

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 29th March 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	
15/04215/FUL	Land East Of Farley Corner, Farley Lane, Stonesfield	3
16/00233/FUL	18 Sandford Park, Charlbury	14
16/00271/FUL	Woodstock Lodge, Blenheim Park, Woodstock	25
16/00272/LBC	Woodstock Lodge, Blenheim Park, Woodstock	35
16/00328/FUL	Land East Of Tyne Lodge, Brook Lane, Stonesfield	38
16/00490/FUL	St Hugh Of Lincoln Hensington Road, Woodstock	43
16/00410/FUL	North Oxford Garage Ltd, Main Road, Long Hanborough	48
16/00419/S73	Chipping Norton Baptist Church, New Street, Chipping Norton	52

Application Number	I5/04215/FUL
Site Address	Land East Of Farley Corner Farley Lane Stonesfield Oxfordshire
Date	16th March 2016
Officer	Abby Fettes
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stonesfield Parish Council
Grid Reference	439507 E 217785 N
Committee Date	29th March 2016

Application Details:

Erection of 13 dwellings, associated access and landscaping, and change of use of land to the north to form a burial ground.

Applicant Details:

Empire Homes
C/o Agent

I CONSULTATIONS

I.1 Parish Council
Councillors are broadly in support of this application. The offer to provide the parish with land for a cemetery would be accepted by Parish Council. Council has been unsuccessful in attempts over many years to secure a plot of land for this purpose despite approaching all local land owners. Councillors and residents also note that the developer has taken a very consultative approach to drafting this application. It is viewed as an attractive development. Councillors do however remain concerned about the proposed access points to the development. This comes off a Lane that is a mixed industrial/residential area and is always congested with parked cars. Furthermore occasional visits by HGVs with supplies also use the same Lane. Councillors would like to suggest that access from the Ridings or from adjacent to Wootton End would be preferable.

I.2 One Voice Consultations
Highways
Object
It is clear that a development of this size and nature in this location will not have a significant adverse impact on the capacity of the surrounding transport network. However, the proposals are considered to be unclear or deficient on transport and highways grounds for a number of reasons. Further info required.
Request Section 106 contribution of £1,000 per residential dwelling towards the cost of additional bus services to/from Stonesfield.
Section 278 arrangement for the construction of a footway along The Fairway between Farley Lane and the bus stops at Stonesfield green.
Archaeology
No objection

		Education No objection subject to contributions to Primary, Secondary and Special Needs education Property £991 towards library stock
I.3	WODC - Arts	No Comment Received.
I.4	Wildlife Trust	No Comment Received.
I.5	Ecologist	No objection subject to conditions
I.6	WODC Architect	No Comment Received.
I.7	WODC Drainage Engineers	No Comment Received.
I.8	Environment Agency	This planning application falls outside our remit as a statutory planning consultee and we do not wish to be consulted on it.
I.9	WODC Env Services – Car Parking	No Comment Received.
I.10	WODC Env Health – Uplands	No Comment Received.
I.11	WODC Head Of Housing	Having had the opportunity to review this planning application, I can confirm that there are 65+ households on the Council's waiting list who would qualify for affordable housing in Stonesfield, were it available today. The majority of these would require smaller homes. Of the overall figure, 7 households have a local connection to the village. Due to the not inconsiderable demand, it is reasonable for the Council to seek a contribution towards affordable housing either on site, or if an appropriate developer viability assessment is submitted, by way of a financial contribution in lieu.
I.12	WODC Landscape And Forestry Officer	No Comment Received.
I.13	WODC Legal And Estates	No Comment Received.
I.14	WODC Planning Policy Manager	No Comment Received.
I.15	WODC - Sports	No Comment Received.
I.16	Thames Water	Waste Comments Thames Water would advise that with regard to sewerage

infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

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

- 1.17 WODC Env Services – No Comment Received.
Waste Officer

2 REPRESENTATIONS

- 2.1 Six objections received on the following grounds:

Highways

The present proposed access to this site is in my opinion the worst possible.

The entry should be opposite Wooton End with an internal access road to the second part of the development Farley Lane is frequented daily by horse riders, delivery vehicles including large HGVs and vehicles going to Bishops Meadow and the farm/industrial buildings at the far end of the lane.

The number and size of the proposed houses will result in at least 26 extra vehicles using entrances to a narrow part of the lane as there are current residents cars parked at kerbside all down the lane object to the 2 proposed access roads into the estate. It would be better to have one road in opposite Wooton End or if this is unacceptable, one road in opposite Bishops Meadow. There is much daily traffic on Farley Lane: delivery vans of all sorts, private cars, horse-boxes, tractors and other farm vehicles, delivery lorries bringing/collecting classic cars from the garage next to Witney Welding, 18 tonne long wheelbase lorries back up the lane to deliver long steel girders to Witney Welding, motor-bikes, bicycles, walkers, dog-walkers, horses and riders, ambulances and all the traffic associated with NCCBR.

In addition, cars are parked outside on the road between No's 18 and 8, often remaining all day. Cars & vans also use the lane to turn round, having lost their way.

It really is essential for the builder to run some traffic surveys over at least 2 weekdays to discover what comes up and down Farley Lane. Has this been done?

If the estate goes ahead with the proposed access roads, opposite nos 8 and 16 Farley Lane, there will be road traffic accidents. Some accidents could be complex because of all the animals that use the lane. Please reconsider access to the estate.

Although we feel the developer, has taken into account, some of the concerns raised by the residents of Farley Lane, regarding this proposed development, we still have strong objections to the two proposed access roads, into this development.

As stated by Oxfordshire County Council, the existing transport and highways infrastructure is unsuitable for the vehicle traffic volume generated by such a development of large residential dwellings.

Policy

- 2.2 The SHLAA site assessment summary references 10 homes within a 0-5 year time period. The proposal now stands at 13. It does not seem unreasonable to suggest that 13 is too many for the area of land available and suggest that the application be reviewed more in line with the SHLAA site assessment summary.

The location is a Greenfield site in open rural countryside within the Cotswolds Area of Outstanding Natural Beauty which is not compliant with adopted policy H6 which would allow rounding off and infilling of allocated brown field sites within a built up area.

Residential development at this location will be visible to the public from the northern and western aspects of the village. Given the close proximity to a Public Bridle way this number of dwellings and associated vehicle traffic will have a significant impact on the local community, reducing safe recreational opportunities, particularly for families and young children.

Landscape

- 2.3 I would like to object to the loss of small fields and grazing which this application gives rise to, and ask that consideration be given to the currently approved WODC Local Plan 2011 Environment reference Clause 3.36 and 3.4 which applies to open spaces and green spaces which include paddocks and informally grazed small fields, when it debates its response to the application.

In such a rural village, small fields used for grazing, are a valuable visual amenity and contribute greatly to the general character of a neighbourhood to quote the local plan. There is an increasing loss of small areas of grazing in Stonesfield.

Although the site is within the SHLAA allocation area, the plan for 13 dwellings is not compliant with frontage allocation and appears crowded, with material and form not in keeping with existing neighbouring residential developments.

Cemetery

- 2.4 The revised turning detail for the burial site is an improvement with the 5 parking spaces. However this is hardly adequate when often many people travel a distance to burials in Stonesfield.

Parking in a muddy field or in a single track lane is hardly adequate.

Surely an area adjacent the burial ground must be provided for adequate car parking for the maximum mourners not just for a very small funeral

Two letters of general comments have been received on following matters:

- 2.5 I note that it is proposed that plots 12 and 13 will have front doors leading out onto Farley Lane and directly opposite the entrance to Bishops Meadow. Whilst I understand that off-street parking will be provided at the backs of the houses, we are concerned that anyone visiting them, will park outside the front of the houses (on Farley Lane) which will make it difficult or even impossible to access our road.

We would be grateful if this could also be communicated to the developers and we could have assurances that no site traffic will access our road or use it to turn.

As a private road, use access and parking is only for the residents of Bishops Meadow.

- 2.6 Three letters supporting proposal has been received (including one from the landowner) on following grounds:

Whilst we are broadly in support of the small proposed development, as this will help potentially with ongoing viability of both the school and other local amenities/shops we have some concerns regarding access, especially if this was sited adjacent to Wootton End as suggested by the Parish Council.

Our intention is to retain 4 properties for family occupation and will construct as self build. What we are trying to achieve is what Mr Cameron and the government are wanting for young families.

They will move out of affordable homes and rented accommodation and be home owners. We would be contributing towards affordable housing by freeing up the housing association properties they live in.

My grandchildren would go to the local school and they will be able to enjoy the village amenities.

The parish council support the scheme.

The policy team are stalling the development.

It is the responsibility of the District Council to look at all these matters as a whole.

3 APPLICANT'S CASE

3.1 The following documents have been submitted in support of the application and can be viewed online:

Planning Statement

Ecology Report

Landscape and Visual Impact Assessment

3.2 The Planning statement is concluded as follows:

Having regard to the above, it has been demonstrated that the proposed development accords with the NPPF, development plan and other material considerations. Further the proposed development will meet an identified housing need within Stonesfield and deliver sustainable development within West Oxfordshire.

4 PLANNING POLICIES

BE1 Environmental and Community Infrastructure.

BE2 General Development Standards

BE3 Provision for Movement and Parking

H6 Medium-sized villages

H11 Affordable housing on allocated and previously unidentified sites

NE4 Cotswolds Area of Outstanding Natural Beauty

NE13 Biodiversity Conservation

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H3NEW Affordable Housing

EH1NEW Landscape character

EH2NEW Biodiversity

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks consent for 13 dwellings on a site to the north of Stonesfield, fronting Farley Lane. There is a dwelling to the west and farm buildings to the east, with open countryside to the north. The site is within the Cotswolds AONB. The application was deferred from 29th February committee for further information on the scheme viability. Members will also undertake a site visit prior to the next meeting.
- 5.2 The scheme will provide 1 no. two bed dwelling, 2 no. three bed dwellings and 10 no. four and 5 bed dwellings with associated parking and gardens, accessed from Farley Lane, arranged in two cul-de-sacs. It will also make provision for a cemetery accessed from the Ridings to the north of this site.
- 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
 - Siting, design and form
 - Highways
 - Residential amenity
 - SI06 heads of terms
- Principle
- 5.4 In terms of the District's settlement hierarchy, Stonesfield is identified as a 'medium-sized village' in the adopted West Oxfordshire Local Plan 2011 and a 'village' in the emerging Local Plan 2031. The Council's assessment of settlement sustainability shows Stonesfield as having a reasonable range of services and facilities, including a primary school, a library, public house, post office and shop. It is not, however, on or close to a main road and has limited local employment opportunities.
- 5.5 The most relevant adopted housing policy is WOLP 2011 Policy H6 which allows for residential development on the basis of infilling and rounding off of unallocated brownfield sites within the built-up area and conversion of existing buildings. As this proposal is on a greenfield site it does not comply with the definition of infilling and rounding off and is contrary to policy. However, whilst the application does not fulfil the criteria of adopted Policy H6, it is accepted that this policy is more restrictive than the NPPF which post-dates it. The Council has publicly stated that in order to meet its housing targets some development will be needed on greenfield sites. This is reflected in Policy OS2 and Policy H2 of the submission draft Local Plan 2031. Under draft Policy OS2 villages such as Stonesfield are identified as being suitable for limited development which respects character and local distinctiveness and would help to maintain the vitality of the community. Under draft Policy H2 development on greenfield sites within or adjoining the built up area will be permitted subject to compliance with various criteria.
- 5.6 The strategy of the draft local plan looks to deliver about 800 new homes in the Burford-Charlbury Sub- Area (2011-2031) - Policy BCI applies. The first hearing sessions into the submission draft Local Plan 2031, dealing with strategic matters including housing numbers, were held in November 2015. The Inspector's preliminary findings were published in December. Whilst these indicate that the draft housing requirement will be increased, at this point in time it is not known by how much. The Inspector suggests that the housing requirement is likely to be between 525 - 660 homes per annum but that further work would be needed to determine the

final requirement and thus provide further clarity with regard to the 5-year housing land supply situation.

