

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 4th July 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

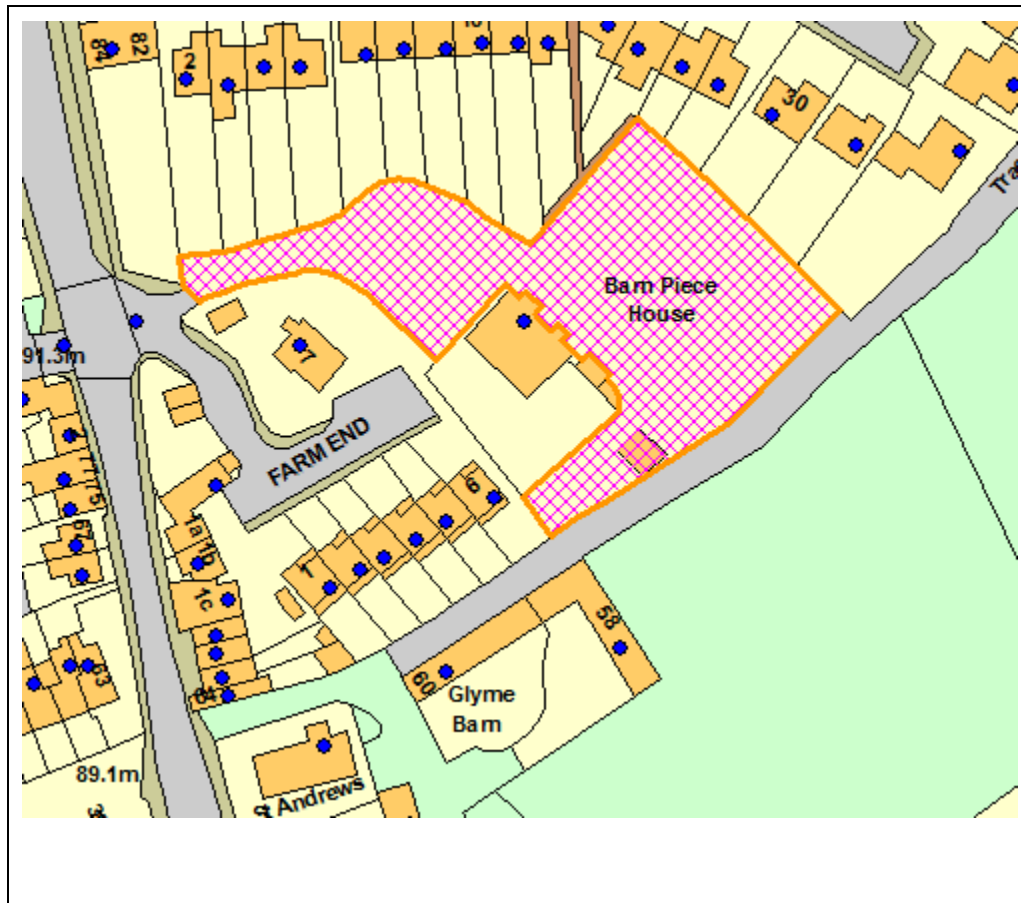
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

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16/00971/FUL	<u>Land At New Gardens Ledwell Road, Great Tew</u>	35
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Application Number	I5/04147/FUL
Site Address	80 Manor Road Woodstock Oxfordshire OX20 1XL
Date	22nd June 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Woodstock
Grid Reference	444194 E 217203 N
Committee Date	4th July 2016

Location Map



Application Details:

Demolition of two outbuildings. Erection of 3 detached dwellings and associated works including provision of parking and vehicle manoeuvring.

Applicant Details:

DJ Leslie
c/o JPPC

I CONSULTATIONS

- I.1 Parish Council Strongly Object for the following reasons:
i) Over-development of the site
ii) part violation of the Conservation Area
iii) It is too tall
iv) There are concerns about ancient buildings such as the old 'calving' shed and trees.
- I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
No objection subject to
- G36 parking as plan
- G31 drive/parking space etc specification
- G47 SUDS sustainable surface water drainage details
- I.3 WODC Architect Whilst the fourth dwelling has been dropped the layout of the three remaining dwellings on the main part of the site is largely unaffected. The dwellings feel somewhat shoehorned in, however a garage and living area on plot 3 has been transposed giving a modest improvement in amenity. The taller element of plot 3 and 4 has been lowered and the quantity of glazing reduced, addressing issues with the glazing reflecting sun light. I think that the scheme is an acceptable proposition from out point of view.
- I.4 WODC Drainage Engineers A safe access / egress needs to be considered due to the susceptibility of Manor Road to pluvial flooding.

Soakaways should be designed to withstand a minimum of 1 in 30 + 30% cc event. The site drainage should be designed to contain all surface water resulting from all storm events up to and including the 1 in 100 year + 30 % climate change event.

An exceedence plan for flow routes above the 1 in 100+30% event shall be submitted with the proposal. The routes through the development should be based on proposed topography with flows being directed to the highway. Flow routes through areas in private ownership will not be permitted.
- I.5 Ecologist The submitted ecology report Preliminary Bat survey, emergence survey & walk over survey by four acre ecology ltd dated 01/02/2016 found evidence of bats (7 soprano pipistrelle and brown long eared bats) in the main house which is now to be retained but no evidence in the garage or other buildings on site. The survey also recommended a precautionary approach to the low potential for reptiles and included a working method statement to ensure the clearance works do not harm reptiles or any other species such as hedgehogs or amphibians although they are thought to be unlikely to be present on the site.

The report also identified enhancements that could be achieved for bats and hedgehogs and the importance of retaining the boundary trees and habitats.

The proposed retention of trees in drawing no 1507 006 shows how the sites boundaries can be retained and enhanced for biodiversity.

If all the recommended mitigations are implemented, the development will not cause any harm to bats, reptiles, hedgehogs or birds, and therefore the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including section 11) and the NPPG are met.

Habitat Reg tests required: YES - Bats all roosts & flight paths retained so the three habitats are met

Draft recommendation: No objection subject to conditions

2 REPRESENTATIONS

2.1 A total of 7 objections have been received in relation to the original application for 4 dwellings and a further 4 objections received in relation to the amended proposals for 3 dwellings, these are summarised below:

- The siting of the dwellings would degrade the rear aspect of the existing dwellings in Westlands Way.
- The development would have a negative impact on privacy, light and sense of space of the properties on Westland Way. The properties would ruin the currently open views and have a negative impact on property resale prices.
- The proposed access road is not wide enough.
- The proposals would be an overdevelopment of the site.
- The building work would cause excessive noise and disturbance.
- The development would have a detrimental impact on the character of the area.
- The development would create more traffic onto the A44 at a narrow and dangerous point in the road.
- The design of the buildings is modern and out of keeping with the character and feel of Manor Farm, which is to the south of the site and is constructed from Cotswold Stone.
- The proposed height of plot 4 is excessive, intrusive and out of keeping with the surrounding buildings.
- The building described as the 'rubblestone car port' is an original farm storage building and should not be removed as it forms part of the area's history.
- The south elevation of Plot 4 would overlook Manor Farm.
- Three additional houses would place a burden on the capacity of existing drains.
- Plot 3 is 7 metres from the boundary of 32 Westland Way, which would be overlooked. The design of plot 3 is bulky and the mass of roof would be dominant and cause overshadowing of the garden of this property.
- No building works should be included in the Conservation Area.

Ms Gale raised concerns about the impact on the existing access to Farm End, the design aspects of the proposed dwellings and the impact of the development on the capacity of the existing sewers.

Mr Williams states that there are errors in the site plans with regards to the curtilage boundary of 82-84 Manor Road and the Conservation Area boundary.

The Woodstock Action Group (WAG) objects to the above referenced planning application on the bases of the following:

1. WAG fully supports the Woodstock Town Council's rejection of this application by resolution at its Tuesday 26 April 2016 meeting to strongly oppose it under WODC planning policy BE2 as being an overdevelopment of the site, part violation of the conservation area, it is (structures) too high, and concerns about the ancient buildings i.e. the old "carving" shed and also about impact upon trees.

2. Policy BE2 Quality of Development and Impact Upon the Area: The application fails to respect the existing scale, pattern and character of the surrounding area. It also fails to create or retain a satisfactory environment for people living close to the site. It does not enhance or protect existing features of importance ex., the "rubblestone" farm storage building.

3. BE3 (d) The development will have a significant hazardous impact on the A44 highway network specifically exiting the proposed site.

4. BE4 The proposed development will result in the loss or erosion of the distinctiveness of the settlement, the visual amenity and character of the locality.

