the criteria outlined in section 3 of Policy H2 of the emerging Local Plan. Amongst the criteria of Section 3 it is considered necessary that development should: Avoid the coalescence or loss of identity of separate settlements; must form a logical compliment to the existing scale and pattern of development in the immediate area; and not involve the loss of an area of open space that makes an important contribution to the character or appearance of an area. The retention of open space within and adjoining settlements is similarly outlined within Policy BE4 of the exiting Local Plan which states that development will not be permitted where this land makes an important contribution to the distinctiveness of a settlement or the visual amenity or character of a locality.
- 5.7 Referring to the issue of coalescence and the importance of the site as an open space, the site is part of a minimal area of open space between Milton-under-Wychwood and Shipton-under-Wychwood which is important in retaining the spatial definition between the villages and avoiding the settlements coalescing. The existing open space between the villages on the northern side of Shipton and Milton roads between the villages comprises of two fields between Owls View in Milton and Castle Bank a detached dwelling in Shipton, these sites have been historically undeveloped and previous applications for housing on this land have been refused by the Council. The land to the South of Shipton Road is developed up to Milton Service Station and a brook, which forms an informal boundary between Shipton and Milton. Officers consider that the development of two dwellings on the open space adjoining Owls View would erode the existing open space between the two settlements causing the settlements to spatially coalesce given the minimal scale of the existing open space.
- 5.8 Officers cite an appeal decision in 2008 relating to the erection of a single detached dwelling on land adjacent to Castle Bank in Shipton-under-Wychwood. The inspector in dismissing the appeal commented that the development would narrow the gap between the two villages, eroding the rural quality of the space and the proposals "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" Whilst the Owls View site is not within a designated conservation area the land provides the same function in maintaining the open space between the villages and similarly is important in maintaining the rural character of the villages. Officers also attribute weight to an appeal decision on land opposite the site within the curtilage of a detached dwelling known as Hoplands House. The proposed dwelling was incorporated to a greater degree within the built form of Milton-Under-Wychwood, however the loss of open space and the consolidation of the built form in this area was adjudged by the inspector in paragraph 8 of the appeal to materially amount to harm a would lead to the erosion of the distinctive gap between the two settlements. It is considered that the development of two properties at Owls View on a less contained area of open space would cause even greater harm to the settlement character. Officers consider that the development of two dwellings in a uniform layout on this land would lead to an urbanisation of an important open space contrary to existing Local Plan Policies BE4 and H6 and emerging Local Plan Policy H2.

Siting, Design and Form

- 5.9 The development comprises of two dwellings in a relatively uniform layout. Officers do not consider that the proposed layout of the dwellings is appropriate for a rural edge of village site and does not appear in keeping with the layout of the immediately neighbouring dwellings. The dwellings would be of a vernacular appearance in terms of design and would be constructed from traditional materials, namely natural stone and the general scale of the properties is considered to be proportional to the adjoining dwellings.
- 5.10 Both dwellings would be sited prominently in the streetscene along Shipton Road and officers consider that the siting of the dwellings would urbanise an area of open space, which provides an important contribution to the character of the immediate area. The openness of the site and adjoining land is considered to provide an important contribution to the rural character of the immediate area and how this is experienced along the streetscene of Shipton and Milton roads running between the two settlements. The dwellings would be sited at the entrance to the village of Milton-under-Wychwood and would appear highly prominent when entering the village. Although the dwellings are of a vernacular appearance officers do not feel that the compact layout of the development is consistent with the open, rural character of the space and does not relate to the immediate built form in this part of Shipton Road. It is considered that the erection of the two dwellings would be harmful to the settlement character of Milton. The development would not impact on the wider landscape of the Cotswolds AONB, however the impact on the rural character of the immediate setting is considered to be harmful and as such unacceptable.

Highway

- 5.11 Access to the dwellings would consist of two driveways joining Shipton Road, a 30mph section of road. Visibility is considered to be adequate in both directions and it is not considered that the access would compromise highway safety or amenity. Adequate quantities of parking are provided for both dwellings.