- 5.7 In the meantime, considering this proposal against a more 'relaxed' adopted Policy H6 and the draft Policies OS2 and H2, indicates that the principle of residential development at Stonesfield is acceptable in general terms. The site has been identified in the SHLAA as suitable for a frontage development of up to 10 dwellings.
- 5.8 Both the adopted and emerging plan policies trigger an on-site requirement for affordable housing however none has been provided. No evidence was initially provided to suggest this cannot or should not be included as part of the proposal, but some viability information has recently been submitted. Officers have assessed this information and more information is available in the Heads of Terms section of the report. The lack of onsite provision is considered contrary to local plan policies H11 of the adopted plan and H3 of the emerging plan, but in that the developer has provided alternative benefits by way of the cemetery and monies to accord with the emerging policy, it is considered that in this instance (and exceptionally) that not providing on site affordable housing is acceptable.
- 5.9 The site is within the Cotswold AONB and is identified as Open Limestone Wolds in the West Oxfordshire Landscape Assessment. Officers consider that the scheme has been designed to have a minimal impact on the landscape, as demonstrated by the Landscape and Visual Impact Assessment. The existing hedgerow that runs north to south across the site has been incorporated into the design. The development will be viewed against a backdrop of existing development from the open countryside. Your officers consider it is in accordance with NE3, NE4 of the adopted plan and EH1 of the emerging plan.
- 5.10 An ecology report was submitted with the application and the consultee has concluded that the proposal will not adversely impact on biodiversity, subject to condition. The proposal is therefore considered to accord with adopted plan policy NE13 and emerging policy EH2.

Siting, Design and Form

- 5.11 The proposed dwellings are traditional vernacular forms, two storey dwellings, predominantly detached other than a terrace fronting Farley Lane, each with adequate amenity space. Four properties are to be retained for the landowners are to the west of the site accessed off a private drive.
- 5.12 The houses are considered to be in character with surrounding development and the local area, in terms of their design and materials. They are considered to be appropriately sited, although officers did consider that the scheme would be improved having only one access onto Farley Lane, the proposal does ensure the retention of the hedgerow that bisects the site.
- 5.13 On this basis the proposal is considered to accord with BE2 and H2 of the Local plan and OS4 of the emerging plan.

Highways

- 5.14 UPDATED: The site will be accessed from Farley Lane. Each plot has adequate parking and turning space within the site. In addition, five parking spaces have been shown adjacent to the

cemetery. The Highway Authority have identified several concerns but it is likely that these can be overcome by the conditions attached to the recommendation below, and through the S278.

Residential Amenities

- 5.15 The proposals are opposite houses fronting Farley Lane but it is not considered that the residential amenities of existing residents will be detrimentally affected. There will be additional car movements but it is not considered so harmful to justify a reason for refusal on such grounds. It is not considered that the dwellings will result in unacceptable levels of overlooking. The proposal is considered to accord with adopted and emerging local plan policies.

SI06 Heads of Terms

- 5.16 **UPDATED:** Following the last committee meeting additional independent work has been undertaken to assess the viability of the scheme in relation to the provision of an affordable housing contribution in addition to the cemetery land offered to the Parish Council.
- 5.17 The County Council have confirmed that they will not be seeking education contributions due to CIL 123 restrictions on pooling contributions. They are still seeking a Section 106 contribution of £1,000 per residential dwelling towards the cost of additional bus services to/from Stonesfield, and £991.60 towards Library book stock for Stonesfield.
- 5.18 The applicant has increased their offer from £50,000 to £100,000 towards off site affordable housing, and continues to offer the land for the cemetery and £20,000 to the Parish Council for future maintenance of the cemetery. The Parish have indicated that they are happy with this offer.
- 5.19 Having robustly assessed the viability provided by the applicant, Officers are now satisfied that the contribution is commensurate with the land value, build costs and value of the scheme as a whole, and it is now considered to be in accordance with policy BE1 of the Adopted plan and OS5 of the Emerging Plan and the affordable housing policies.

Conclusion

- 5.20 The proposal is broadly in accordance with Local Plan policy and the NPPF, and is therefore recommended for conditional approval subject to a legal agreement to secure the heads of terms as set out above, and to the resolution of the outstanding Highways issues.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with

or without modification), no extensions or outbuildings, other than those expressly authorised by this permission, shall be erected.

REASON: Control is needed to protect the character of the AONB and residential amenity.

- 4 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 5 The external walls shall be constructed with a form of artificial stone that will best match the colour, texture and method of laying of the natural stone to be found in the locality. A sample of such artificial stone shall be submitted to and approved in writing by the Local Planning Authority before any such material is used on site.
REASON: To safeguard the character and appearance of the area.
- 6 The walls of the proposed building shall be laid and pointed with 'bagged' joints unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that a traditional practice of the area is carried out in the interests of the finished appearance of the building.
- 7 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.
- 8 Bat and bird boxes shall be installed in accordance with details including phasing that have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard and enhance biodiversity.
- 9 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24mbs). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
NB Council will be able to advise developers of known network operators in the area.
REASON: In the interest of improving connectivity in the District.
- 10 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 planting of trees and shrubs; 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.

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

REASON: To ensure a safe and adequate access.

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

REASON: In the interests of road safety.

- 13 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety

- 14 The building shall not be occupied until the private road, parking and manoeuvring areas shown on the have been drained, constructed and surfaced in accordance with a detailed plan and specification that has been first submitted to and approved in writing by the Local Planning Authority. Those areas shall be retained thereafter and shall not be used for any purposes other than for the parking and manoeuvring of vehicles.

REASON: To ensure that a usable parking area is provided and retained.

- 15 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

- 16 Prior to the commencement of the development a detailed scaled plan showing dimensioned provision of car parking spaces to be provided within the site shall be submitted to and approved in writing by the local planning authority. Thereafter the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details prior to the first occupation of the development. The parking spaces shall be retained unobstructed except for the parking of vehicles associated with the development.

REASON: In the interest of highway safety and provision of adequate parking facilities.

- 17 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates;
- Discharge Volumes;

- Maintenance and management of SUDS features;
- Sizing of features - attenuation volume;
- Infiltration in accordance with BRE365;
- Detailed drainage layout;
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy);
- Network drainage calculations.

REASON: In the interest of sustainable drainage.

- 18 A travel information pack should be produced and approved by the Oxfordshire County Council Travel Plans team. The Travel Information Pack should be placed in each dwelling prior to first occupation.

REASON: In the interest of sustainable travel.

- 19 Before any works begin on site A Ten Year Ecological and Landscape Management Plan based on all the recommendations in sections 5 of Ecology Survey Report (November 2015 Windrush ecology) (as illustrated on the Layout site plan) must be submitted for approval to the LPA. The management plan will identify who will have overall retained management of all of the trees & hedgerows on site. Once approved all the works must be carried out as per approved detailed 10 year management plan and there after permanently maintained.

REASON: To ensure that Bats, Birds, and their Habitats as well as Priority habitats Species rich Hedgerows are protected in accordance with The Conservation of Habitats and Species Regulations 2010 and Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

NOTES TO APPLICANT

- 1 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.
- 2 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 off-set the frontage owners' 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. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.
Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular accesses under S278 of the Highway Act.
Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

Application Number	I6/00233/FUL
Site Address	18 Sandford Park Charlbury Chipping Norton Oxfordshire OX7 3TH
Date	16th March 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Charlbury Parish Council
Grid Reference	436131 E 219346 N
Committee Date	29th March 2016

Application Details:

New dwelling adjacent to 18 Sandford Park with new vehicle access

Applicant Details:

Ms B Gorton
18 Sandford Park
Charlbury
Oxfordshire
OX7 3TH

I CONSULTATIONS

- I.1 OCC Highways Vision from a central access would comply with standards. Pedestrian awareness vision (2 x 2m) should be provided given the pedestrian movements (inc children going to/from school).
- I.2 WODC Env Health – Uplands
1. The plans do not show the air extraction /ventilation system to the kitchens, bathrooms, en-suite, utility and Cloakroom/WC. I assume that this will be addressed at the building control stage.
 2. The open plan nature of the kitchen dining area may give rise to condensation and mould growth.
- I.3 WODC Drainage Engineers
- Soakaways should be designed to withstand a 1 in 30 year + 30 % cc event.
The surface water drainage for the site should be designed to withstand 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.
A safe access / egress to the site should be considered due to the susceptibility of The Slade to pluvial flooding.

- 1.4 Thames Water
- There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. 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.
- 1.5 Town Council
- We understand that there are restrictive covenants on this site which seek to preserve the open parkland nature of this site with low level dwellings interlinked and carefully spaced. The site is traffic free with a separate garage block.
- It is considered that the proposals is:
- Not of the same distinctive style as the rest of Sandford Park.
 - Breaking the open nature of the site.
 - Introducing an access onto The Slade which is unsafe in terms of sightlines and crossing a pedestrian route to the nearby primary school.
 - Introducing fencing to the front of the plot which is not in keeping with the remainder of the site.
- None of the above enhance the Conservation Area.
- There is an impact on the neighbouring properties in terms of:
- Overlooking and loss of privacy.
 - Visual impact of the mass of the building in terms of the north elevation. Render is not a feature on the estate.
 - Loss of light from overshadowing.
 - Loss of existing trees which provide screening and a wildlife habitat.
 - Loss of open views.
- Object to the application and ask that the views of neighbours be carefully considered.