5. BE5 The Woodstock designated conservation area will be encroached upon and this will do little, if anything, to enhance or preserve its appearance and character.

6. BE10 The demolition or conversion of an unlisted vernacular building or buildings in the conservation area will impact upon the appearance of the setting.

7. H2 General Residential Development Standards

The proposals for additional buildings will have the effect of eroding the character and appearance of the surrounding area and adversely affect features of some historical importance and setting.

8. T1 Traffic Generation-Extremely Dangerous Exit from Site

If nothing else, this planning application should be rejected because it will increase the number of private vehicles, in addition to delivery and postal vans, trash lorries and visitors entering and exiting this rutted, pocked narrow road where two vehicles are unable to pass.

But the critical point is when exiting onto a blind curve on the very busy A44 to make a left turn toward Woodstock town centre the driver must ease the front of the vehicle onto the highway at least as far as the driver's seat in order for him/her to see if the road is clear to exit. This is an extremely hazardous manoeuvre. HGVs come rushing down the hill from the north toward Woodstock and the potential for a serious accident is a daily traffic lottery.

For this reason alone, this application should not even be considered.

3 APPLICANT'S CASE

The development would be consistent with the scale, character and appearance of existing development in the locality. It would not harm the heritage interests of the Conservation Area. The type of housing shown is appropriate for the area.

Having regard to the location of the fenestration and the distances between the proposed dwellings there would be no material adverse impact on the privacy or amenity of their occupants. The access and parking provision would be appropriate for this form of development and would not impact adversely on the safety and convenience of users of the public highway. Appropriate landscaping will be provided to aid the amenity and biodiversity of the area.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
H2 General residential development standards
H7 Service centres
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application was deferred from the previous committee held on the 31st May 2016 to allow members to visit the site.
- 5.2 The application seeks approval for the erection of three detached dwellings on land adjacent to a large detached dwelling 80 Manor Road, Woodstock. The present application has been amended on officer's advice to exclude a further dwelling previously proposed close to the vehicular entrance to the site. Alterations have also been made to the proposed layout and a minor reduction of 0.5 metres made to the height of Plot 4. The site lies on the edge of Woodstock and the southwestern section of the site lies within the designated Conservation Area. The site is reasonably well contained within the existing built form and views to the site from the North, East and West are greatly restricted. A footpath lies to the south of the site which is not a public right of way, although this is open to and used by members of the public.
- 5.3 The site consists predominantly of domestic curtilage space with a large grass lawn. A grass meadow lies to the south of the site and an open area of agricultural land is located to the east of the site behind a hedgerow and area of boundary screening. Housing in the immediate area consists of a mix of suburban 1960's two and three storey developments at Westland Way to the North of the site and at Farm Close to the South West. Manor Road consists of 18th and 19th century vernacular stone cottages. Barn Piece house is a large two storey dwelling of an unusual design consisting of two gables and a mix of facing red brick and render. The site is currently accessed via a gravel access track onto Manor Road.
- 5.4 The proposed development consists of a small cul-de-sac of three dwellings with associated amenity space. The existing property Barn Piece House would be retained. The proposed dwellings would be of a contemporary interpretation of a traditional rural dwelling style and would be constructed predominantly from stone with the first floor sections clad in timber.

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

- Principle of Development
- Design, scale and siting
- Impact on Conservation Area setting
- Highways
- Residential Amenity

Principle

5.6 Paragraph 49 of the NPPF specifies that all applications for housing are determined in accordance with the presumption in favour of sustainable development as outlined within paragraph 7 of the NPPF. This requires that an assessment is made with regards to the social, economic and environmental sustainability of the proposed development and its accordance with relevant Local Plan Policy, where relevant policies are considered to be in date.

5.7 Paragraph 49 requires that policies relating to the delivery of housing should not be considered in date if the local authority cannot demonstrate an adequate five year supply of housing. The Councils overall position on housing land supply is at present is unclear as a five figure is yet to be established. The Local Plan Inspector in his initial comments made following the first phase of the Local Plan inquiry held late last year suggested that further work will have to be carried out to establish an exact figure, or alternatively the Council could adopt a higher figure of 660 units per year. West Oxfordshire District Council at present claims to be able to demonstrate a five year housing land supply in line with a delivery figure 525 houses per year, however the Local Plan inspector has indicated that the figure will sit within a range of 525-660 units and it is therefore unclear where the Council currently stand in terms of a precise figure for housing delivery, and whether the Council can currently meet this requirement.

5.8 The Councils current position on housing land supply is a material consideration in the weight attributed to existing Local Plan Policies H4-H7 and Emerging Local Plan Policy H2, given the existing situation it is considered that minimal weight can be attached to these location based policies.

5.9 Notwithstanding the Councils position on five year housing land supply, the proposals are considered to be consistent with the Councils location based housing development policies. Woodstock is listed as a service centre in existing Local Plan Policy H7 and emerging Local Plan Policies OS2 and H2. Policy H2 of the Councils emerging plan allows for new housing to be development on undeveloped land within or adjoining the built up area of services centres within the district, providing this is consistent with the general principles of development outlined in section 3 of Policy H2, as well as the relevant provisions of the existing and emerging Local Plans. The site is relatively well contained, within the existing built form and development exists to the North and West of the site. The principle of new residential development on the site has been established to a degree as a proposal for a single detached dwelling was approved on the site in 2008(08/0335/P/FP) with permission extended in 2011. Although the proposals are for an increased number of dwellings officers consider that the site is capable of supporting three dwellings. The site is a sustainable location in close proximity to a range of local services, facilities and local bus links.

Siting, Design and Form

- 5.10 The proposed dwellings are of a contemporary design and evidently differ from the dwelling design typically associated with the Woodstock Conservation Area. The immediate area of Woodstock is predominantly suburban in character, with the exception of more historic vernacular development, which runs parallel to Manor Road. The immediate street scene in Westland Way and Farm End adjoining the site consists of 1960's and 1970's non-vernacular residential development. The design of the proposed dwellings incorporates some traditional characteristics in terms of form and the use of stone materials; however the general design approach is contemporary which is reflected in the prominent use of glazing on the rear elevations of plots 3 and 4. Officers consider that this approach is acceptable in the immediate context of the surrounding area and site.
- 5.11 With the exclusion of plot 1 and the amendments made to increase the separation distance between plots 2 and 3 officers consider that the general layout and density proposed is acceptable. The dwellings are relatively high, although it is noted that the properties would sit below the adjacent three storey townhouses in Farm Close.
- 5.12 The development is set back considerably from Manor Road and the proposed dwellings would not be visible in the immediate street scene. The site plan indicates a significant quantity of screening along the North and Eastern boundaries, which help to limit the visibility of the development. There are views towards the site from the open fields and meadows to the south. As the site is well contained within the existing built form, the development would assimilate fairly well with the existing line of dwellings running from Farm End to Westland way and would not therefore appear unduly prominent in the local landscape setting. A detailed landscaping plan is requested by condition.
- 5.13 The majority of development is located outside the designated conservation area, although the whole scheme would be considered to be within the immediate setting of the conservation area. Owing to the lack of visibility of the dwellings and the development being largely hidden from the immediate street scene in Manor Road, officers do not consider that the development would result in harm or less than substantial harm to the character of the conservation area. The stone outbuilding currently used as a car port is vernacular in its design and character and representations received suggest that this was a historic agricultural building. The building has evidently undergone significant alterations including the removal of the front of the building and the addition of a flat roof. With the alterations made the original character of the building has significantly deteriorated officers are of the opinion that the buildings contribution to the conservation area is not significant to the extent that the removal of this building would result in harm or less than substantial harm to the character and setting of the Conservation Area.

Highway

- 5.14 The proposed development would be served by the existing point of access onto Manor Road, which would be re-surfaced and widened. The existing access is considered to be suitable and with the enhancements suggested, officers consider that the proposals would not be detrimental to highway safety or amenity. No objections have been raised by OCC Highways officers with regards to the suitability of the access road or access point onto the A44. Adequate parking spaces are proposed for all three dwellings.