Residential Amenities

- 5.12 Officers do not considered that the siting of the dwellings would substantially impact on the amenity of the neighbouring properties. There are no properties to the rear of the site and Hoplands House to the front or Owls View to the side would not be substantially overlooked or overshadowed by the proposed properties.

Other Issues

- 5.13 The site itself is in flood zone 1 and the associated flood risk is considered to be low. The section of paddock, close to the adjoining brook is in flood zone 3 and is at a high risk of flooding although it is not considered that the proposed development would significantly exacerbate the existing flood risk.

Conclusion

- 5.14 The development as proposed would represent a rounding off of the settlement boundary in accordance with Policy H6 of the West Oxfordshire Local Plan and is considered to be a sustainable location in relation to its proximity to local services. It is considered however that

the erection of two dwellings would lead to the visible urbanisation of an open space which provides an important contribution to the character and setting of the immediate area and development would therefore be contrary to Existing Local Plan Policy BE4 and emerging Local Plan Policy H2.

- 5.15 Furthermore it is considered that the development would erode the small and defined gap between Milton-under-Wychwood and Shipton-under-Wychwood, leading to a spatial and visual coalescence of the two settlements contrary to existing Local Plan Policy BE4 and emerging Local Plan Policy H2 and is considered to have a detrimental impact on the character and appearance of the local area.

6 REASONS FOR REFUSAL

- 1 The development as proposed would lead to the urbanisation and loss of an area of open space on the edge of Milton-under-Wychwood which provides an important contribution to the character of the settlement. The proposed erection of two dwellings would significantly erode the small and defined gap between the settlements of Shipton-under-Wychwood and Milton-under-Wychwood and would lead to a spatial coalescence of the separate settlements contrary to Policy BE4 of the existing West Oxfordshire Local Plan and Policy H2 of the emerging West Oxfordshire Local Plan.
- 2 The development as proposed would be inconsistent with the rural character of the immediate area and existing built form in Shipton Road. The development would intensify the built form along Shipton Road and would fail to retain the sense of openness which provides an important contribution to the streetscene and settlement character of Milton-under-Wychwood. The development is considered to be contrary to existing Local Plan Policies BE2, NE1, NE3, NE4 and H2; Emerging Local Plan Policies OS2, OS4, EH1 and H2; and NPPF Paragraphs 58 and 115.

Application Number	I5/03680/FUL
Site Address	Land South of Anvil Cottage Horseshoe Lane Chadlington Oxfordshire
Date	18th December 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Chadlington
Grid Reference	432757 E 221838 N
Committee Date	4th January 2016

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 This application was deferred from the Uplands Planning Committee held on the 30th November 2015 at the request of members to allow for a site visit to be held on 30th December 2015.
- 5.2 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.
- 5.3 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.
- 5.4 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 historic planning permission 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.
- 5.5 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

Design, scale and siting of the development

Impact on the streetscene

Impact on the landscape and setting of the AONB

Neighbour amenity

Principle

- 5.6 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 claim to be 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.

- 5.7 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 development would not infill 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.
- 5.8 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 its boundary treatment. The adjoining agricultural field is distinctly within the open countryside and clearly outside the village boundary. The 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.
- 5.9 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.
- 5.10 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

- 5.11 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.
- 5.12 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.

- 5.13 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.
- 5.14 The design of the rear of the dwelling is more contemporary in appearance, 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.
- 5.15 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

- 5.16 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.
- 5.17 It is not considered that the proposed access onto Horseshoe Lane would be detrimental from a highway safety or amenity perspective.

Residential Amenities

- 5.18 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 not considered to be adversely overbearing and there is sufficient separation distance between the two properties.

- 5.19 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 an 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

- 5.20 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

- 5.21 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.
- 5.22 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.
- 5.23 As such the proposals are considered on balance to 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	I5/03730/FUL
Site Address	1 The Long Barn Oxford Road Old Chalford Chipping Norton Oxfordshire OX7 5QR
Date	18th December 2015
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Enstone
Grid Reference	434191 E 226786 N
Committee Date	4th January 2016

Application Details:

Erection of two storey detached office building with additional parking.