2 REPRESENTATIONS

- 2.1 A total of 20 objections have been received in respect of this application. The main reasons for objection are summarised below:

The proposed new development is being built in a mid-20th century park development, designed by the architect Gerald Banks in an existing conservation area. At the time of building, similar dwellings built by the same architect in Horton-cum-Studley received a Ministry of Housing & Local Government, good design in housing award, in the category lower density schemes, for the southern region. Residents of Sandford Park may consider waiving enforcement of the restrictive covenant against the building of a new dwelling but only if the property is fully in keeping with the original character of the estate, in terms of design, height, open garden and aspect. They are currently seeking legal advice.

2.2 The proposed design is out of keeping with the other housing on the Sandford Park estate, for the following reasons:

- Out of character with Sandford Park Estate housing:
 - 2 stories not one split level like all other houses - excessive construction.
 - Steep roof in contrast to shallow roof design of Sandford Park.
 - Contrary to architect description the design is not in the modernist style and doesn't resemble any other house in Sandford Park.
 - Small vertical windows not in style with wide horizontal windows in the estate.
 - External render not used anywhere in the estate and out of character with the composite Cotswold stone.
 - The property is shown as being fenced off from Sandford Park which is out of character with the estate with houses facing inwards to the centre, not outwards to the road.
 - Rampway access to 2nd floor out of context with all other designs in Sandford Park
 - Circular stair extrusion not in keeping with an early modernist design.
 - Removal of windows from north aspect to 18 Sandford Park and the re-orientation of the house to exit out onto the Slade - out of keeping with the style of the estate.
 - The estate was designed as a car free estate - not having access to keep a car on the estate and keeping them apart from the housing was a key feature of the design and has been maintained to this date with the exception of No. 10 which unfortunately has been changed in aspect for some years.
-
- The dwelling would overlook 14 and 15 Sandford Park and would cause overlooking of gardens and windows in Hill Close.
 - Loss of sunlight and southerly aspect to gardens in Hill Close.
 - The proposed access is dangerous and would be in a blind dip in the Slade.
 - The planned vehicular access and car parking would be out of keeping with the car-free nature of the estate.
 - The house is cut off from the rest of the estate by a fence.
 - The proposed two storey dwelling is out of keeping with the neighbouring bungalows in the estate.
 - No. 6 Hill Close would be significantly overlooked by the proposed north elevation windows. The mass of the north elevation would be visually overbearing in relation to this property. The proposed design does not afford adequate privacy for the occupants of the building or the occupants of adjacent residential properties. The garden of 6 Hill Close would be significantly overshadowed by the North elevation of the proposed dwelling.
 - The garden in which the proposed dwelling would sit contains a number of mature trees. There is no tree survey provided to detail the impact of the development on the existing trees.
 - The stream is not detailed on the plans and there is no flood risk assessment.

- The development would impact on the outlook of No.7 Hill Close and would result in overlooking from all of the rear windows and sun terrace. Deep excavation works required to construct the dwelling will impact on the tree roots of the trees at the rear of the property.
- From the plans provided it can clearly be seen that 7 Hill Close will have a dramatic loss of privacy and therefore quality of life. The Hill Close houses are shielded from the Slade by the trees proposed to be removed to create large driveway. 7 Hill Close is built into the side of a hill with two storeys at the front and a third semi basement storey at the back. The main living space (kitchen, dining room, lounge) is at the rear of the property on the ground floor. Removal of the trees and erection of a two story building would enable the resident and all individuals, cars and buses coming down the Slade to see directly into all the bedrooms, lounge, dining room and kitchen. Due to this increased exposure there would also be a significant reduction in the perceived level of security.
- The development and loss of trees would result in a loss of privacy and amenity to 4 Hill Close and the adjoining properties.
- The development would result in the loss of privacy to 6 Hill Close and the scale of the development would be overbearing.
- The development would cause overlooking, overshadowing and loss of privacy to No. 5 Hill Close.
- Sandford Park is an award winning group of houses built in the 1960s in a conservation area. Part of the charm of this development is that, while the houses are each different, they form a whole. The existing design is coherent and the homes use similar materials, roof lines, cladding and window layout. The new proposal makes no attempt to fit in with the existing architecture and its physical separation breaks up the integrity and neighbourliness of Sandford Park.
- Sandford Park's houses are each slightly different in their own way but all confirm to a consistent design: single story, split-level, shallow roof, wide windows, Cotswold stone, and so on. The proposed dwelling is anything but that. It would also present an unacceptable loss of privacy for surrounding neighbours, not just in Sandford Park but also Hill Close. The gardens in Sandford Park are designed to be open, with communal parking at the top. A hedge borders Dancers Hill and the Slade, giving a unity to the estate. The proposed access to the new dwelling would violate all that. Worse, it would present additional dangers to pedestrians: the pavement is already narrow on that part of the hill, down which many children walk and scoot! - to school. The proposal presents new safety hazards therefore.

3 APPLICANT'S CASE

- 3.1 The concept is to construct a new house in the large garden adjacent to Number 18. The design is modernist reflecting the style of the existing houses in Sandford Park and seeks to exploit the orientation of the site with south and west facing windows. Minor alterations to Number 18 are proposed moving windows from the North elevation to avoid potential overlooking.
- 3.2 The design is in keeping with the design concept of Sandford Park and located at the foot of a steep slope affording a discreet situation with little impact on the other buildings in Sandford Park. The dwelling is relatively small in scale to the rear of four storey houses in adjacent Hill Close.
- 3.3 The domestic garden would be maintained with new drive access through the existing tree belt retaining as many as possible and increasing the density of bushes to form an audio and visual

barrier to maintain privacy from the public Road. No endangered species will be affected by the development

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE4 Open space within and adjoining settlements

BE5 Conservation Areas

H2 General residential development standards

H7 Service centres

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks approval for the erection of a two storey detached dwelling located within the domestic curtilage of a stepped bungalow dwelling on the edge of the Sandford Park estate in Charlbury. The proposed dwelling design has been amended, which has included a reduction in the overall height of the property by 1 metre, involving alterations to the roof pitch as well as the addition of stone to the front and rear of the property. The access has additionally been altered on the advice of OCC Highways with a single means of access proposed onto The Slade in a central position at the site entrance. As part of the application modifications are proposed to remove and block up the side windows of No. 18 to reduce overlooking from the side windows of the proposed dwelling.
- 5.2 The proposed dwelling would extend to a total height of 7 metres to the roof ridge at the highest point. The dwelling features a pitched roof and would be constructed from a mix of stone and render and is of a modernist style, designed to match the existing dwellings within the Sandford Park estate. The front of the property would face The Slade and would be set back behind an area of domestic front curtilage, with a vehicular access drive proposed onto The Slade.
- 5.3 The Sandford Park estate consists of single storey stepped 1960's bungalows built in a distinct modernist style. The dwellings have a distinct appearance in terms of roof pitch and window design and are constructed predominantly from artificial stone, with small sections of cladding. Openness is a defining feature of the Sandford Park estate and the existing properties all have open front gardens facing the existing pathway which runs between the dwellings. A number of the existing dwellings in the estate have been extended to some degree. The site is in the north east corner of the estate and consists of an area of domestic curtilage space serving No. 18 Sandford Park; this space contains a number of existing trees in the centre and front of the site. A pedestrian footpath runs to the North of the site between The Slade and Dancers Hill, along with a small stream. The footpath and the stream separate the site from a neighbouring row of

three storey properties in Hill Close, which are distinctly different and considerably larger in scale than the properties in Sandford Park.

- 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
Impact on residential amenity
Impact on conservation area setting
Highways
Site ecology

Principle

- 5.5 NPPF paragraph 14 requires that all planning applications including applications for housing are determined in accordance with the presumption in favour of sustainable development, which means approving developments which accord with Local Plan, when Policies are considered to be in date. 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 against a lower annual target of 525 homes a year, although a precise five year figure has not yet been established. In the context of the Councils position on the five year housing land supply limited weight is attributed to existing Local Plan Policies H4-H7 and emerging Local Plan Policy H2 which outline the Councils approach to the delivery of new residential development. Charlbury is listed as a service centre within the Councils Existing Local Plan Policy H7 and Emerging Local Plan Policies OS2 and H2.
- 5.6 Notwithstanding the Councils position on housing land supply the site is considered to represent a sustainable location for a new dwelling, and development would be consistent with the provisions of Policy H7 of the Existing Local Plan and Policy H2 of the Emerging Local Plan. The site is well contained within the built form of Charlbury and is a sustainable location in terms of its proximity to local services, facilities and public transport links. The site is sufficiently large to incorporate a dwelling of the proposed scale and a new dwelling in the proposed position is considered by officers to form a logical complement to the existing pattern of development.

Siting, Design and Form

- 5.7 The proposed dwelling would be detached and two storeys in height which differs from the existing single storey bungalows within the Sandford Park estate. The design does however reflect a number of the distinct modernist characteristics of the existing dwellings in Sandford Park, which is reflected in the roof and window design which are considered to be largely in keeping with that of the adjacent properties. Officers consider that the amendments made to the original design represent considerable enhancements, most notably the reduction in the scale of the property. The amendments to the roof pitch ensure a greater consistency with the existing properties, whilst reducing the general mass of the dwelling, particularly the north elevation the original design of which was considered by officers to appear overbearing. The dwelling includes features which differ from the existing properties, most notably the side terrace and stair tower, however officers do not consider that these features necessarily appear

out of place and add to the character of the proposed dwelling and provide visual interest. The addition of stone to the front and rear of the property within the amended proposals reflects the predominant use of stone in the Sandford Park estate.

5.8 Whilst the dwelling is two storeys in height and larger in scale than the existing properties in Sandford Park, officers do not feel that the dwelling would appear overbearing in the context of the street scene. The footprint of the dwelling is relatively modest and similar to that of the neighbouring properties. Although two storeys the overall height of the property would be 7 metres to the roof ridge and 5.4 metres to the eaves at the north elevation. The gradient of the immediate area also means that the roof ridge of the proposed dwelling would sit below that of No. 18 as well as the other adjoining properties in Sandford Park. The dwelling would additionally be considerably smaller in scale than the neighbouring properties in Hill Close. The siting of the dwelling and set back position would be reasonably consistent with the immediate built form. Officers do not consider that a detached dwelling is unacceptable, despite the fact that the adjoining properties are attached as the general design of the dwelling is considered to be broadly reflective of the appearance of the existing dwellings in the estate.

5.9 Officers note the general sense of openness in the estate and also note that the applicant now intends to erect a wire mesh fence rather than the previously proposed timber fence, which would retain a greater degree of openness. Officers note the presence of a covenant restricting the development of fencing within the estate but consider that there are inadequate planning reasons to restrict the erection of fencing of an appropriate design as such development would be ordinarily be considered permitted development. A design specification of the proposed fencing would be requested by condition. The frontage of the property faces the Slade, which differs from the existing dwellings in Sandford Park, however the rear of the dwelling contains a number of windows, a door and terrace and officers do not feel that the dwelling would have a negative relationship with the existing frontages in Sandford Park, which face the pedestrian access.