Residential Amenities

- 5.15 Officers consider that the siting of plots 2 and 3 would not be significantly overbearing in relation to the existing dwellings to the North in Westland Way as an adequate separation distance is maintained between the rear of these properties and the rear curtilage of the adjacent dwellings in Westland Way. Around 18-20 metres distance is retained between the proposed plots 2 and 3 and these neighbouring dwellings. The proposed dwellings should not result in substantial loss of light or overshadowing to the rear aspect of these properties.
- 5.16 The amendments made to the orientation and positioning of plot 3 and 4 are substantially beneficial to the amenity of potential future occupants of the properties in ensuring a greater degree of separation is contained and an additional area of useable amenity space being created for plot 3. In addition the removal of plot 1 from the plans means a further area of shared amenity space is made available for the three proposed dwellings.
- 5.17 The existing tree cover limits the quality of the existing amenity space of plots 2 and 3, although it is indicated that some of the existing trees in the rear curtilage of plot 2 would be removed. Officers consider that this would probably enhance the amenity for future occupants of this dwelling. A large section of the usable amenity space of plot 3 is covered by existing trees, which are not indicated to be removed, it is however accepted that an adequate quantity of usable amenity space would be allocated for this property.
- 5.18 The glazed south elevation of plot 4 including the rear windows and balustrade would be located approximately 21 to 22 metres from the windows of a neighbouring converted barn. The distance between the rear windows of plot 4 and the side windows of this dwelling is deemed to be acceptable. There is unlikely to be substantial overlooking in general from plots 2 and 3 to the adjoining properties in Westland Way, although attaching obscure glazing in two first floor windows of plot 3 and one first floor window of plot 2 is considered necessary. To prevent overlooking into the rear windows of Barn Piece House it is considered necessary that the first floor side windows of Plot 4 should be fitted with obscure glass.

Conclusion

- 5.19 Officers consider that in the context of the site and its immediate setting that the proposed design, scale and siting of the dwellings proposed would be appropriate and would not adversely impact on the setting of the conservation area. Given the amendments made officers are of the opinion that the development gives adequate regard to the amenity of present occupants of the adjacent properties in Woodlands Road and Farm End and future occupants of the proposed development and would not compromise highway safety and amenity. As such the development is considered to be compliant with Existing Local Plan Policies BE2, BE5 and H2 and Emerging Local Plan Policies OS2, OS4, EH1 and H2.

6 CONDITIONS

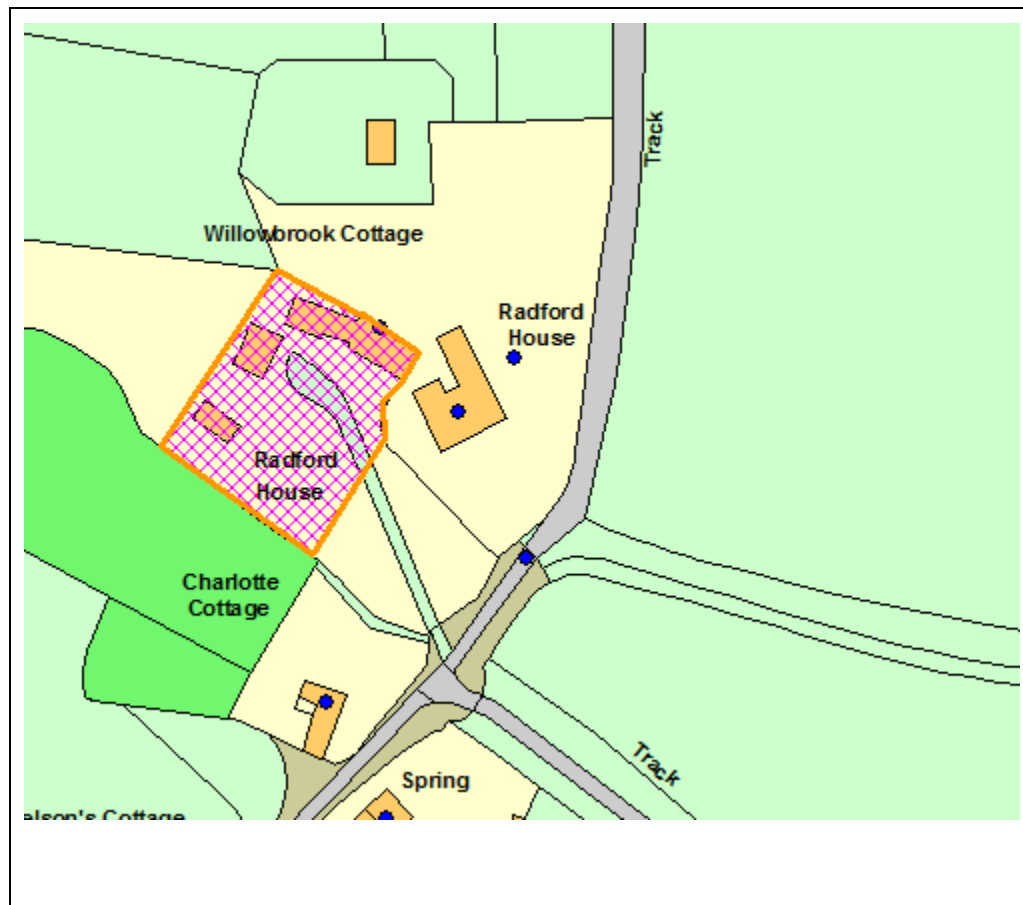
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 08/04/16;
REASON: The application details have been amended by the submission of revised details.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 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.
- 5 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.
- 6 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.
- 7 Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

- 8 All of the development works must be carried out as per the recommendations and the working method statement in section 7 of Preliminary Bat survey, emergence survey & walk over survey by Four Acre Ecology Ltd dated 01/02/2016 to include enhancements for bats and boundary habitat retention as illustrated on drawing no 1570 006. All mitigation & enhancement works must be completed before the new dwellings are first brought into use and all enhancements must be permanently maintained thereafter.
REASON: To ensure that birds & bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the 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 including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 9 Notwithstanding the information provided on the approved layout plan, details of all walls and fences around each plot and on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected before occupation of the associated dwellings hereby approved and thereafter be retained.
REASON: To ensure that in the interests of privacy and visual amenity a high standard of boundary treatment is provided.
- 10 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.
REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any other order revoking and re-enacting that Order with or without modification) no development permitted under Class A to E of Part 1, Schedule 2 shall take place.
REASON: To preserve the character and appearance of the area
- 12 Before first occupation of the buildings hereby permitted the first floor windows of the east and west side elevations of plot 4; the first floor window of the west, side elevation serving the bathroom of plot 3; the east side elevation windows of plot 3, serving both bathrooms and the smaller window of bedroom 2 of plot 3; shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

Application Number	I6/00342/RES
Site Address	Willowbrook Radford Chipping Norton Oxfordshire OX7 4EB
Date	22nd June 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Enstone
Grid Reference	440983 E 224123 N
Committee Date	4th July 2016

Location Map



Application Details:

Erection of replacement dwelling and detached double garage (appearance and landscaping).

Applicant Details:

Palladian Properties Ltd
C/o Agent

I CONSULTATIONS

- 1.1 WODC Drainage Engineers According to the EA flood maps, the site lies within Floodzone 1, at a very low risk of fluvial flooding. It is shown as being susceptible to 1 in 1000 year surface water flooding.
A watercourse runs through the middle of the site. There is a history of the site and surrounding land flooding and Condition 3 of the Decision Notice for 13/0321/P/OP specified, in addition to the submission of a full surface water drainage scheme, that a flood mitigation strategy be submitted to address the existing situation.
- 1.2 Parish Council Enstone Parish Council unanimously objects to this planning application on the grounds of the high risk of flooding in this area and that the reserved matters associated with the outline planning permission 13/0321/P/OP have not been addressed.

As stated in the planning application 13/0321/P/OP, the scale of the proposed property is out of proportion compared to the Grade II listed buildings on either side of the proposed property.
- 1.3 WODC Architect No Comment Received.
- 1.4 WODC Landscape And Forestry Officer No Comment Received.
- 1.5 Ecologist Having looked at the submitted documents, which include the 'landscape scheme' I would like to make the following comments the position of the replacement house is less than 4m from the stream which has potential to pollute the watercourse or damage the associated habitats. If the position of the house has already been agreed we need to put in place a prevention of pollution scheme of which they will need to submit further details. If the position has not been agreed then we need to ask it to be moved away from the watercourse to reduce the potential impacts and a scheme to show how the associated watercourse habitats will be enhanced and protected from this proposed development.

They also proposed removal of two trees have they been assessed for bat roosts and what replacement trees are planned as none are shown.

The wildflower meadow is welcomed but we need to know the proposed species composition to assess its biodiversity gain.

2 REPRESENTATIONS

- 2.1 A total of eleven letters of objection have been received in relation to this application. The main objections are summarised below:

- * Measures have not been proposed to address the issues of flooding. There are no mentions of any proposed mitigation measures.
- * The proposed pond would be useless as a flood mitigation measure.
- * A sympathetic building is required in this location.
- * The proposed landscaping does not address the flood risk.
- * The applicant's statement that the dwelling cannot be seen from the road is inaccurate.
- * No details are given about the proposed wildflower meadow.
- * The roof plans submitted are inaccurate.
- * The scale of the dwelling is not subservient to Radford House as required.
- * Without enlarging the culverts at the gateways to Radford House and Willowbrook then the driveway of Radford House will continue to be flooded.
- * The top half of the stream has not yet been dredged and is causing flooding.
- * The proposed dwelling would not be subservient to Radford House.