Applicant Details:

Empire Homes Ltd
The Long Barn
Oxford Road
Old Chalford
Chipping Norton
Oxfordshire
OX7 5QR

I CONSULTATIONS

- I.1 Parish Council No objections
- I.2 OCC Highways The application seeks the provision of additional office space together with the reduction in the number of parking spaces on the site. The proposal, if permitted, will generate approximately an additional 30 daily vehicular movements (15 in/15 out) from the access to the A44. Visibility and geometry at the access complies with standards.

Bus stops are located on the A44 adjacent to the access.

I cannot demonstrate severe harm that would warrant the refusal of planning permission on grounds of highway safety and convenience. Our records show 1 accident during the last 5yr period on the A44 along the site frontage in 2014 which did not involve turning movements at the access or involved circumstances that could be used as part of a refusal.

On both site visits I observed a number of empty parking spaces serviced from an access that complies with standards

1.3	WODC Rural Development	No Comment Received.
1.4	WODC Architect	I have no design objection or comments. If approving, condition materials & joinery
1.5	Ecologist	No Comment Received.
1.6	OCC Rights Of Way Field Officer	No Comment Received.
1.7	WODC Landscape And Forestry Officer	The TPO is an area order which covers quite an extensive expanse of land. Therefore, I have no objections to the loss of this particular larch tree. It would be beneficial to ensure the remaining young pine trees are strongly protected during the course of the construction works as if they survive works around them unscathed they have the potential to contribute to wider amenity in the longer term. A pre-commencement condition requiring submission and approval of tree protection details, together with pre-commencement erection of protective barriers should suffice.
1.8	WODC Drainage Engineers	<p>A detailed drainage plan incorporating all surface water drainage proposals must be submitted.</p> <p>An exceedance route plan must be submitted, showing the location/s at which the surface water would convey to if the surface water drainage system/s were to over capacitate and surcharge if flows were to exceed the 1 in 100 year + 30% CC storm event.</p>

2 REPRESENTATIONS

2.1 Two Letters of objection have been received these are summarised below:

The proposed office would increase vehicular traffic using the private road and junction with the A44. The junction is busy and suffers from limited visibility and the increase in traffic would compromise the safety of the bus stop.

The view to the Grade II listed barns from the public footpath would be obstructed by the proposed building and the increase in traffic would compromise the safety of users of the footpath.

The windows of the office would overlook the windows and gardens of Chalford Park Cottages.

The new build is out of character with the setting of the Grade II listed barns and would appear incongruous in its surroundings.

3 APPLICANT'S CASE

3.1 The applicants case is summarised below:

The proposed building would be distant from the listed buildings providing some enclosure and courtyard definition to the main car park area. The design of the building would be of a scale and form typical of traditional farm buildings and should complement the existing buildings and protect the setting of the listed barn. Interest is added with contemporary detailing of the elevations, giving the building a unique and interesting identity, whilst not compromising the setting of the listed barns. The proposals would allow for the expansion of existing business use on the site.

The existing access is suitable and the applicants are not aware of any accidents occurring in the previous 12 years on the A44 adjacent to the site.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
BE8 Development affecting the Setting of a Listed Building
E1NEW Land for employment
OS2NEW Locating development in the right places
OS4NEW High quality design
E2NEW Supporting the rural economy
E7 Existing Businesses

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 two storey office building on a small employment site known as Chalford Barns, located approximately 2.5 miles east of Chipping Norton. The existing site consists of two converted Grade II listed barns, which currently function as A2 financial and professional services office space.
- 5.2 The site of the proposed office would be within the parameters of the existing employment site and would be located north of the converted barns, adjacent to an area of parking serving the existing offices. The area to the north of the site consists of open countryside; four dwellings are located to the east of the site. The site is located outside the boundaries of the Cotswolds AONB. Access is currently obtained via an access road serving the office development; this joins the A44 at the site entrance, this road also functions as a public right of way.
- 5.3 The proposed office building would be developed in connection with the expansion of existing businesses on the Chalford Park site. It is proposed that Empire Homes, the applicants who are currently based in the Grade II listed barn opposite the site would relocate to the new building, allowing the other tenants of the barn to occupy the vacated space in the building.
- 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
Highway safety, amenity and parking
Impact on the setting of the Grade II listed buildings
Landscape and Visual Impact