Highway

5.10 The development proposes a central means of access onto The Slade, a 30mph section of urban road. Originally two access points were proposed to the north east and south east edges of the site; however this has since been amended on the advice of OCC Highways Officers.

5.11 The access point lies in a considerable dip in the road, which restricts visibility in a southerly direction at the proposed entrance to the site for vehicles exiting the site. The means of access and visibility has been assessed by OCC Highways who have deemed that an access point in the amended position would be acceptable and would meet the DFT Manual for Streets standards for visibility splays. Officers therefore consider that there are inadequate means to refuse the application on highway safety grounds.

5.12 The site plan indicates the provision of parking forward of the existing dwelling and within the attached garage space, which is considered adequate for the size of the dwelling proposed.

Residential Amenities

5.13 The proposed dwelling would be located around 6 metres from the curtilage boundaries of two dwellings Numbers 5 and 6 Hill Close, although the distance between the proposed dwelling and existing dwellings in Hill Close would be approximately 16 metres. The site is a relatively dense urban location and officers consider that the separation distances between the proposed

property and existing dwellings are sufficient. The amendments made to reduce the height of the dwelling by 1 metre to 7 metres to the roof ridge significantly reduces the scale of the dwelling in relation to the existing properties in Hill Close. The north elevation of the dwelling facing these properties would extend to a height of 5.4 metres to the eaves, which is not considered to be excessively high. The development would give rise to some overshadowing to the rear curtilage of No. 6 Hill Close although the proposals would not result in loss of light to the rear windows of this property given the separation distances involved. Officers consider with the amendments made to reduce the height of the dwelling addresses the issue of overbearingness in relation to these properties.

- 5.14 The North elevation of the proposed dwelling contains one window at first floor level as well as a glazed stair tower and three roof lights. The glazing in the stair tower is proposed to be obscure glass which is considered necessary by officers to reduce potential overlooking. Officers consider that the first floor window serving the study should also be fitted with obscure glass, due to the potential for this window to overlook the neighbouring properties in Hill Close.
- 5.15 The section of the proposed dwelling, which includes the garage and above roof would be located around 6 metres from No.18 Sandford Park. The main section of the dwelling would be located approximately 12 metres from No.18. The side and main sections of the dwelling would comfortably sit below No.18 and the development would not appear overbearing in relation to this property.
- 5.16 The south elevation of the proposed dwelling contains a number of first floor windows which face the north facing side elevation of No.18. The separation distance between the south facing first floor windows of the proposed dwelling and side windows of the adjoining property would be 12 metres, significantly below the 21 metres recommended separation distance between facing windows. In order to address potential overlooking and loss of privacy to No.18 works are proposed to block up two side facing windows and a set of patio doors, which includes a reorientation of the existing internal layout. Two roof lights are proposed in the north elevation of the dwelling, with a further window proposed in the east elevation. The reconfiguration of the internal layout and addition of the proposed windows would retain adequate amenity for the occupants of No. 18 whilst ensuring that the existing property would not be substantially overlooked by the proposed dwelling.
- 5.17 The dwelling includes a first floor roof terrace, which faces west and southwards. There is unlikely to be substantial overlooking issues to the south given that the front boundaries of the properties opposite would be in excess of 35 metres from the terrace. In order to address any potential overlooking into the rear curtilage of No.18 a screen wall is proposed which would be at a height of 1.8 metres. Officers consider that the addition of the proposed screen wall would ensure that No.18 would not be substantially overlooked from the proposed terrace. The proposed screen wall would be required by condition.

Other Issues

- 5.18 Officers do not consider that the development would substantially increase the risk of flooding and the site does not lie within an area of medium or high flood risk. Surface water drainage details are requested by condition.
- 5.19 The site contains a number of existing trees three of which would be removed to allow for the construction of the dwelling and means of access and parking. The existing trees and hedging to

the front of the site would be retained to ensure that screening is retained along the boundary with The Slade. Officers consider that the site would be adequately landscaped; however a comprehensive landscaping scheme is requested by condition with a tree protection plan.

Conclusion

- 5.20 Officers consider that amended design of the dwelling, although two storeys in height is architecturally consistent with existing dwellings in Sandford Park and that the proposed dwelling would be of an appropriate scale. Officers do not consider that the scale and siting of the dwelling would be substantially detrimental to the amenity of neighbouring properties or that the dwelling would appear overbearing. The proposed access has been deemed acceptable by OCC Highways and meets visibility standards. Officers consider that the proposals would be compliant with the criteria of the existing and emerging Local Plans and 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 dwelling to be constructed in stone; shall be constructed with stone, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area.
- 4 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.
- 5 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 6 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 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 Except insofar as may be necessary to allow for the construction of the means of access, the existing hedge along the whole of the highway 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 size which shall be retained thereafter.
REASON: To safeguard a feature that contributes to the character and landscape of the area.
- 8 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.
- 9 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 10 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.
- 11 The dwelling shall be occupied until the vehicular accesses and driveways, car parking spaces and turning areas that serve that dwelling has been constructed, laid out, surfaced and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety
- 12 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the use hereby permitted is commenced.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 13 Before first occupation of the building hereby permitted the north elevation first floor window and all windows within the north elevation stair tower; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

- 14 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 and maintain the visual amenity of the area
- 15 Details of the proposed screen wall located on the south elevation shall be submitted to the Local Planning Authority for approval and the approved wall shall be installed prior to the first occupation of the dwelling.
Reason: To prevent overlooking and loss of privacy to the occupants of the adjoining property
- 16 Prior to the first occupation of the dwelling the works proposed to the adjacent dwelling, Number 18 Sandford Park as indicated within plan numbers PSA-08 and PSA-07 shall be carried out in full.
REASON: To prevent excessive overlooking and loss of privacy to the existing and future occupants of this property

Application Number	I6/00271/FUL
Site Address	Woodstock Lodge Blenheim Park Woodstock Oxfordshire OX20 1PP
Date	16th March 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Blenheim Parish Council
Grid Reference	444278 E 216731 N
Committee Date	29th March 2016

Application Details:

Erection of new single storey office building and associated parking.

Applicant Details:

Estate Office
Blenheim Palace
Woodstock
Oxfordshire
OX20 1PP

I CONSULTATIONS

- I.1 Historic England
- Thank you for consulting Historic England on these applications. The proposals for the new Estate Office have been formulated after extensive consultation with both Historic England and West Oxfordshire District Council. The need for increased office accommodation is understood and accepted and we accept that this needs to be at an accessible location near the entrance to the park. We are satisfied that this site is the least intrusive location for the new office of all the possibilities considered. The impact on the Park is considered to be minor, given that it would be well screened by existing trees. The impact on the listed wall is also considered to be low, given that it is proposed to open up an existing blocked opening and the proposed piers would complement the existing ones. We would therefore be content for listed building consent and planning permission to be granted.
- I.2 WODC Architect
- In summary, we feel the location is reasonable in principle - if rather too close to the escarpment edge here (it would have been better set further to the E; however, given that HE had no objections to this, on balance we do not object strongly to the location/ orientation). In design terms, the building is reasonable and well considered; physically low, visually low-key, simply and cleanly detailed. The materials and detailing appear reasonable - though the precise colour/ finish of zinc roofing needs to be confirmed by condition. The gateway access, too,

seems reasonable, and my feeling is that the relatively simply detailed piers are appropriate. Overall, unlikely to cause undue harm to the Historic Park/ WHS, and consequently no strong objections.
RECOMMENDATIONS: Advise consents be granted, but with demolition only where shown (Listed wall); sample of roofing zinc; details (at 1:5 and 1:20) of glazing unit, eaves and verges; sample panel of ashlar stone walling; details at 1:5 and 1:20 of gate piers.
REASONS: Appears compliant with BE7 and BE11

- 1.3 Town Council No reply at the time of writing
- 1.4 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
No objection subject to parking as plan.

2 REPRESENTATIONS

- 2.1 No representations received at the time of writing.

3 APPLICANT'S CASE

- 3.1 In a precised form the applicants case is as follows:
- 3.2 Over the last 10 years visitor numbers to the World Heritage Site have grown from under 300,000 visitors a year to over 750,00, in addition the Estates other businesses have also grown significantly, the consequence of this growth has resulted in the existing Estate Office having been outgrown.
- 3.3 The site and design have been selected following a review of other opportunities with the aim of providing accommodation for both current and future need, whilst minimising negative heritage impact. We believe the solution goes further than this and will put to good use an otherwise redundant space.
- 3.4 The location was selected only after extensive discussions with Historic England, other locations such as Park Farm, the Pleasure Gardens and the Palace itself were looked at, but discounted due either to lack of space, accessibility issues, vehicle movement issues or heritage impact. Serious consideration was given to extending the existing offices to the south out into the Park but following discussions with Historic England were discounted due to the likely adverse impact on the World Heritage Site.
- 3.5 In respect of the current Estate Office use it should be noted that this building will remain in office use and maintained in its existing condition, it is a feature of the main entrance to the Palace and as such must be maintained to the highest quality. It is proposed that it will be used for a variety of uses including archive storage, additional overflow office space if required from time to time for events and potentially other Palace functions such as security.

The Site

- 3.6 The proposed site is located on the western side of Woodstock where the Town abuts the Park.
- 3.7 The application site is immediately adjacent to the current Estate Office car park. It is separated from the car park by a stone wall, which is attached to the Park Wall. The site comprises overgrown garden land.
- 3.8 The site is bounded by development to two sides, comprising the Park Wall (to south) and Chaucer House (to east), a Grade II Listed Building. To the west and north is the Listed Park, comprising dense tree covered slopes.
- 3.9 The site slopes gently, with sharper slopes outside its boundary, within the Listed Park. The proposed development takes into account the surrounding topography, such that there would be occasional glimpses of the proposed office building through trees.

Proposal

- 3.10 The proposed development comprises single storey office accommodation with associated landscaping and car parking.
- 3.11 The site will be accessed from the existing Estate Office car park, through the re-opening of a closed access point in the Listed Wall. This access point has been designed to complement, whilst at the same time, be subservient to, the nearby Town Gate. It has also been designed to limit views into the development site to those that complement the Listed Wall and its setting. The entrance will be marked by two pilasters, designed to complement, but be subservient to the two existing pilasters in the Listed Wall adjacent to Chaucer's House to the East and at the junction with the Park wall to the west.
- 3.12 The office building will comprise local materials. It has been designed to be energy efficient, with efficiencies gained from siting and the use of glazing. The building has been sensitively designed to respect and appear subservient to the Listed Wall. It captures elements of the boundary features of the Park, in an appropriate, understated, modern and architecturally interesting manner. The proposal does not draw attention to itself.
- 3.13 Careful landscaping has been designed to complement the presence of existing trees and to combine with the topography of the site and its surroundings, resulting in the proposal being largely obscured from surrounding views. There will be glimpses from the Blenheim Palace World Heritage Site through extensive foliage to a glazed wall, which aligns with and respects the Listed Wall.
- 3.14 The design, choice of materials and low height of the office building, the positioning of the access and courtyard, and the presence of sensitively designed landscaping, have been designed to respect and reflect the site's surroundings. The office building is largely offset from Chaucer House, with the open courtyard strategically placed between the two buildings to maintain a sense of openness. This is supplemented by the landscaping, maintaining greenery.
- 3.15 The proposed development provides essential office accommodation for the effective and efficient operation of the Blenheim Palace World Heritage Site, whilst ensuring the conservation of all relevant heritage assets.