3 APPLICANT'S CASE

- 3.1 Considering the proposed landscaping of the site initially, it is set within an existing mature garden and wider landscape. The proposals do not seek to alter that significantly, two trees at the site frontage are proposed to be removed to allow an area of visitor parking to be provided to the front of the site. Otherwise the driveway will be resurfaced with suitable gravel and an area of new cottage flower garden surrounded by low box hedging will be provided to the front of the new dwelling. The remainder of the site will remain as grass.
- 3.2 Turning to the appearance of the dwelling, it is proposed to be built in coursed local Cotswold stone under a natural slate roof. The windows will be off white painted wooden sashes and a reclaimed brick detail on the chimneys. The front door would be painted wood and the dormer windows would have the cheeks and front finished in render. Rainwater goods would be black powder coated aluminium. The architecture is the same as that shown at the outline stage, with pitched roofs and a traditional vernacular design.

4 PLANNING POLICIES

BE2 General Development Standards
 BE3 Provision for Movement and Parking
 NE1 Safeguarding the Countryside
 NE3 Local Landscape Character
 BE8 Development affecting the Setting of a Listed Building
 NE7 The Water Environment
 NE13 Biodiversity Conservation
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 EH1NEW Landscape character
 EH2NEW Biodiversity
 EH5NEW Flood risk
 EH6NEW Environmental protection
 EH7NEW Historic Environment
 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 outstanding reserved matters of landscaping and appearance for the erection of a replacement dwelling at Radford. Outline approval was granted by committee in 2013 for the principle of a replacement dwelling on the site, alongside the layout, scale and means of access (13/0321/P/OP). The site currently consists of a two storey stone cottage located close to the boundary of a Grade II listed dwelling, known as Radford House. The remainder of the site consists of an open area of cleared land with a small stream running through the centre of the site up to the adjoining highway and associated culvert. The plans show a red line area around a section of the site containing the existing dwelling and the position of the proposed replacement dwelling. The remainder of the adjacent land is included in a blue line area which contains the means of access and siting of the proposed landscaping and intended upstream drainage.
- 5.2 Members deferred this application from the previous committee with the request that the applicants provide further details regarding potential upstream drainage. It was suggested by members that the height of the dwelling should be addressed to ensure that this was subservient to Radford House, the adjacent property. At present further details have not been received regarding drainage and amendments have not been made to the design and external appearance of the dwelling.
- 5.3 Outline approval is in place for the siting of a dwelling located in a central position in the site located relatively close the stream which runs through the site. An approved means of access serves the dwelling from the adjoining lane. The existing two storey dwelling would be demolished as part of this application. The design submitted matches the indicative design submitted as part of the outline application. A two storey stone dwelling is proposed which extends to a height of 9 metres to the roof ridge.
- 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:
- Design and external appearance of the dwelling
 - Landscaping
 - Drainage

Principle

- 5.5 The principle of a replacement dwelling in the location proposed has been deemed acceptable as part of the previous outline application.

Siting, Design and Form

- 5.6 The siting of the dwelling remains as previously approved. The outline consent includes scale and an indicative dwelling design was submitted at outline stage which matches the design submitted for the present reserved matters application.
- 5.7 The matter for consideration is the external design of the dwelling. The proposed use of natural stone and is considered to be appropriate in the context of the immediate area and would be in

keeping with the adjoining properties Charlotte Cottage and Radford House and the building features traditional detailing and fenestration design. Officers consider that the proposals respond reasonably well to the character of the immediate area and the design would not detract from the setting of the adjoining Grade II listed Radford House.

- 5.8 Officers note the informative attached to the previous application stating that the proposed dwelling should appear subservient to Radford House. It is noted however that the scale of the dwelling has been previously consented and that this reserved matters application relates to the design and external appearance of the dwelling. It is also noted that the outline consent was accompanied by indicative drawings which match those submitted with this reserved matters application. Outline consent has been granted for a dwelling of a sizeable scale; whilst the dwelling is not fully subservient to Radford House officers consider that the dwelling design is acceptable from a design perspective, which is the specific matter for consideration in this reserved matters application.

Landscaping

- 5.9 Landscaping is considered within this application as a reserved matter. The site is located on the edge of Radford and is adjacent to an area of attractive open countryside, although the site is not within a designated area of landscape value. The site previously contained an orchard which has since been cleared and the site currently consists mainly of open space which at present is visually unattractive. To improve the appearance of the site and to offset the additional visual impact of the proposed dwelling, a comprehensive landscaping scheme is required.
- 5.10 The application proposes some improvement works forward of the dwelling involving the planting of low hedges and flower gardens. The application proposes the retention of existing trees adjacent to the boundary with Radford House, although no new tree planting is proposed. The key landscape improvement is the planting of a wildflower meadow on the opposite side of the stream to the proposed dwelling. This area of the site consists of unattractive open land on the site of the former orchard. The proposed meadow would evidently improve the visual appearance of the site and is ecologically beneficial, however further details of the proposed planting and future management of this space would be required by condition.
- 5.11 In general the proposed landscaping would improve the visual appearance of the site which is currently neglected although the submission of detailed and comprehensive landscaping would be required by condition prior to the commencement of development.

Residential Amenities

- 5.12 Officers previously considered that the scale and siting of the dwelling would not detrimentally impact on the amenity of the nearest neighbouring properties Radford House and Charlotte Cottage. No floor plans are provided with the application so it is not possible to determine the use of the proposed rooms within the property, however elevation drawings indicate that there would be no first floor side windows in the north elevation facing Radford House. It is not considered that the proposed dwelling would result in any excess overlooking or loss of privacy to either Charlotte Cottage or Radford House, therefore a condition requiring the fitting of obscure glass would not be deemed necessary.

Flood Risk

- 5.13 The site is within an area identified as being at a low risk of flooding; therefore a statutory flood risk assessment would not be required. The site has however got an identified history of flooding and drainage problems associated with the stream running through the centre of the site and the culverts running alongside the adjacent highway. This has resulted in the significant build-up of surface water on the site and the flooding of the adjacent highway and neighbouring properties. There are substantial concerns amongst local residents that the erection of a dwelling on the site would increase water runoff and exacerbate the existing flood risk.
- 5.14 The issue of flood risk and drainage was considered as part of the outline consent granted and a condition was attached requesting the provision of a surface water drainage scheme and flood mitigation strategy. The provision of this information is not required as part of the reserved matters application as a statutory obligation, however it was suggested as an informative that these details should be submitted as part of the landscaping element of the reserved matters application.
- 5.15 The wider area of the site indicated within the blue line area of the location plan contains an extensive area of land to the west of the proposed dwelling, which is upstream from the site. It is considered essential that drainage works are required upstream from the site including attenuation measures to reduce discharge downstream and prevent flooding on site and the flooding of adjacent properties. Were appropriate drainage measures to be provided in the western section of the site then the development could be considered to be beneficial in reducing flood risk the immediate area downstream. In order to limit the risk of potential flooding a condition is recommended requiring the submission of the details of a comprehensive upstream drainage plan, within the western area of the blue line site plan prior to the commencement of development.
- 5.16 Members requested the deferral of the application in order for the applicant to provide indicative drainage details. The details requested have yet to be received at the time of writing, although the applicant has indicated that details will be provided including an engineer's report prior to this committee meeting.

Conclusion

- 5.17 The application seeks approval for two remaining reserved matters, landscaping and appearance. The general design of the property is traditional and keeping with the character of the immediate area and would be consistent with Policies BE2 and H2. An indicative landscaping scheme has been submitted which is deemed to be acceptable in principle and officers are satisfied that with the provision of further details by condition that the site could be adequately landscaped. With the provision of comprehensive upstream drainage required by condition, officers are of the opinion that the scheme would be of benefit in alleviating existing problems associated with flooding on site.