Principle

- 5.5 Policy E3 of the existing Local Plan outlines the Councils locational strategy for the development of new single use employment space. Development of single use office space of a consummate scale is permitted within or next to settlements listed within groups B or C of the Local Plan. Development elsewhere is restricted to workspace ancillary to residential accommodation or where development is required to secure the diversification of a rural enterprise. The site proposed is located some distance from the nearest settlement of Chipping Norton and is considered to be within the open countryside. The proposals represent neither ancillary space to a residential dwelling or part of a rural diversification scheme. Exceptions are made however within Policy E7 of the existing Local Plan, which allows for the expansion of existing established businesses adjoining or adjacent to existing premises where this is commensurate with the scale and character of the locality.
- 5.6 NPPF paragraph 28 supports the sustainable growth and expansion of businesses through the conversion of existing buildings and the construction of well-designed new buildings. Paragraph 25 additionally makes clear that the sequential 'town centre first' test usually to new office development should not be applied to small scale rural offices. 5.2.2 The proposed development is relatively small scale and is connection with the expansion of an existing business on the site. The emerging Local Plan outlines in general a sequential approach to office development, which stipulates that the majority of new development should be concentrated within or adjacent to the major settlements or rural areas. Similarly to the existing Local Plan there is however provision for the expansion of existing employment sites through new buildings which are commensurate with the character of the area, this is outlined in Policy E1.
- 5.7 The establishment of the site for commercial purposes has occurred as a result of a change of use planning application to convert the Grade II listed barns to office space. This has constrained the ability of the existing businesses on site to expand as any substantial extension to the listed barns is likely to result in harm or less than substantial harm to the historic character of the buildings and would contrary to Local Plan Policy BE7. It is therefore considered preferable that the expansion of the existing businesses is achieved through the construction of new build office space.

Siting, Design and Form

- 5.8 The proposed office would be of a traditional rural design and is considered to be in keeping with the local vernacular including the neighbouring listed barns. The development would be constructed from stone materials with timber cladding, which is considered appropriate for the setting. The overall scale is considered to be appropriate and commensurate with the neighbouring buildings on the site and would not be overbearing. Although adjacent to an area of open countryside to the rear it is not considered that the development would have a significantly negative visual impact. The building would be sited where it would assimilate with the existing built form and views of the building would be partially screened by boundary trees.

- 5.9 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. The development proposed would be located in the setting of two large 18th Century Grade II listed stone barns. The proposed office would be reasonably offset from both barns and would be sited 30 metres from the opposite Long Barn and 15 metres from the Great Barn sited diagonally in relation to the proposed building. It is considered that the separation distance and position of the barn as well as the scale and design of the building would not harm the setting of either listed barn. The proposed form and siting of the barn would ensure views to both listed buildings are retained from the adjoining public right of way.

Highway

- 5.10 The proposed development would be accessed by the existing approved access road adjoining the A44 onto a 60 mph section of road. Visibility splays are considered adequate in both directions. The existing access is wide, clearly signposted and well visible to road users. The width of the existing access is sufficient to allow vehicles to build up speed before exiting onto the A44. The suitability of the access to the site has been assessed by Oxfordshire County Highways who have raised no objections. The proposed development would bring about approximately 30 additional vehicular movements a day, as the proposed access is considered to be of an appropriate standard it is not considered that this would compromise highway safety or security.
- 5.11 Officers consider that the existing parking and three spaces proposed would be adequate to serve the existing and proposed office space; several empty parking spaces were observed on the two visits made to the site. It is additionally noted that the site is served by a bus stop with regular services to Oxford and Chipping Norton.

Residential Amenities

- 5.12 The site is relatively remote and it is not reasonably be considered that the proposals are likely to have any substantial negative amenity impacts. The nearest dwellings, Chalford Farm Cottages are located over 60 metres from the proposed office and would not be substantially overlooked.

Other Issues

- 5.13 The existing tree group on the site is currently subject of a blanket TPO. It is proposed that a single tree would be removed to allow for the erection of the building. The TPO is in place due to the collective value of the tree group, rather than the individual value of the trees, it is not considered that the removal of the single tree would substantially affect the immediate setting. A condition would be attached to ensure that the remaining trees on the site are retained.