Policy Background

- 3.16 The heritage chapter of the NPPF sets out a positive strategy for the conservation and enjoyment of the historic environment. It recognises the importance of the wider social, environmental, economic and cultural benefits that conservation can bring. Paragraph 131 of the NPPF establishes that, in determining planning applications, the local authority needs to take account of:
- 1) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - 2) the positive uses that conservation of heritage assets can make to sustainable communities, including their economic vitality; and
 - 3) the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.17 The proposed development is aligned with the Blenheim Palace World Heritage Site Management Plan. Consequently, the proposal will sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation.
- 3.18 The success of the Blenheim Palace World Heritage Site is integral to the economic vitality of the local community and the proposal will make a significant contribution to a sustainable community, whilst conserving heritage assets.
- 3.19 The proposed development comprises a distinct and sensitively designed building in a carefully landscaped setting. It will conserve and complement its surroundings, and will thus make a positive contribution to local character and distinctiveness. It will enhance its surroundings and no harm to heritage assets will arise.

Delivering sustainable development and sustaining, enhancing and conserving heritage assets

- 3.20 The NPPF requires the applicant to describe the significance of the heritage assets affected by the proposed development, including the contribution made by the heritage assets' setting. The purpose of this is to enable an understanding of the potential impact of the proposal on the significance of any heritage assets affected.
- 3.21 When considering impact, great weight must be afforded to the heritage assets' conservation. Any harm or loss to the significance of the asset requires clear and convincing justification. Taking this into account, the NPPF establishes that the existence of some harm to significance does not necessarily mean that an application should be refused.
- 3.22 However, substantial harm is a different matter. The NPPF establishes that a proposal that would result in substantial harm to the significance of a heritage asset should be wholly exceptional. It is very unlikely that a proposal leading to substantial harm would be approved.
- 3.23 The proposed development will not harm significance and there will be no loss to significance.
- 3.24 The proposal will conserve the significance of the World Heritage Site, including the Grade I Listed Capability Brown-designed Park and its setting. It will conserve the significance of the Woodstock Conservation Area and its setting, and it will conserve the significance of the Grade II Listed Chaucer House and its setting.

- 3.25 Whilst, inevitably, the proposal will lead to some change, the nature of the proposal and the development site is such that, by taking a sensitive and appropriate approach to design, the development will be in keeping with its surroundings and will, to some considerable degree, result in enhancement. It will not result in harm to heritage assets or their setting.
- 3.26 The proposed development preserves those elements of the setting that better reveal the significance of the asset
- 3.27 The Design and Access Statement demonstrates that no harm will arise as a result of the proposed development. In addition, it is noted that the NPPF supports development that makes the most of appropriate opportunities for new development:
"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites...to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably." (para 137)
- 3.28 The effective and efficient management of the Blenheim Palace World Heritage Site cannot be separated from the sustainability of the heritage asset. This is established in the Blenheim Palace World Heritage Site Management Plan, which identifies the specific needs of the heritage asset. If these are not addressed, by the management function, the significance of the heritage asset will be placed at risk. Consequently, the management function is integral to and comprises a fundamental part of the sustainability of the heritage asset. As a result of the need to provide sufficient and appropriate space, the development of suitable offices in the immediate environs of the Blenheim Palace World Heritage Site is an essential requirement to enable the ongoing successful management and operation of the heritage asset.
- 3.29 In the above regard, alternative approaches to the development proposed, including a split-office approach, and a location further away from the Blenheim Palace World Heritage Site, have been considered. Evidence of this is shown in the Design commentary within this Design and Access Statement. Each of the alternative approaches considered would ultimately detract from the management function. This, in turn, would result in the management function becoming increasingly inefficient and ineffective, with a consequential negative impact on the heritage asset. This would place the heritage asset at risk.
- 3.30 The proposed approach improves efficiency and provides investment into sustaining the significance of the heritage asset. It does so in a sensitive and effective way. This is an important factor, in line with national policy, which lends material weight in favour of the planning application.
- 3.31 In addition to the above, the Woodstock Conservation Area and the Listed Buildings within it are characterised by ongoing investment and appropriate development. This results in a tangible characteristic of investment, change and positive activity. The proposed development has been sensitively designed, such that there is no harm to heritage assets or their settings. In addition, the proposal adds significantly to the economic sustainability of the town centre. It provides necessary, modern, appropriate employment accommodation and enhances the vitality of the town. It better reveals the significance of the Blenheim Palace World Heritage Site heritage asset and should, in line with national policy, be treated favourably.

An opportunity for development

- 3.32 Paragraph 137 of the NPPF is explicit in requiring local planning authorities to look for opportunities for new development within World Heritage Sites and within the setting of heritage sites to enhance or better reveal their significance. As demonstrated, the proposed development achieves this.
- 3.33 The design of the proposal will result in it preserving the elements of its setting that contribute positively to heritage assets. In addition, the proposal will make a positive contribution to the sustainability of the local community, with particular regard to providing for economic growth - a factor afforded significant weight by the NPPF. The success of the Blenheim Palace World Heritage Site helps underpin the social, environmental and economic sustainability of the wider area.
- 3.34 Appropriate ongoing development is fundamental to the conservation and enhancement of the Blenheim Palace World Heritage Site. Providing for its effective and efficient operation and management is central to this.
- 3.35 The main noticeable change arising from the proposed development is the change in land use to offices, car parking and landscaping. This will change the outlook from Chaucer House. It is considered that this does not constitute harm, and in any case, the clear and significant sustainable development benefits brought about by the proposal are such that they would significantly outweigh any possible harm that may be perceived to arise in this regard. The owners are of the proposal and so far have not expressed an objection.
- 3.36 Taking all of the above into account, the proposal comprises sustainable development. It is in accordance with national policy and should go ahead.

4 PLANNING POLICIES

BE1 Historic Parks and Gardens
 BE2 General Development Standards
 BE5 Conservation Areas
 BE8 Development affecting the Setting of a Listed Building
 BE6 Demolition in Conservation Areas
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 EH7NEW Historic Environment
 EW1NEW Blenheim World Heritage Site
 OS4NEW High quality design
 OS1NEW Presumption in favour of sustainable development
 The National Planning Policy framework (NPPF) is also a material planning consideration.

This application has been referred to the Sub Committee for determination at the request of the Local Member because of the very recent notification and the buffer zone implications.

5 BACKGROUND INFORMATION

- 5.1 The site upon which the office building and associated car park are to be positioned has been leased to Chaucer House and used as garden land serving the dwelling. The land is located

within the listed historic parkland. A number of trees located within and adjacent to the site will need to be removed to make way for the development.

- 5.2 This application proposes a single storey building with a gross internal area of 474m² designed as two interconnecting parts consisting of a stone wall with the building behind to provide additional Estate office space to serve the World Heritage Site.
- 5.3 This new stone wall will be at the same height as the existing park wall and will form a new second courtyard. The wall will have no openings other than a clean all glass box to form the entrance to the building sitting the other side of it.
- 5.4 The flank walls to the building will be of a buff multi brick with light mortar. The two elevations to the park will be fully glazed in a dark grey aluminium frame allowing views down the hill through the trees of the lake and beyond. The roof will be a monopitch clad in standing seam zinc with overhanging shelter on the glazed sides.
- 5.5 The courtyard will be paved with dark grey granite setts, asphalt and will be accessed through a new opening in the wall with new piers to match those of the existing and following the same profile.
- 5.6 There will be limited visibility of the new building from the courtyard in front of the Triumphal Arch with only the new ashlar wall and glass entrance being seen.
- 5.7 There are 8 new car park spaces including 2 disabled spaces associated with the proposal which will be reserved for visitors as there is already space for a maximum of 17 cars to park in the existing courtyard.
- 5.8 9 cycle stands will be provided.
- 5.9 There will be no kerbs in the new courtyard and level access throughout. Two of the parking spaces will be designated for wheelchair users.
- 5.10 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

- 5.11 Having regard to the supporting statement submitted with the application it is clear that there is a need for increased office accommodation to serve the World Heritage Site. It is also evident from the application that a number of alternative sites for the Estate office were explored by the applicants prior to submission of this application. The principle of additional office space to serve Blenheim Estate can be supported in planning policy terms.

Siting, Design and Form

- 5.12 Given the World Heritage Status of the Palace and the Historic Parkland, the development proposal must accord with the heritage policies contained within the adopted and emerging Local Plans and paragraphs contained within the heritage chapter of the NPPF.

- 5.13 In this regard when determining planning applications, local authorities should take account of:
- 1) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - 2) the positive uses that conservation of heritage assets can make to sustainable communities, including their economic vitality; and
 - 3) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.14 Further, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 5.15 Having regard to the above, extensive pre application discussions were undertaken prior to submission of this application between the applicants, Historic England and WODC Officers which considered alternative locations and designs for the new offices.
- 5.16 The siting of the visually low (single storey) and cleanly detailed modern office block behind the listed wall, which is well screened by existing mature trees from the historic park, is considered to have a minor impact on the historic parkland and Blenheim World Heritage site such that the heritage asset will be conserved for current and future generations.
- 5.17 Given that in order to provide access to the site it is proposed to open up an existing blocked opening to the listed wall that fronts the site, the impact of the development proposal on the listed wall is considered to be low and as such can be recommended favourably subject to conditions. The simply detailed piers to either side of the access are considered acceptable in terms of design.

Highway

- 5.18 County Highways has raised no objections to the proposal subject to the parking provision to serve the new office being as per plan. A condition is recommended in accordance with OCC's comments.

Residential Amenities

- 5.19 In respect of residential amenity, the key property to be impacted by the development is the Grade II listed Chaucers House which immediately adjoins the site. This dwelling has a number of windows which abut the site including a first and second floor bedroom window in the gable end of the building and a couple of rooflights in a single storey range to the rear.
- 5.20 The windows serving the dwelling which are secondary in nature (not serving primary living spaces) will overlook the parking area serving the new office. The elevation of the office facing Chaucers House will have high level windows such that there will be no direct overlooking of the dwelling from office workers or visitors to the site within the building.
- 5.21 Officers consider that whilst different in its character to the existing undeveloped land, the BI office use proposed and associated parking area, given the dwellings context (in close proximity

to both the existing offices and car parking area serving the Estate and Triumphal Arch entrance to the Historic Park and Palace), will not result in such increased levels of noise and disturbance such that the residential amenity of the occupiers of Chaucers House will be demonstrably harmed by the development.