6 CONDITIONS

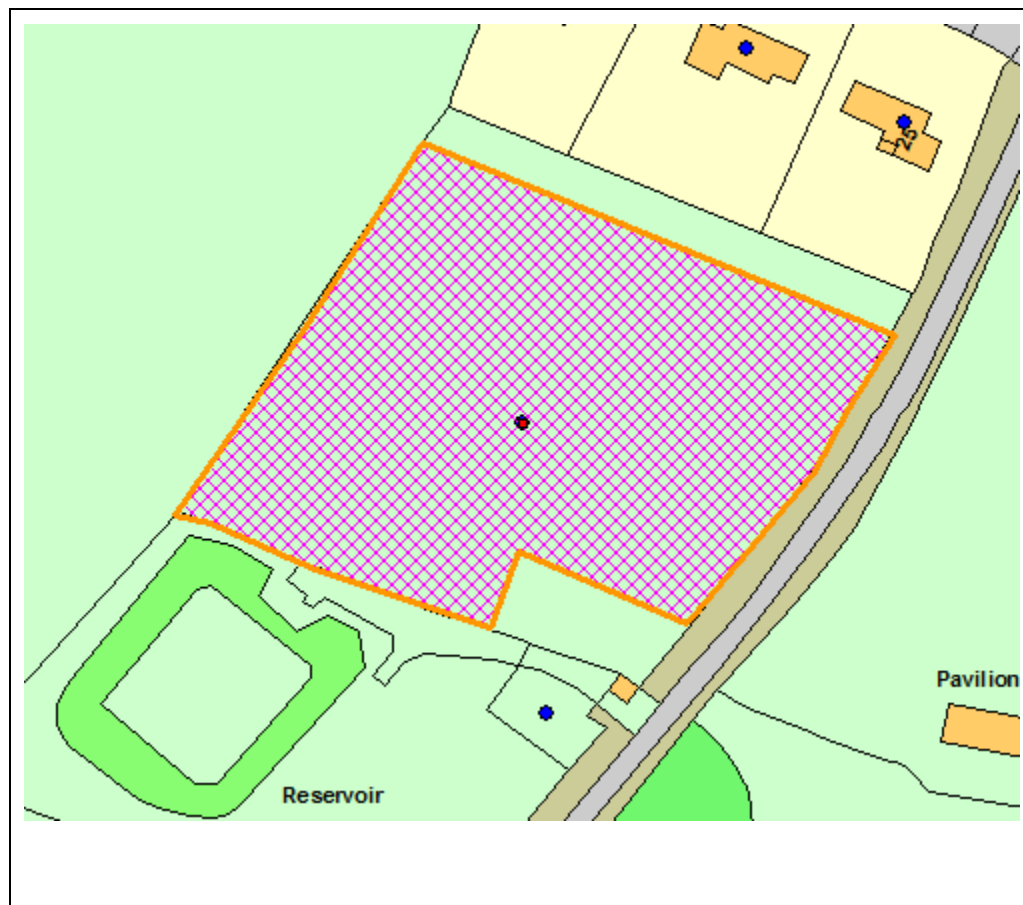
- I The development shall be commenced within either five years from the date of the outline permission granted under reference 13/0321/P/OP; or two years from the date of this approval, or where there are details yet to be approved, within two years from the final approval of those matters.
- REASON: To comply with the requirements of the Town and Country Planning Act 1990.

- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials. The external walls of the dwelling shall be constructed from natural stone and a sample panel shall be erected on site and shall be approved in writing by the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding details contained in the application, detailed specifications and drawings of all windows and doors; at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 5 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
- 6 The means of access between the land and the highway as shown in the blue line area 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.
- 7 A scheme of hard and soft landscaping for the house (which for the avoidance of doubt will need to include land beyond the red line site boundary in the blue line site boundary) 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.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any other order revoking and re-enacting that Order with or without modification) no development permitted under Class A to E of Part 1, Schedule 2 shall take place.
REASON: To preserve the character and appearance of the area

- 9 Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The submitted drainage scheme shall include details of flood mitigation measures to be contained within the area of the site outlined in blue. 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.
- 10 Prior to the commencement of development, a working method statement relating to the erection of the dwelling and implementation of associated drainage and landscaping shall be submitted to and approved in writing by the local planning authority.
REASON: To show that the neighbouring properties would not be affected by runoff resulting from the development.
- 11 Prior to the commencement of development, the existing dwelling on the site shall be demolished.
REASON: In the interests of visual amenity and to avoid overdevelopment of the site.

Application Number	I6/00667/OUT
Site Address	Land At Tanners Lane Burford Oxfordshire
Date	22nd June 2016
Officer	Joanna Lishman
Officer Recommendations	Approve subject to Legal Agreement
Parish	Burford
Grid Reference	424748 E 211997 N
Committee Date	4th July 2016

Location Map



Application Details:

Outline application for construction of 6 dwellings and garages. Proposed new vehicular access to site from Tanner's Lane (amended).

Applicant Details:

Mr Nicholas Mills
c/o Agent

I CONSULTATIONS

- I.1 WODC Head Of Housing Under the adopted LP we would seek a provision of AH at a threshold of anything over 2 net dwellings. This site is within the AONB, and under the emerging plan we will seek a contribution towards affordable housing. WODC requires a contribution based upon the size of the private dwellings, in a similar manner to CIL. E.g. a scheme of 6 private dwellings of 100/M2 each, multiplied by £100/M= a financial contribution of £60,000 (£10,000 per unit).
- I.2 Parish Council In principle we have no objection to development on this site, but there are issues with access and density; less houses would afford a better buffer zone. We would like Tanners Lane to be significantly improved, with passing places and traffic calming measures. The A40 junction needs to be improved. We would anticipate this application goes to Committee.
- I.3 WODC Planning Policy Manager In conclusion, this proposal to redevelop the site for residential use is in accordance with the overarching objective of Policy H2 of the Emerging Local Plan as a site on the edge of the settlement and is a suitable site for housing subject to overcoming site access and highway constraints, and provision of appropriate infrastructure for drainage, sewerage and landscape.
- Following amendment to the layout: It is an improved layout and responds better to the Burford built form.
- I.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.
- I.5 WODC Architect Acceptable in principle - give clear guidance on appropriate form for Reserved Matters.
- I.6 Environmental Health (Public Protection) No objection.
- I.7 WODC Env Services – Engineers No objection - Please attach a surface water disposal pre - commencement condition to any consent granted, that states that WODC must give approval to the SUDS scheme.
- I.8 Ecologist No objection - condition.
- I.9 OCC Archaeological Services Recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.
- I.10 Thames Water No Comment Received.

2 REPRESENTATIONS

2.1 Ten letters of objection have been received referring to the following matters:

- (i) Impact on highway safety - vehicular and pedestrian.
- (ii) Increase traffic movements - dangerous A40 junction.
- (iii) Design and layout - dwellings too big for their plots
- (iv) Density too high for a Tanners Lane site.
- (v) Contributions should be sought requiring improvements to Tanners Lane by way of passing bays, additional lighting and traffic calming. Also a turning lane from the A40 into Tanners Lane.
- (vi) Dwelling type proposed not in need in Burford. Propose retirement or first time buyer dwellings.
- (vii) Impact on surface water drainage and sewerage capacity.
- (viii) Impact on privacy and overlooking to Tanners Lane properties.
- (ix) Proximity to two radio communication masts - confirmation of any public health data or guidelines relating to the building of houses close to the mast.
- (x) Restore dilapidated drystone wall adjacent to the tree buffer.
- (xi) Maintenance of the buffer zone and access.
- (xii) Inconsistency with the documents re the position of the proposed access.
- (xiii) Ash trees in the tree belt are not an effective screen.
- (xiv) Visual impact of the development on the Conservation Area.
- (xv) Loss of open views from Tanners Lane and general impact on the AONB.