Conclusion

- 5.14 The development as proposed would be in connection with the expansion of existing employment use on the Chalford Barns site and the principle of development is considered to be consistent with the provisions of existing Local Plan Policy E7 and emerging Local Plan Policy EI. The development is considered to be of a scale commensurate with the setting of the neighbouring listed buildings, and the scale, siting and design of the buildings would not harm the

setting of the Grade II listed barns and would compromise the amenity of any of the neighbouring properties.

- 5.15 The proposals are considered acceptable and compliant with Existing Local Plan Policies BE2, BE3, BE8, NE1 and E7; Emerging Local Plan Policies OSI, OS4 and E1; along with the relevant 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 of the building; shall be constructed with stone and clad with timber; a sample of stone and timber 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.
- 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 car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before first use 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.
- 6 Prior to the first use of the building a Travel Plan Statement will be submitted and shall be approved in writing by the Local Planning Authority.
REASON: In the interests of highway amenity and to encourage the use of sustainable transport.
- 7 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained 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.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, all trees; on the land not shown to be affected by building operations, shall be retained until 3 years from the completion of the development and any trees which die, are removed or become seriously damaged or diseased within that period shall be replaced in the next planting season with others of a similar species.
REASON: To safeguard features that contribute to the character and landscape of the area.
- 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. 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.
- 10 The premises shall be used for Class A2 use; and for no other purpose (including any other purpose in Class A; of the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: The site is only suitable for the use specified because of the special circumstances of the site.

Application Number	I5/03734/FUL
Site Address	Bull Hill Bungalow Bull Hill Chadlington Chipping Norton Oxfordshire OX7 3ND
Date	18th December 2015
Officer	Joanna Lishman
Officer Recommendations	Refuse
Parish	Chadlington
Grid Reference	432671 E 221929 N
Committee Date	4th January 2016

Application Details:

Demolition of existing dwelling and outbuildings and erection of new dwelling and detached garage (amended)

Applicant Details:

Mr & Mrs H Goodman
Bull Hill Bungalow,
Bull Hill
Chadlington
Oxfordshire
OX7 3ND

I CONSULTATIONS

- I.1 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.
- I.2 WODC Architect By comparison with the bungalow it replaces, and the bungalow to the southwest, it is tall, spreading and voluminous.

The form is extremely fussy, with many different elements.

There is a considerable area of glazing - particularly to the northwest elevation, where there would be concerns about the building glinting in the afternoon sun, in long views across the fairly open landscape.
- I.3 WODC Drainage Engineers No objection - surface water drainage condition.
- I.4 Parish Council There was considerable concern amongst Councillors about the garage aspect of this application. Namely that the proposed re-location of garaging would butt right against the pavement at the narrowest part of Bull Hill.

This area has already been causing concern to Councillors due to pavement parking making the road even narrower and blocking passage to a wheelchair user coming up from Brook End.

Speeding is also an issue which has been raised with both OCC and the police who recently conducted a speeding test and found Chadlington to have a serious issue with speeding, far high than most other villages in Oxfordshire. There have also been several car accidents with parked vehicles contributing to somewhat of a blind spot and a dog was also injured at this exact location

To permit ingress and egress for cars at this junction is felt to increase the potential for pavement and traffic blockage, and the potential for accidents continues to be a concern.

The Councillors were also very keen to ensure that there is no narrowing of the pavement as a result of this development and the proposed removal of the hedge.

Finally, concern was expressed about the frontage of the development is it will not be in line with the other houses above on Bull Hill. There would not be a restriction of the public's access to Bull Hill. However by abutting the south gable of the garage immediately on the applicants side of the wall tends to upset the line of sight of the property.

- 1.5 WODC Landscape And Forestry Officer No Comment Received.
- 1.6 OCC Ecologist No Comment Received.

2 REPRESENTATIONS

No third party representations received.