- 5.22 A condition is recommended that restricts the use of the site to B1(a) office use only in the interests of residential amenity.

Conclusion

- 5.23 In light of the above assessment, the new Estate office and associated parking area is considered to constitute sustainable development which conserves and preserves the designated heritage assets relating to the sites context. As such, the proposals are considered Local and National Planning Policy compliant and align with the Blenheim Palace Management Plan.

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 Notwithstanding details contained in the application, detailed specifications and drawings of all glazing units, eaves and verges, roof structure, ashlar stone piers and panelled wooden gates at a scale of not less than 1:20 with sectional details at not less than 1:5 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 4 Those external walls to be constructed of Ashlar stone shall be constructed in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 5 Those external walls to be constructed of Beige multi brick shall be constructed in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 6 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.

- 7 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 8 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.
- 9 The premises shall be used for B1(a) office purposes only and for no other purpose (including any other purpose in Class B1 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.
- 10 That prior to the commencement of the alteration to the listed wall an elevational detail at a scale of not less than 1:50 identifying the location and extent of demolition works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority and the demolition of the wall shall be carried out in accordance with the said approved detail.
REASON: For the avoidance of doubt as to what is approved.

Application Number	I6/00272/LBC
Site Address	Woodstock Lodge Blenheim Park Woodstock Oxfordshire OX20 IPP
Date	16th March 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Blenheim Parish Council
Grid Reference	444278 E 216731 N
Committee Date	29th March 2016

Application Details:

New opening in wall.

Applicant Details:

Estate Office
Blenheim Palace
Woodstock
Oxfordshire
OX20 IPP

1 CONSULTATIONS

- 1.1 WODC Architect No objection subject to a condition limiting demolition of the wall only to that shown on the application drawing.
- 1.2 Town Council No reply at the time of writing.
- 1.3 Historic England The impact on the listed wall is also considered to be low, given that it is proposed to open up an existing blocked opening and the proposed piers would complement the existing ones. We would therefore be content for listed building consent and planning permission to be granted.

2 REPRESENTATIONS

- 2.1 No representations received.

3 APPLICANT'S CASE

- 3.1 The proposal has been sensitively designed to conserve the Grade II Listed Chaucer House and its setting, the Woodstock Conservation Area and its setting, and the Blenheim Palace World Heritage Site and its setting.
- 3.2 The site will be accessed from the existing Estate Office car park, through the re-opening of a closed access point in the Listed Wall. This access point has been designed to complement, whilst at the same time, be subservient to, the nearby Town Gate. It has also been designed to

limit views into the development site to those that complement the Listed Wall and its setting. The entrance will be marked by two pilasters, designed to complement, but be subservient to the two existing pilasters in the Listed Wall adjacent to Chaucer's House to the East and at the junction with the Park wall to the west.

4 PLANNING POLICIES

BE2 General Development Standards

BE7 Alterations and Extensions to Listed Buildings

BE5 Conservation Areas

OS4NEW High quality design

EH7NEW Historic Environment

EW1NEW Blenheim World Heritage Site

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

5 PLANNING ASSESSMENT

- 5.1 This application is for a new opening in the listed wall in order to create an access to the land to the rear of the wall where it is proposed to site an Estate office building.

Background Information

- 5.2 This report should be read in conjunction with the agenda item 16/00271/FUL which outlines all of the issues in respect of this application and the associated planning application.

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

Principle

- 5.3 The principle of breaching the listed wall to create a vehicular access is considered acceptable subject to there being no demonstrable harm to the listed heritage asset or its setting.

Siting, Design and Form

- 5.4 The loss of a small section of the listed wall as proposed is considered acceptable as it was formerly an opening which was subsequently blocked up. The proposed relatively simply detailed piers either side of the wall opening are considered appropriate given the sites context.

Conclusion

- 5.5 In light of the above assessment, the alteration to the listed wall is considered acceptable subject to conditions requiring elevational details outlining more fully the precise location and extent of the opening and of the ashlar stone piers and gated enclosure.

6 CONDITIONS

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That prior to the commencement of the alteration to the listed wall an elevational detail at a scale of not less than 1:50 identifying the location and extent of demolition works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority and the demolition of the wall shall be carried out in accordance with the said approved detail.
REASON: For the avoidance of doubt as to what is approved.
- 3 Notwithstanding details contained in the application, detailed specifications of the ashlar stone piers and panelled wooden gates for the making good of the listed wall post the alteration of the wall to create the access , at a scale of not less than 1:20 with sectional details at not less than 1:5 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the enclosure reflects the established character of the area.

Application Number	I6/00328/FUL
Site Address	Land East Of Tyne Lodge Brook Lane Stonesfield Oxfordshire
Date	16th March 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Stonesfield Parish Council
Grid Reference	439421 E 216881 N
Committee Date	29th March 2016

Application Details:

Erection of detached garage within the curtilage of the approved chalet bungalow.

Applicant Details:

Mr Derek Hobbs
Tyne Lodge
2 Brook Lane
Stonesfield
Oxfordshire
OX29 8PR

1 CONSULTATIONS

- 1.1 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.
- 1.2 Parish Council Councillors objected to this application on the basis that it is too far out from the edge of the village and too large. Councillors also had concerns that it could lead to future development on the site.
- Councillors ask for this to go to committee and suggest that a site visit is worthwhile.

2 REPRESENTATIONS

- 2.1 A total of four letters of objection have been received in relation to this application. The principle objections are summarised below:
- The approved garage is 2 thirds of the size of the approved house is disproportionate in relation to this approval.
 - The garage would be used for commercial or business use.
 - A total of eight parking spaces are proposed for the approved property which is excessive and suggests the site would be used for commercial purposes.
 - The use of the access track causes disturbance to the adjacent dwellings Holmlea and Ridgeway. The erection of the garage would cause further nuisance through the increase in traffic.

- Condition 9 of the approved consent restricts the development of outbuildings without the consent of the local authority to protect the privacy of neighbouring properties, the development would be contrary to this.
- The proposed garage, workshop, office and store is located 30 metre IN FRONT of the building line of the dwelling granted under 15/01198/FUL. The previous Planning Officer showed that it was essential part of the application that the building line was being retained as a strong reason for a recommendation to approve the dwelling under 15/01198/FUL. Presumably the location of this proposed garage will be contrary to the previous Planning Officer's requirements and therefore not acceptable.
- This application if approved will set a precedent for further similar development to be allowed. This agricultural field although generally not used for agricultural purposes is gradually being eroded to the detriment of the neighbourhood amenity and contrary to the Cotswold Area of Outstanding Beauty requirements.
- The applicant says that the siting of the development would be in line with other outbuildings in the local area, such as the office building at 7 Brook Lane - and its relatively small scale, it is considered that the special character and amenities of the Cotswolds AONB would not be harmed. The 'office building' to which he refers is a wooden shed measuring 4.8m long, 3.3m wide and 2.3m high, behind a hedge. This is not a significant material change to the nature of the area and cannot be used as an excuse to vary condition 9 of the permission. The applicant's 'relatively small scale' building is actually very large, 9m long, 6m wide and over 6m high - and it's in the middle of an agricultural field. The special character of the Cotswolds AONB will be harmed.

2.2 One letter of support has been received from Mr Atkin. The key points are summarised below.

- All of the other properties off Church Street and Brook Lane have a mixture of ancillary outbuildings, some of which are not visually in keeping with the AONB.
- The proposed garage design is future proofed and constructed from Cotswold stone with slate roof tiles.
- No overlooking takes place and the proposed building will blend in terms of location, scale and looks.

3 APPLICANT'S CASE

3.1 The proposed outbuilding would be sympathetic to the character and appearance of the approved chalet bungalow and the surrounding area through the use of traditional external materials and a dual pitched roof that would mimic the form and design of the main dwelling.

3.2 The siting of the development would be in line with the other outbuildings in the area, such as the office at 7 Brook Lane in its relatively small scale. It is considered that the special character and amenity of the AONB would not be harmed.

3.3 Due to the distance between the proposed development and nearest neighbouring properties along Brook Lane, it is considered that the garage/workshop would not have any impact on the amenities of nearby residents and no overlooking would occur.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking

NE3 Local Landscape Character
NE4 Cotswolds Area of Outstanding Natural Beauty
OS2NEW Locating development in the right places
OS4NEW High quality design
EH1NEW Landscape character
H6NEW Existing housing

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 detached garage located within a plot with existing planning approval to erect a detached chalet bungalow. This consent (15/01198/FUL) is yet to be implemented. The site lies to the rear of a bungalow property known as Tyne Lodge and lies on the edge of Stonesfield adjacent to an area of land used for agricultural purposes. An existing gravel access drive serves the site and adjoins a private road which joins Brook Lane and Church Street to the north of the site.
- 5.2 The proposed garage would be sited in the south east corner of the site adjacent to the existing agricultural land. The proposed garage would have useable space in the roof and would extend to a total height of 6 metres to the roof ridge and 2.5 metres to the lower part of the eaves. The garage would occupy a total footprint of 54 square metres.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle of Development
Design, Scale and Siting
Impact on residential amenity
Highways

Principle

- 5.4 It is the intention of the applicants that the proposed garage would be used for domestic purposes, ancillary to the approved dwelling. A number of objections refer to an intention to use the garage for commercial purposes. It has been stated by the applicants that this would not be the case and the supporting documentation makes no reference to an intended commercial use. In order to control the use of the building a condition is attached stating that the building remains ancillary to the approved dwelling and should not be used for commercial purposes.

Siting, Design and Form

- 5.5 The proposed garage although relatively large in terms of footprint area would be smaller in scale than the approved dwelling which occupies a total footprint of 85 square metres. The height of 6 metres to the roof ridge is not considered to be excessive and would be 1 metre lower than the roof ridge height of the dwelling and the height of 2.5 metres to the eaves is relatively low. Although the garage is clearly detached from the main property, officers do not object to the siting of the proposed garage and do not consider that the garage would appear

incongruous in the immediate context. Whilst the site is on the edge of the village and lies within the AONB officers do not consider that the garage would appear highly prominent in the landscape and the lower sections of the garage would be partially screened by boundary hedging proposed as part of planning application 15/01198/FUL.

- 5.6 The general design of the garage is considered acceptable and would be constructed from natural Cotswold stone. Both the design and use of materials is consistent with the approved dwelling.