3 APPLICANT'S CASE

- 3.1 There is a significant housing need in West Oxfordshire, and this site offers a development opportunity which accords with the scale and character of the existing town.
- 3.2 Land at Tanner's Lane is directly adjacent to the boundary of the existing town, which is a designated service centre. As such it lies in a highly sustainable location, within walking and cycling distance of a wide range of shops and services, and with access to good public transport services.
- 3.3 There are no environmental designations on the site, which lies outside any area of flood risk.
- 3.4 Development of the site would have a minimal impact on the Cotswolds AONB due to the fact that it is visually contained by existing development to the north and south of the site. Proposed landscaping of the site would minimise the visual impact both on any views into the site from the AONB, and on existing residents who live adjacent to the site. The indicative layout provided ensures that there would be no potential for overlooking and residents' privacy would be maintained.
- 3.5 The principle of vehicular access to the site has been agreed by the Highways Authority, subject to some minor improvements to Tanner's Lane. An access point can be created which provides the visibility splays required by Government guidance, and would enable a service vehicle to turn into and out of the site.
- 3.6 The saved policies of the Local Plan 2011 are out of date, and the Council cannot demonstrate a 5 year housing land supply in the context of the Objectively Assessed Housing need, identified in the Oxfordshire SHMA. The principle of development on this site complies with the

presumption in favour of sustainable development contained within the NPPF, and with the emerging policies of the West Oxfordshire Local Plan 2031. The proposed development should therefore be approved without delay, on the grounds that it will provide high quality, much needed family housing in Burford.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
H2 General residential development standards
H7 Service centres
NE13 Biodiversity Conservation
NE15 Protected Species
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
NE4 Cotswolds Area of Outstanding Natural Beauty
NE6 Retention of Trees, Woodlands and Hedgerows
BC1NEW Burford-Charlbury sub-area
EH1NEW Landscape character
EH2NEW Biodiversity
EH5NEW Flood risk
H2NEW Delivery of new homes
H4NEW Type and mix of new homes
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The proposal relates to a 0.58ha parcel of agricultural land to the west of Tanners Lane, Burford.
- 5.2 Trees form the boundary between the site and the neighbouring residential properties to the north (21-25 Tanner's Lane). A mature hedge forms the boundary to the south of the site, beyond which is a Thames Water covered reservoir, and Tanner's Lane itself forms the eastern boundary of the site.
- 5.3 The site currently forms a gap between the residential development to the north, a Thames Water covered reservoir, telecommunications masts and the A40 to the south. The local recreation ground, army cadet hall and Burford Pre-School are opposite the site, on the east side of Tanner's Lane.
- 5.4 Footpath 149/6/10 lies 130m north of the proposed development area and footpath 149/9/10 lies 170m east of the site.
- 5.5 The site is within the Cotswolds AONB and adjacent to the Burford Conservation Area.

- 5.6 The closest listed property to the site is a residential property approximately 200m to the north of the site.
- 5.7 The scheme would provide a total of 6 dwellings comprising 4 detached dwellings and a pair of semi-detached dwellings with associated garages.
- 5.8 Councillor Cotterill has requested the application be brought to Committee for the following reasons:
 - 1. Highway implications.
 - 2. Prominence of the development in the AONB.
 - 3. Whether the six properties applied for can be accommodated within the constraints of two above or whether four would be a more suitable number.

Background Information

- 5.9 There does not appear to be any relevant planning history associated with the application site itself other than seeking pre-application advice and inclusion in the Council's Strategic Housing Land Availability Assessment SHLAA (June 2014).
- 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
 - Design, Layout and Impact on the Character of the Area
 - Residential amenities
 - Highways
 - Heads of Terms

Principle

- 5.11 The site is located adjacent to the existing urban edge of Burford. The town has a wide range of local amenities, including primary school, secondary school, shops, post office, doctor's surgery, community facilities and employment. Burford is classed in the adopted West Oxfordshire Local Plan 2011 as a Service Centre/Rural Service Centre which places it fairly highly in terms of sustainability and the services it offers.
- 5.12 Burford is recognised as an appropriate place for some new development under both adopted Policy H7 and emerging Policy OS2. Policy H7 allows for development representing infilling or rounding off, but the proposed development would not conform with this policy because the site would represent an extension of the settlement into the countryside. However, at present, because the Council is not able to demonstrate a 5 year supply of land for housing, under paragraph 49 of the NPPF, Policy H7 is considered out of date.
- 5.13 The emerging Local Plan Policy H1 refers to the sub-area of Burford-Charlbury contributing 800 dwellings to the housing supply over the plan period to 2031. Although the precise locations for new housing within the sub-area have not been defined, it is expected that the larger settlements of Burford and Charlbury will be the focus for new development and will deliver significant numbers of windfalls.

- 5.14 The Council's SHLAA (June 2014) has identified capacity for around 84 new homes of which Tanners Lane, Burford is included as a potential site. Tanners Lane is 1 of 4 sites across the sub-area that has been identified with potential to be deliverable in the 0-5 year timeframe.
- 5.15 Although the site is acknowledged to be greenfield, relatively few previously developed sites come forward in the district and it is necessary to consider greenfield sites in sustainable locations. This is recognised in emerging Policy H2 where development may be allowed on undeveloped land within or adjoining the built up area where it is necessary to meet housing needs and is consistent with the criteria of the policy and other policies in the plan. The sub-area of Burford-Charlbury is washed over by the AONB designation and this is not considered necessarily to be an impediment in principle to development in this locality.
- 5.16 Given the site's relationship to the settlement, the nature of the locality, and the site's characteristics, it is considered that the proposal is in a sustainable location and development here is acceptable in principle.

Design and Layout and Impact on the Character of the Area

- 5.17 The layout has been amended as part of this application process and in response to Policy Officer comments. It now consists of a mix of house types, 3, 4 and 5 beds, detached and semi (albeit indicative) with a 'green' focal point allowing views out to the wider AONB landscape. The application is submitted for outline consent only and therefore the individual design types are indicative only at this stage. Sketched artist's impressions of the proposed house types have been shown on the layout plan. These appear to show dwellings types which reflect the local vernacular and use natural local materials. They would be 1.5 storey, but with varying features such as projecting gables, porches and dormers. This indicative form has been amended to reduce the height of the dwellings from 2 storey to 1.5 storey which is considered a more acceptable approach in this location given the levels of the site compared with the adjacent residential development.
- 5.18 Plot 1 is double-aspect, addressing the streetscene, with 3 plots behind it and to try to replicate the pattern of development along Tanners Lane and those existing dwellings which adjoin these plots (large detached family homes), which would be consistent with general principles of Policy H2.
- 5.19 Objectors have raised concern over the size of the plots and the density of development. The Government seeks to ensure efficient use of land and this in turn would be at odds with emerging Local Plan Policy OS3 - Prudent Use of Natural Resources which states that:
- 5.20 "All development proposals will be required to show consideration of the efficient and prudent use and management of natural resources, including making the most efficient use of land and buildings, whilst having regard to the character of the locality."
- 5.21 If only 4 properties were developed in the current scheme, the density would be 7 dwellings per hectare. Of course the form of the existing pattern of development is considered with weight given to the fact that the principles have changed since these were constructed in the 1950's. In light of the above, your officers consider this scheme offers an appropriate number of units for the site and its surroundings.

- 5.22 Each unit would have adequate outside space and an appropriate balance between built form, roads/parking, and garden areas is achieved. Existing landscaping will be retained where possible, including the tree buffer between the development and the exiting dwellings.
- 5.23 The site is located within the Cotswolds AONB and so is sensitive in its very nature. It is within an area designated for its high landscape quality. The provisions of paragraph 115 of the NPPF are acknowledged as regards the weight to be given to conserving the landscape and scenic beauty in the AONB.
- 5.24 The proposed development area falls into the 'Shilton Downs' landscape character area 9. Within that character area the site falls into the local landscape type 'Open Limestone Wolds'. The West Oxfordshire Landscape Character Assessment 1998 reiterates that the landscape in this location is one of outstanding quality and national significance. It is recognised that one of the principal factors potentially threatening landscape quality in this area is the suburbanisation of rural settlements and roads. The Open Limestone Wolds are visually exposed and sensitive to development. It is necessary to ensure that any development is sited within a strong landscape structure to absorb development into open landscapes.
- 5.25 The topography of the area and existing mature hedgerows and trees around the site, means that the visual presence of the site from the north and north west, particularly from the public footpath 149/6/10, beyond its immediate setting can be minimised with additional planting to bolster existing boundaries. The Conservation Officer considered the views west along the A40 with the dominant church spire to be of concern but noted that the existing residential development on the adjacent site is not prominent in these views. It is noted that the Landscape and Visual Assessment identifies no views from this point and that the design of the dwellings at this stage appear to respond to the 2m increase in levels of the site with the taller, larger dwellings located to the front of the site and smaller cottage-style dwellings to the rear of the site. It is therefore considered that there would be no material harm to the AONB in this location and the development can assimilate successfully into the gap alongside the existing residential development and not projecting at the rear beyond the existing build line into the open countryside. The proposal would not be considered major development and accordingly paragraph 116 of the NPPF does not apply.
- 5.26 The site lies within a 10m buffer of the Burford Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".
- 5.27 The site is acknowledged to be a sensitive site, on the edge of the open countryside. The site's relationship with the existing urban edge has a bearing on its suitability for development. The site is not formal open space and does not represent an important gap, or perform a particular function in the area.
- 5.28 Although the development would represent significant change, this is not necessarily the same as harm. Given the characteristics of the site and its relationship with the existing urban edge, it is considered that the development would not be materially harmful to the setting of the Conservation Area and its character would be preserved.
- 5.29 In the terms of NPPF paragraph 134, the benefits of the scheme in delivering new housing in a sustainable location would outweigh any less than substantial harm arising from the scheme.