3 APPLICANT'S CASE

3.1 Transfer of land to adjoining neighbour, adjacent to proposed garage:

1. The intention of this transfer isn't simply to improve pedestrian access on the pavement, on which the neighbour usually parks their Mini (in front of Bull Hill Bungalow) but also to improve vehicular access for Mrs Hoffman across the road, for whom access to her property is impeded by the parking of that car opposite her drive entrance (and any visitors to Bull Hill Bungalow as well!). She maintains that at least twice a year her front wall is knocked down, which then has to be rebuilt. It's clearly quite a contentious issue!
2. This transfer of land, is also intended to improve traffic access for passing farm and other delivery vehicles, who apparently have to ask regularly for vehicles parked at that point to be moved. Our intention is to ensure that no vehicles need to be parked on the road at that point - at least, certainly not ours, nor our neighbour's - because we will be able to

park on our property, in the courtyard we are hoping to create, and the neighbours similarly on their own property.

- 3.2 It is considered that the principle of a new dwelling in this location is wholly acceptable in policy terms and represents the redevelopment of a brownfield site for a high quality and sustainable new dwelling.
- 3.3 By virtue of its simple vernacular form, design and siting it will assimilate in to its setting and would not erode the character and appearance of the surrounding area. On the contrary it will make a positive contribution to the street scene and will be an enhancement to the character of this part of Bull Hill.
- 3.4 Its internal arrangement will provide the occupiers with a very good standard of living accommodation and ample external space for day-to-day activities without adversely affecting the residential amenities enjoyed by the occupiers of the adjoining dwellings.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H2 General residential development standards

NE4 Cotswolds Area of Outstanding Natural Beauty

OS4NEW High quality design

H6NEW Existing housing

EHI NEW Landscape character

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

5 PLANNING ASSESSMENT

- 5.1 The application has been brought to Committee as the officer recommendation is to refuse. The Parish Council have not objected to the application, albeit they have raised some concerns.
- 5.2 The applicant seeks planning permission for the erection of a replacement dwelling and detached garage.
- 5.3 The proposed design of the replacement dwelling includes 3-bedrooms at first floor, a guest bedroom at ground floor with separate external access, a studio with large TV room above and a detached 3-bay garage adjacent to the highway.

Background Information

- 5.4 There is no planning history of relevance. Pre-application advice has been sought this year for the erection of two additional dwellings on the site and the principle of a replacement dwelling.
- 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

Siting, Design and Form

Impact upon the character and appearance of the street scene and the AONB
Residential Amenity
Ecology
Parking and Highways
Landscaping

Principle

- 5.6 The principle of the erection of a replacement dwelling in this location is controlled by Policy H2 of the West Oxfordshire Local Plan 2011 with weight given to the emerging Local Plan 2031 Policy H6. These policies allow for the provision of replacement dwellings on a one for one basis. As the development proposes a single dwelling, officers consider that the principle is acceptable.

Siting, Design and Form

- 5.7 The existing dwelling is a chalet bungalow with a simple design and form. The properties in the vicinity are also relatively modest in terms of their scale and massing. A bungalow is located opposite, a chalet bungalow perpendicular to the road lies to the west and to the east, row of traditional terrace cottages.
- 5.8 The application proposes a materially larger dwelling on the plot with an increase in floor area of approximately 199 square metres (ground floor only). The existing floor area of the chalet bungalow is 120.96sq.m. The existing dwelling is between 5 and 6 metres in height (no scaled plans have been provided) with the proposed dwelling having a ridge height of 7 metres. Whilst it is noted the existing dwelling is of little architectural merit and the principle of replacing the existing dwelling would have the opportunity to enhance the street scene, officers consider that this significantly larger footprint across the width of the site together with the increased ridge height and the relationship of the dwelling with the boundaries of the site, would result in the dwelling appearing visually incongruous in the streetscene when compared to the general character and visual appearance of the area.
- 5.9 The applicant has argued that the 'original bungalow' could be subject to a greater floor area, with extensions built under permitted development rights. It has been asked to consider this as a reason for the larger scale of proposed dwelling. Officers consider the relative scale of the proposed dwelling in relation to the existing dwelling as constructed forms the basis for consideration of this application. The existing outbuildings have not been added to the cumulative footprint as these do not appear to have been used as any form of habitable accommodation.