Highway

- 5.7 The proposed garage would not impact on existing access arrangements and would provide additional parking for the property.

Residential Amenities

- 5.8 The garage is adjacent to the boundary of an area of outlying land belonging to the neighbouring property, although the garage would be sited a considerable distance from the nearest neighbouring dwellings and the approved bungalow. Given the significant distance between the garage and these adjoining properties it is not considered that the development would adversely affect the residential amenity of the neighbouring properties.

Conclusion

- 5.9 The development as proposed is considered acceptable in terms of its scale, design and siting and would not adversely impact on the amenity of the neighbouring dwellings. The development is therefore considered to be compliant with Existing Local Plan Policy BE2 and Emerging Local Plan Policies OS2 and OS4.

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 garage; shall be constructed with natural stone;, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area.
- 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 garage hereby permitted shall be used only for purposes ancillary to the residential use of the dwelling approved under application 15/01198/FUL and shall not be used for any other purpose, including commercial purposes.
REASON: To protect the character of the site and the amenities of the neighbouring residents and future occupants of the approved dwelling.

Application Number	I6/00490/FUL
Site Address	St Hugh Of Lincoln Hensington Road Woodstock Oxfordshire OX20 1JH
Date	16th March 2016
Officer	Joanna Lishman
Officer Recommendations	Refuse
Parish	Woodstock Parish Council
Grid Reference	444819 E 216850 N
Committee Date	29th March 2016

Application Details:

Alterations and erection of single storey extension.

Applicant Details:

Archdiocese Of Birmingham
The Parish Of St Thomas More And St High Of Lincoln
The Presbytery
142 Oxford Road
Kidlington
Oxon
OX15 1DZ

1 CONSULTATIONS

- I.1 WODC Architect No Comment Received.
- I.2 OCC Highways The surrounding road network is protected by a No Waiting Traffic Order and yellow lines. The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
No objection subject to:
- G36 parking as plan
- I.3 WODC Env Health – Uplands No objection.
- I.4 Town Council Woodstock Town Council supports this planning application.

2 REPRESENTATIONS

- 2.1 Two letters of objection have been received from the neighbouring properties, nos.35 and 36 Bear Close. The full version of the objections can be found on the website. To summarise the comments refer to:

- Insufficient car parking within the site. Only 14 spaces shown on the plan. 19 proposed.
- Increased traffic movements and noise.

- Light spill from the upper window and sound generally from the building.
- Hours of operation. If approved, the hours should be restricted to 10pm/11pm.
- Proximity to 35 and 36 Bear Close resulting in overbearing appearance.
- Loss of morning winter sunlight.
- Similar scheme referenced by the applicant is modest in scale with no increase in height.
- The scale is more of a function room rather than a meeting room.
- No control on how the hall will be used.
- The block plan and location plan do not show the proposed building in relation to existing properties.
- Nos. 35 and 36 Bear Close shown as one dwelling.
- If approved, external lighting to be low level, low output and switch off at night.
- Overlooking to no.36 from upper window.
- Substantial loss of light to living room and bedrooms of no.36.

3 APPLICANTS CASE

- 3.1 The following documents have been submitted in support of the application and can be viewed online:

Design and Access Statement

- 3.2 The Statement is summarised as follows:

- Existing meeting room is condemned as unsafe.
- New meeting room, new Sacristy (existing converted to Parent and Children Room), Administration Office, toilets including disabled
- Proposal includes solar panels.
- Disabled access via platform lift.
- 19 car parking spaces including 2 disabled spaces.
- Current weekly ad-hoc use 9am to 10pm.
- Late night opening on very few special occasions.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

TLC1 New Tourism, Leisure and Community Facilities

OS2NEW Locating development in the right places

OS4NEW High quality design

TI Traffic Generation

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

5 PLANNING ASSESSMENT

Background Information

- 5.1. This application is presented to Members at the request of Councillor Cooper due to its proximity to neighbouring residential properties and also because the officer recommendation differs from that of the Town Council.

- 5.2 The application seeks planning permission for demolition of the existing church meeting room and replacement with a single storey extension linking to a new meeting room at St High of Lincoln, Hensington Road, Woodstock.
- 5.3 The church is not listed and the site is located in a residential area outside the Conservation Area and the Cotswold AONB. There is existing access to the meeting room at the rear of the church.
- 5.4 There is no planning history of relevance on this site. Pre-application advice was sought regarding the principle of the scheme and design. It was advised that impact on residential amenity would be assessed on a site visit associated with a planning application.
- 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

Residential amenities

Highways

Principle

- 5.6 The building has been well-used by a variety of groups including children's dance, drama and music clubs, children's parties, family gatherings and adult fitness activities including pilates. Adopted West Oxfordshire Local Plan 2011 Policy TLC1 recognises the importance of community facilities to the quality of life of local residents. The Council endeavours to retain existing facilities and, where possible, to facilitate new and improved provision, including maximising the potential of existing community facilities. The policy states that permission will be granted for new recreational and cultural buildings where they are essential to the existing use of the associated land and are appropriate in scale, design and siting.

Siting, Design and Form

- 5.7 Despite being an unlisted church, the building is considered to have architectural merit and is a focal point in the immediate streetscene of Hensington Road. It is therefore important that the design of any extension and new meeting room is fully in keeping with the appearance of the main building.
- 5.8 The pre-application advice was that a stone building would be preferable as opposed to the facing-brick proposed, albeit it was acknowledged that this would be largely dependent on the type and colour of the brick proposed. This scheme proposes a buff facing-brick with stone surrounds to the door and window openings. The roof of both the link extension and new meeting room is proposed to be Redland Cambrian Heather slate. The south east facing roof slope is proposed to have solar panels.
- 5.9 Your officers are of the opinion that on balance, given that the building is unlisted and the proposal is to be sited to the rear of the existing building, the proposed design and appearance of the meeting room is acceptable. It also offers a considerable enhancement to the site on the

existing timber clad meeting room which has been condemned as unsafe. However, the siting is not acceptable in terms of residential amenities as outlined below.

Residential Amenities

- 5.10 Whilst your officers have considered the design and form of the link extension and new meeting room to be acceptable in relation to the church, the siting is not considered acceptable in relation to neighbouring properties. The building is set down a slope but on land which is level with the nearest dwellings, 35 and 36 Bear Close. The proposed pitch of the gable roof on the west elevation would be 7.3m high as opposed to 4.5m on the existing building. The depth of the proposed gable is 10.7m, leading into the 11.15m length of the link extension. The existing gable adjacent to no.36 is 4.6m. The proposed building would protrude above the boundary of no. 36 across the entire width of the property, 1m from the boundary. The depth of the gardens is such that the building would be 10m from the rear elevation of these dwellings. Your officers consider the impact of the height, width and proximity to nos. 35 and 36 Bear Close, to be unacceptable in terms of the harms to residential amenity, contrary to policies BE2 and TLC1 of the Local Plan and OS2 and OS4 of the Emerging Local Plan.
- 5.11 The use of the existing building does not appear to be restricted in terms of hours of operation. The applicant states that groups use the building on a weekly basis, some starting at 9am and some finishing at 10pm. The applicant states that late opening would be on very few special occasions and no use during Mass or other Services operating in the Church. Officers note that there are no objections from the Environmental Health team, however, given the siting of the building close to residential properties, your officers recommended that if permission was granted for a replacement meeting room it should include a condition restricting hours of use.
- 5.12 In terms of lighting, your officers have discussed the issue of light-spill from upper window on the west elevation. The applicant has confirmed that they would like to retain this window during daylight hours to enhance the interior of the new room and as such has proposed a sensor which operates a blind at dusk. Your officers maintain the removal of this window should be secured. The application form refers to security lighting, however this has not been shown on the plans and should be conditioned in the event the application is granted planning permission.

Highways

- 5.13 The objector has noted that a Church Service can generate 24 cars within the car park and 4 parked on Hensington Road. It is advised that 6 of the 24 cars are within the proposed floor area.
- 5.14 The applicant submits that there are 19 existing car parking spaces and 19 spaces will remain. 14 spaces are shown on the proposed plan 3E.
- 5.15 Based on the proposed use, the increase in floor space of 81 square metres and the number of proposed car parking spaces, the highway officer has no objections to the proposal.

Other Matters

- 5.16 The applicant has made reference to a similar scheme on Shipton-on-Stour. It is stated that the shape and size of proposed scheme is based on experience gained in Shipton. Whilst the design

may be considered acceptable, each application must be considered on its own merits, taking account of the individual site and its surroundings.

- 5.17 The site location plan and block plan do not show the proposed building in relation to the Bear Close properties. However, Drawing 2C shows the outline of the existing building and this can be compared with the Location Plan on Drawing 7B.

Conclusion

- 5.18 Based on the above assessment in relation to the design, form and siting, your officers are of the opinion that whilst the principle of a replacement meeting room is acceptable, this scheme would have an unacceptably overbearing impact on nos. 35 and 36 Bear Close and be generally unneighbourly with regard to light-spill from the building, to the detriment of the residential amenity of the occupiers. As such, the proposal is considered contrary to Policies BE2 and TLCI(d) of the adopted West Oxfordshire Local Plan and Policies OS2 and OS4 of the Emerging West Oxfordshire Local Plan 2031 and is recommended for refusal.

6 REASON FOR REFUSAL

By reason of its design and form (notably height and width) and siting in close proximity to the boundary with the properties located at Bear Close, the proposed development is considered to be unacceptably overbearing and generally unneighbourly, to the detriment of the residential amenity of the occupiers. As such, the proposal is considered contrary to Policies BE2 and TLCI(d) of the adopted West Oxfordshire Local Plan and Policies OS2 and OS4 of the Emerging West Oxfordshire Local Plan 2031 .

Application Number	I6/00410/FUL
Site Address	North Oxford Garage Ltd Main Road Long Hanborough Witney Oxfordshire OX29 8LA
Date	16th March 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	443376 E 214274 N
Committee Date	29th March 2016

Application Details:

Refurbishment of existing buildings to include extensions and external alterations and to facilitate the reorganisation of valeting and spray booth facilities on the site.

Applicant Details:

Mr William Le Fevre
Bedford Rd
Northampton
Northamptonshire
NN1 5SZ

I CONSULTATIONS

- | | | |
|-----|---------------------------|--|
| I.1 | WODC Drainage Engineers | A full surface water drainage scheme is requested prior to the approval of the application. |
| I.2 | WODC Env Health – Uplands | If the activity at the spray booth consumes more than 1.0 tonne of solvent a year, the installation will require a statutory Local Air Pollution Prevention and Control (LAPPC) Permit. |
| I.3 | 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.4 | Parish Council | The proposed design looks as though it belongs in an urban environment or perhaps on an industrial estate, and is not appropriate for the edge of a rural village. The temporary advertising banners are already an eyesore. |

2 REPRESENTATIONS

No third party comments have been received regarding this application.