- 5.30 The proposal is considered to comply with WOLP Policies BE2, BE5, NE4, and H2, as well as emerging plan policies OS2, H2, EH1 and EH7.

Residential Amenities

- 5.31 The amended layout provides for appropriate privacy distances to be achieved between dwellings within the site. There would therefore be no unacceptable overlooking. The difference in levels between the site (approx 2m) and properties to the east, nos.21, 23, 25 Tanners Lane is noted. However, the distances achieved between rear elevation of the dwelling and the rear boundary of the gardens of the existing properties (minimum 23m), including an improved tree buffer, adequately takes account of this. Moreover the back-to back distances would be in excess of 44m. As a general rule officers consider 21m to be acceptable.
- 5.32 An appropriate area of garden would be available for each new unit, and general amenity would therefore be catered for. The space between dwellings and aspect of existing properties is such that there would be no unacceptable loss of light to properties within or adjoining the site. Loss of a private view or reduction in property values are not material planning considerations.

Highways

- 5.33 There is a good range of local facilities within walking distance of the site. However, for much employment and higher order services, residents would need to travel out of Burford.
- 5.34 Burford benefits from regular bus services, linking the town to Witney and Chipping Norton and Woodstock.
- 5.35 The proposal is for vehicular and pedestrian access to be taken via a single access point onto Tanners Lane. Parking is provided at two spaces per dwelling, which is within maximum parking standards. Additionally houses have garages.
- 5.36 The Highways Officer comments that Tanners Lane is narrow, in places is single track and lacks adequate footways. Pedestrians share the carriageway with vehicles. The proposal, if permitted, will generate an additional 3 vehicular movements during AM and PM peak hours. During the last 5yr period there has been two recorded accidents (classified as slight) within the vicinity of the site indicating there are no specific safety issues to be addressed. Geometry and visibility at the proposed access to Tanners Lane complies with standards.
- 5.37 In conclusion the Highway Officer confirms no demonstration of severe harm that would warrant the refusal of the planning application for reasons of highway safety and convenience. The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
- 5.38 In response to the request by an objector for a turning lane into Tanners Lane from the A40, the size of the development and the associated trip generation is insufficient to justify this as a requirement.
- 5.39 Objectors concerns over plan inconsistencies regarding the access point were resolved in May. The Transport Statement (TS) was revised and re-submitted, so that all the plans, including the TS, show the northern of the two gates (within the red line plan) as the existing and proposed access points to the site.

Ecology

- 5.40 The submitted ecology report Extended Phase One habitat Survey (Bridgewater Consulting Ltd August 15) found no evidence of any protected species using the site. The survey identified that the site was comprised of semi natural-grassland and some small areas of tall ruderal. The report identified that some of the boundary habitats such as the tall ruderal vegetation and adjacent dry ditches had some low potential to support low numbers of reptiles although amphibians and bats are thought to be absent from the site.
- 5.41 The report also identified enhancements for biodiversity that could be achieved by planting of a native hedgerow and trees along the eastern and western boundary.
- 5.42 The proposed retention of trees adjacent to the site and the planting of the eastern and western boundaries are shown in drawing no 3943-SK10. The report also recommends that the roofs of the houses are all lined with bitumastic roofing felt to encourage bats as well as a precautionary approach to removal of the reptile habitat. . As an alternative to using bitumastic roofing felt a scheme of integral bat and bird boxes in the houses would also be an acceptable alternative.
- 5.43 If all the recommended mitigations are implemented by way of condition, the development would not cause any harm to bats, reptiles or birds, and therefore the proposal would comply with WOLP Policies NE13 and NE15 and emerging Local Plan Policy EH2, as well as the NPPF.

Drainage

- 5.44 The site is in Flood Zone 1 and at low risk of flooding. The site is not deemed susceptible to surface or groundwater flooding and WODC Drainage Officer confirms that SUDS are feasible. A sustainable surface water drainage scheme will be required by condition.
- 5.45 Whilst the concerns of residents regarding surface water drainage are noted, a sustainable drainage system should lead to no greater impact as regards run-off or groundwater contamination compared to existing conditions.

Heads of Terms

- 5.46 In accordance with Policy H3 of the emerging Local Plan, the Council is seeking a financial contribution towards affordable housing off-site within the District. Subject to a legal agreement this would make a policy compliant contribution to meeting affordable housing needs. Based on the amended layout, which proposes a total of 855 sq m floorspace, this equates to an indicative contribution of £85,500. The applicant has requested the final amount be agreed once detailed plans have been agreed, and the exact floorspace is known.
- 5.47 In terms of highways contributions, the applicant has offered to improve and provide additional passing bays along Tanners Lane and has subsequently offered £15,000 towards this.
- 5.48 A Grampian style condition is proposed to secure the provision of a footpath prior to occupation of the dwellings along the site boundary outside the redline area.
- 5.49 With regards the management of the tree buffer, green and landscape strip adjacent to plots 4 and 5 which fall within the ownership of the applicant but part outside the redline area, it is

proposed that the residents would be required to pay a management company for their maintenance. This can be detailed further in the Heads of Terms.

- 5.50 There is at present no agreed section 106 in place and so, in the event the application is refused, this would represent a refusal reason.

Other Matters

- 5.51 Trees - An arboricultural report was submitted and the existing tree buffer is to be retained. A tree protection plan can be conditioned to ensure that the trees are appropriately protected during construction and of course the landscaping will be considered in more detail a Reserved Matter. The management of the tree buffer is discussed in Heads of Terms.
- 5.52 With regard to the distance of the dwellings from the mast and concern regarding health implications, Government Guidance Mobile phone base stations: radio waves and health (July 2012) states 'For large macrocellular base stations radiating around 100 W or more, exclusion zones in the range 10 to 15 m and Low-power microcellular base stations radiating around 1 to 2 W would require much smaller exclusion zones than macrocells'. The proposed layout complies with the Government guidance.

Conclusion

- 5.53 The WOLP is time expired and the Council is now moving forward with a revised plan up to the year 2031. The proposal is consistent with the need to deliver windfall housing on suitably located sites within the Burford-Charlbury sub-area.
- 5.54 The layout and access for the proposed development are acceptable with reference to the constraints of the AONB and the need to avoid undue harm to the setting of the Conservation Area.
- 5.55 The layout proposed would result in no material impact on privacy, light or general amenity in relation to neighbouring properties.
- 5.56 The highways constraints are noted but the development would not have an unacceptable impact on the operation of the highway network in this location or on highway safety generally.
- 5.57 Retention and protection of trees, appropriate landscaping, and suitable mitigation and enhancements for wildlife can be secured by condition.
- 5.58 The application is recommended for approval in accordance with the policies referred to herein.

6 CONDITIONS

- I (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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 Details of the appearance, landscaping and scale, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.
- 3 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.
- 4 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.
- 5 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.
- 6 No highway work shall begin until details of the junction between the proposed road and the highway have been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In the interests of road safety.
- 7 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.
- 8 Prior to first occupation of the dwellings the improvement and provision of additional passing bays along Tanners Lane shall be completed in accordance with a scheme to be submitted and approved by the LPA.
REASON: In the interests of road safety.
- 9 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

- 10 Before any dwelling is occupied a 1.2m high wooden post and rail fence shall be erected along a line 3m metres into the site from the north west boundary on plots 4 & 5 to define the inner boundary of the landscaping belt in accordance with a specification which shall be first submitted to and approved in writing by a Local Planning Authority.
REASON: To safeguard the character and landscape of the area and allow the tree belt time to establish without being within the domestic curtilage.
- 11 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.
REASON: To prevent pollution of the environment in the interests of the amenity.
- 12 All of the development works must be carried out as per the recommendations in section 4 of the Extended Phase One habitat Survey (Bridgewater Consulting Ltd August 15) and as illustrated on drawing no 3943-SK10. All mitigation & enhancement works must be completed before the new dwellings are first brought into use and all enhancements must be permanently maintained thereafter.
REASON: To ensure that reptiles, birds & bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the 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 including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 13 Fire hydrants shall be installed in accordance with details, including the phasing of installation, which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the safety of occupiers of the proposed dwellings.
- 14 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.