Impact upon the character and appearance of the street scene and the Cotswold AONB

- 5.10 Officers consider that the scale of the dwelling located in a prominent and elevated position on Bull Hill would be visible in the wider AONB and harmful to its character and scenic beauty. The rear of the plot is open to agricultural land and the development would be visible from the Public Right of Way to the west and from Cross's Lane. The excessive use of glazing, much floor to ceiling and within the roof together with the projecting balconies, has been reduced and the larger balcony omitted, however officers maintain that the scale of the proposed dwelling, compared with the existing dwelling and those dwellings in the vicinity, together with its appearance in the context of the wider AONB would be visually harmful.

- 5.11 The 3-bay garage building is located adjacent to the highway, introducing development to an area of the site where it has not existed before. The Parish Council has expressed their concern at bringing development closer to the highway and further narrowing the visual gap between the buildings opposite. Officers agree that the proposed garage would be located in an awkward position, forward of the existing building line created by the terrace properties.

Residential Amenities

- 5.12 In terms of amenity impact the proposed siting in conjunction with the two rear facing balcony features and the north-east facing first floor window serving bedroom 3 would be harmful to the amenities of the occupiers of neighbouring residences by way of overlooking. It is appreciated that bedroom 3 window would be 20m from the boundary, however it is still directly facing the most private sitting out area of Eden Cottage.
- 5.13 The garage is located close to Eden Cottage in front of secondary windows. Officers do not consider this element to be harmful to residential amenity.

Ecology

- 5.14 A bat survey was submitted with the application. No evidence of bats has been found.

Parking and Highways

- 5.15 OCC Highways raise no objection to the scheme.
- 5.16 It is noted that the scheme would benefit the adjacent property by way of the provision of a strip of additional land adjacent to the garage to widen the access to this property.

Landscaping

- 5.17 There are a number of trees on the site and an arboricultural report has been provided. The report concludes that the size and location of the trees to be retained means that they will not be a constraint to the proposed re-development of the site.
- 5.18 The upgraded access would retain the copper beach tree and silver birch to the front of the property.
- 5.19 In pre-application advice relating to the development of two additional dwelling, officers confirmed that there would be the opportunity to greatly enhance the interface of the site with the open countryside beyond, and significant new planting was recommended. It was suggested a native species hedge and the planting of trees to the rear would off-set the loss of existing planting where the dwellings were proposed, reducing potential impact on the character of the AONB. The same advice applies to this scheme and yet a landscaping scheme has not been included with the application. The Design and Access Statement states that this will be carried out by the applicant as part of an overarching redevelopment of the site.

Conclusion

- 5.20 On balance, having assessed the design, scale, form and massing of the proposal, the amenity issues, and impact on the streetscene and wider AONB, the proposal is considered to be contrary to the West Oxfordshire Local Plan 2011 Policies BE2, H2 and NE4, and emerging Local Plan 2031 Policies H6, OS4 and EH1 and the provisions of the NPPF.

6 REASONS FOR REFUSAL

- 1 The proposed development, due to its scale, massing, design and form, would result in a development which is materially larger and not of a reasonable scale relative to the existing property. The proposed garage introduces development adjacent to the highway, projecting forward of the existing building line along Bull Hill. As such the dwelling and garage are considered visually incongruous to the detriment of the character of the street scene and pattern of development. As such, the proposal is contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 and Policy H6 of the emerging Local Plan 2031.
- 2 The proposed siting in conjunction with the rear facing inverted dormer balcony and north-east facing first floor window would be harmful to the amenities of the occupiers of neighbouring residences by way of overlooking, contrary to Policies BE2 and H2 of the West Oxfordshire Local Plan 2011, and guidance contained within the NPPF.
- 3 The proposed dwelling, due to its scale, design (including excessive amount of glazing) and its elevated position on Bull Hill, would appear visually prominent within the Cotswolds Area of Outstanding Natural Beauty. As such the proposal would be of detriment to the character and scenic beauty of the Cotswolds AONB contrary to Policies BE2, NE4 and H2 of the West Oxfordshire Local Plan 2011 and Policy EH1 of the emerging Local Plan 2031.