3 APPLICANT'S CASE

- 3.1 MINI Long Hanborough's re- development will use a set of design rules and a palette of materials set by MINI. This proposal is in response to the continuing evolution of the MINI corporate identity and ensures that MINI Long Hanborough meets the latest standards. The investment in this project will result in an increase in staff numbers and therefore will create new jobs for the area.
- 3.2 The external alterations are in keeping with the existing building and will use the same cladding and colour scheme already present on the façade. The signage on the building will be updated whilst remaining a similar size and style to the existing signage, ensuring it is appropriate for the surrounding area. The existing structure of the building will largely remain the same whilst a new entrance will provide level access for customers near to customer parking.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE3 Local Landscape Character
E7 Existing Businesses
OS2NEW Locating development in the right places
OS4NEW High quality design
EI NEW Land for employment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks approval for exterior works and minor extensions to a large commercial car dealership. The North Oxford Garage site lies on the edge of Long Hanborough adjacent to Hanborough Train Station, a large area of car parking, a terrace of residential dwellings and small business park/industrial estate. The existing site consists of a large stone and steel clad building containing a car showroom, offices and workshop; a smaller detached steel clad building containing a body shop as well a large area of hardstanding and parking to the front, side and rear. Hanborough Train station lies immediately to the south of the site, with an access road serving the station lying to the west, separating the site from the nearest neighbouring properties. The A4095 Road runs to the front of the site.
- 5.2 The majority of the works proposed are internal alterations, however minor modifications and extensions are proposed to the main building and body shop. The total net additional gain in floor area would be 155 square metres; the existing site consists of 1707 square metres of commercial floor space. Alterations are additionally proposed to the front section of the building mainly the addition of black render to the lower sections below the existing black cladding along with alterations to the front fenestration and the addition of new signage. New black cladding is proposed on the side sections of the building.

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

Principle of development
Highways and access
Design, Scale and Siting
Drainage

Principle

- 5.4 The proposals represent improvements to an existing business premises. The redevelopment of existing employment sites, including the expansion of premises is supported within Policy E7 of the existing Local Plan and Policy EI of the Emerging Local Plan, providing development is commensurate with the character of the immediate area. The proposed extensions are considered proportionate to the scale of the existing premises and officers consider that the principle of development is acceptable.

Siting, Design and Form

- 5.5 The proposed alterations to the frontage including the fenestration alterations and recladding are considered by officers to enhance the appearance of the exterior of the building. The proposed black render and addition of further black cladding to the side of the building is considered acceptable in the context of the site. The 3D car model originally proposed to be attached to the front of the building has been excluded from the amended drawings as this was considered to appear obtrusive and out of place. The level of signage located on the front elevation of the building is considered acceptable.
- 5.6 Officers are not of the opinion that the proposed external cladding, render and alterations to the front fenestration would appear out of keeping within the context of the immediate area, particularly as the site occupies a position on the edge of an industrial estate and business park, with the surrounding area consisting mainly of car parking, storage sheds and a railway station. The proposed design is consistent with the use of the building as a commercial car dealership. The proposed extensions to the main building and body shop are minor, have no notable visual impact and would not be visible in the street scene.

Highway

- 5.7 The proposals which are mainly design improvements, minor extensions and a rationalisation of the existing layout are unlikely to result in significant additional vehicular movements and no alterations are proposed to the existing road access onto the A4095.

Residential Amenities

- 5.8 The site is located over 20 metres from the nearest adjoining dwellings, which are separated by an access road serving the railway station. The proposed alterations are not considered by officers to result in any additional amenity issues and the development as proposed should not result in additional disturbance to the occupants of these properties.

Drainage

- 5.9 The application proposes an increase in the area of existing hardstanding to the rear of the garage. In order to ensure that measures are incorporated to reduce surface water runoff, a surface water drainage scheme is requested by condition.

Conclusion

- 5.10 The proposed alterations and extensions would not be detrimental from a design or amenity perspective and would represent a sustainable expansion of existing employment operations on the site considered to be consistent with Existing Local Plan Policy E7 and Emerging Local Plan Policy E1. The proposed design alterations are consistent with Existing Local Plan Policy BE2 and Emerging Local Plan Policy OS4.

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; 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.
- 4 The external walls of the building; proposed to be clad shall be clad, 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.
- 5 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality

NOTE TO APPLICANT

If the activity at the spray booth consumes more than 1.0 tonne of solvent a year, the installation will require a statutory Local Air Pollution Prevention and Control (LAPPC) Permit.

Application Number	I6/00419/S73
Site Address	Chipping Norton Baptist Church New Street Chipping Norton Oxfordshire OX7 5LL
Date	16th March 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Chipping Norton Parish Council
Grid Reference	431111 E 227152 N
Committee Date	29th March 2016

Application Details:

Non-compliance with condition 15 of planning permission 14/0694/P/FP to allow alterations to approved fenestration.

Applicant Details:

Mr J Rice
Unit 3A
Martson House
Cromwell Business Park
Chipping Norton
OX7 5SR

1 CONSULTATIONS

- 1.1 WODC Architect No Comment Received.
- 1.2 Town Council The Town Council object to this planning application and insist that the window stated remains as an opaque window to protect the neighbours privacy.
- This is the third time this planning application has been considered for a variation to the approved plan. Another form of ventilation could be achieved.

2 REPRESENTATIONS

- 2.1 4 Letters of objection have been received in relation to this application, the objections are summarised below.
- The reason for variation is ventilation. Neighbours privacy should not be compromised by changing non-opening windows to clear glass.
 - The height of 1.7 metres to not sufficient and is below the height of the average UK male.
 - The window directly overlooks 2 Distons Lane and allowing the top part of the window to be clear would not be sufficient to reduce overlooking.
 - The windows being openable would privacy and there is a concern about noise.

3 APPLICANT'S CASE

- 3.1 If the windows were non-opening, this would present issues for naturally venting the proposed rooms and would require additional roof vents/rooflights that the Listed Building Committee would not approve. Therefore, we are seeking to have this condition varied to allow the existing windows to have top opening clear glazed casements. These casements are more than 1.7m above the FFL and therefore present no overlooking issues.

We would propose to have the lower part of the window obscured as drawing 15105/419 included in the variation submission. We have support from the Baptist Union Listed Building Committee

4 PLANNING POLICIES

BE2 General Development Standards
H2 General residential development standards
OS4NEW High quality design
H6NEW Existing housing
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 variation of condition 15 of approved planning permission 14/0694/P/FP. This permission relates to the conversion and change of use of the Grade II listed former Baptist Chipping Norton Baptist Church to form eight apartments. The building is a large stone vernacular church building which fronts New Street and extends a considerable degree to the rear. Construction work to implement the approved change of use is currently underway.
- 5.2 Condition 15 of approved planning consent 14/0694/P/FP specifies that the first floor windows on the eastern elevation serving units 7 and 8 should be non-opening and obscure glazed. The variation proposed relates to the partial removal of obscure glazing in the upper sections of the first floor east elevation windows, this would allow for the upper section of the window to be clear glazed above a height of at least 1.7 metres. The application also seeks a variation to allow the upper windows to partially open. The windows in question are located towards the rear of the building and face a row of properties on Distons Lane.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Residential Amenity
Design
Impact on the character of the Grade II listed building

Principle

- 5.4 The principle of allowing the condition to be removed is considered acceptable and the issues relate to the impact of the variation of condition 15 on design and residential amenity.

Siting, Design and Form

- 5.5 The proposals do not involve any changes to the overall design of the windows other than the nature of the glazing. Officers consider that removing the obscure glass for the higher sections of the windows would not be detrimental to the character and appearance of the Grade II listed building.

Residential Amenities

- 5.6 The partial removal of obscure glazing as well as permitting the windows to partially open would enhance the residential amenity of the future occupants of the converted church building through allowing additional natural light into the bedrooms of two of the approved apartments.
- 5.7 The key consideration is whether the removal of the obscure glass in the upper sections of the window above 1.7 metres from floor level would impact on the residential amenity of the occupants of Numbers 4 to 18 Distons Lane through overlooking and potential loss of privacy. Numbers 4 to 18 Distons Lane are a row of three storey terraced stone cottages, with rear windows facing Units 7 and 8. There is a separation distance of 19 metres between the side windows of the proposed flats and the properties immediately opposite in Distons Lane. The distance between the windows of the approved flats and rear curtilage space of 4 to 18 Distons Lane is 10 metres. The distance between the two sets of facing windows falls short of the recommended 21 metres distance between opposite facing windows, which is the principle reason for the condition requiring the fitting obscure glass.
- 5.8 The application seeks a compromise in order to provide additional natural light and suitable ventilation to the flats. Whilst the separation distance falls short of the required 21 metres the distance of 19 metres is relatively close to what would be deemed an acceptable distance. Weight is given to the fact that the windows were previously clear glazed during the buildings former use as a Church Hall. The upper section of the window, which would be clear glazed is above a height of 1.7 Metres and only the upper section of the window is proposed to be opening. Officers consider that the any additional overlooking would be minimal given the height of the clear glazed section of the windows and the separation distance of 19 metres between the flats and properties opposite and as such the proposed variation of condition would not significantly impact on the amenity of the opposite properties in Distons Lane. At the height proposed any occupants of the flats would have to stand in a position very close to the windows in order to view out of the windows to any substantial degree and as such there is not considered to be a general level of overlooking. The applicants have claimed that the upper sections of the windows are 2.1 metres above floor level as opposed to the 1.7 metres stated on the plans. Were the upper windows higher than the stated 1.7 metres then this would further reduce potential overlooking into the properties opposite.
- 5.9 Officers consider that the proposals to vary the condition are an adequate compromise which would enhance the amenity of the future occupants of the approved flats, whilst retaining an acceptable degree of privacy for the properties in Distons Lane.

Conclusion

- 5.10 Officers consider that the variation of the condition to allow the upper sections of the windows above a height of 1.7 metres to be partially opening and clear glazed would not substantially impact on the amenity of the occupants of the opposite facing properties given the existing

separation distance of 19 metres and the height of the upper windows. Officers consider that the proposals would not adversely impact on the appearance of the Grade II listed church. The proposals are therefore considered to be compliant with Existing Local Plan Policies BE2 and H2 and Emerging Local Plan Policies OS4 and H6.

6 CONDITIONS

- 1 The development shall be carried out in accordance with the approved plans and in accordance with conditions 7, 8 and 9 of approved Planning Permission 14/0694/P/FP
REASON: To ensure that the development is carried out as consented by the original planning application 14/0694/P/FP, notwithstanding the variation of condition 15 as consented within this application.

- 2 Before first occupation of the building the lower sections of the first floor east elevation windows serving apartments 7 and 8 shall be fitted with obscure glazing up to a height of no less than 1.7 metres above floor level and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.