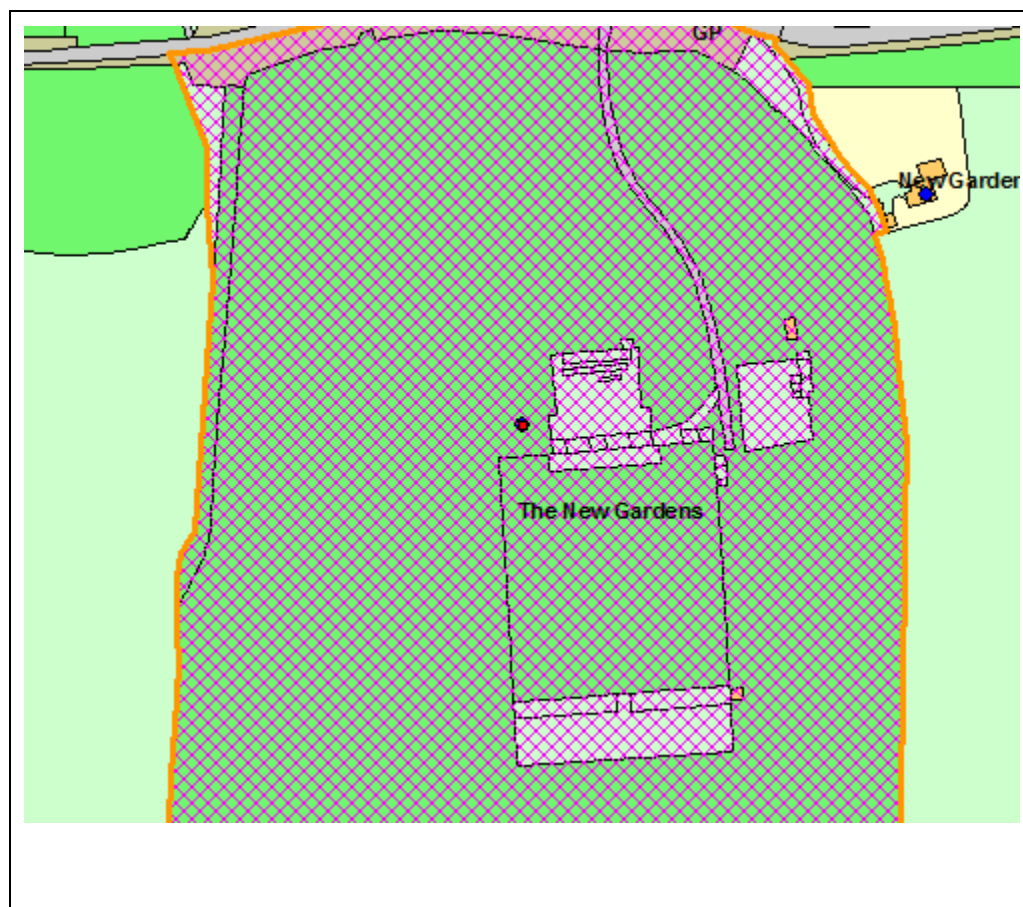
- 15 The north west facing elevations of plots 4 and 5 shall be secondary elevations with minimal openings.
REASON: To safeguard the character and landscape of the area, to limit the amount of glazing and subsequent glare and to allow the tree belt time to establish without being within the domestic curtilage.
- 16 Prior to first occupation of the dwellings the footpath adjacent to Plot 1 as detailed on approved plans shall be completed.
REASON: In the interests of road safety.
- 17 The reserved matters submission shall be limited to a maximum of up to 6 dwellings and these shall be no more than 1.5 storey in height.
REASON: To ensure an appropriate development density and in the interests of maintaining the character of the area.
- 18 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.
- 19 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - VII Hours of site operation
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 20 Prior to commencement of the development the applicant, or their agents or successors in title shall secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, relating to the application site area, which has been submitted to and approved in writing by the Local Planning Authority.
REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF.
- 21 Following the approval of the Written Scheme of Investigation referred to in condition 21, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of

archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).

Application Number	I6/00971/FUL
Site Address	Land At New Gardens Ledwell Road Great Tew Oxfordshire
Date	22nd June 2016
Officer	Kim Smith
Officer Recommendations	Approve subject to Legal Agreement
Parish	Great Tew
Grid Reference	439729 E 228541 N
Committee Date	4th July 2016

Location Map



Application Details:

Restoration of the walled garden to provide a restaurant, production garden, leisure facilities, the construction of 6 lodges, the provision of an underground car park and associated access and landscaping.

Applicant Details:
Mr Nicholas Johnston
Estate Office
New Road
Great Tew
Oxfordshire
OX7 4AH

I CONSULTATIONS

I.1 Parish Council No Comment Received.

I.2 WODC Landscape And Forestry Officer No Comment Received.

I.3 Ecologist
The submitted Ecology Report (Windrush ecology March 16) found no evidence of any European protected species using the site, but did find a badger sett (not a main sett) using the corner of the site. The survey identified that the site was comprised of Amenity grassland, tall rederal and planted trees. The report identified that some of the boundary habitats such and trees had high ecological value and as such it was recommended that those trees were retained.

The report also identified enhancements that could be achieved for by planting of a native trees & shrubs on the site, using bat and bird boxes and low lux lighting and retaining the mature trees

The proposed retention of trees on the site and the planting of native trees is shown in drawing no 1415L6 Rev C in the Landscape masterplan, with further details in the 1415L7 Rec C.

The retaining of the majority of the trees on site as well as new shrub & tree planting will provide an enhancement for biodiversity. It was recommended that the badger sett may need to be closed during construction of lodge 6 but this should ideally only be during construction and then the badgers allowed to return. As recommended the inclusion of integral bat and bird boxes in the lodges would also provide an enhancement.

If all the recommended mitigations are implemented, the development will not cause any harm to bats, badgers or birds, and therefore the policy and guidance requirements of Policies in the West Oxfordshire Local Plan, the NPPF (including section 11) and the NPPG are met.

Habitat Reg tests required: NO

Draft recommendation: No objection subject to conditions

Draft conditions: All of the development works must be carried out

as per the recommendations in section 7 of the Ecology Report (Windrush ecology.com March 16) this shall include badger mitigation, integral bat and bird boxes as well as the trees retained and new tree planting as illustrated on the Landscape drawings no 14 L7 & 6 Rev C15. All mitigation & enhancement works must be completed before the new lodges are first brought into use and all enhancements must be permanently maintained thereafter.

Before works begin on site a ten year landscape and ecological management plan shall be submitted for approval to the LPA to show how the ecological enhancements shall be created and maintained. Once approved all works will be carried out as per the approved plan.

Reason: To ensure that badgers, birds & bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, The 1992 Badger Act and In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

I.4 Historic England

In our previous advice (our letter of 6th May 2015 P00455086) our view was that the walled garden was worthy of preservation and restoration was clearly necessary, given its poor condition. This would require considerable investment. As third party or grant funding is unlikely to be forthcoming for this site a use that generates enough return to fund the garden's restoration and provided a sustainable use in the medium to long term is needed. Restaurant use as proposed looked likely to be the most sympathetic means of achieving this.

However, we also commented that the construction of eight lodges then proposed in what were formerly the slip gardens flanking the walled garden would cause a degree of harm as it would no longer be as easy to understand the purpose of this area (which formed an important element of the productive garden as a whole) and the sense of the garden's isolation, which contributes to its aesthetic charm, would be compromised. We were not convinced that the Applicant had made a case that this degree of harm was necessary in order to secure the future of the Walled Garden.

Prior to submission of this application I was given a copy of an outline business plan which demonstrated to my satisfaction that additional development was needed to ensure restoration was a commercially viable proposition, there is a sound justification for the amount of development proposed and the harm entailed, hence my comments to David Hunt quoted in paragraph 6.24 of the Planning Statement. However, this document does not form part of the current

application. I think it important that the Council take their own view on this matter, and thus have sight of this document. I appreciate that the business plan contains elements of commercial sensitivity and leave it to the Council's discretion as to whether these documents should be more publicly available.

It also needs to be considered whether the site has been deliberately neglected, in which case paragraph 130 of the NPPF states that the condition of the heritage asset should not be taken into account when making a decision. In this case my view is that the condition is the result of years of neglect, stretching back to the appointment of the Public Trustee as Executor of the Estate in 1914 rather than deliberate neglect by the current estate management in the hope of gaining a permission that would not otherwise be forthcoming.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

- | | | |
|-----|------------------------------|---|
| I.5 | WODC Planning Policy Manager | No Comment Received. |
| I.6 | WODC - Tourism | No Comment Received. |
| I.7 | WODC Drainage Engineers | Need to refer to OCC |
| I.8 | WODC Architect | The app. proposes the construction of 6 no. lodge structures across a site with clear natural, visual and historical sensitivities. |

The first thing to say is that the final design solution appears to be based on a thorough and wide-ranging analysis of all aspects of the site, in order to achieve a meaningful response to the sensitivities of the context.

Overall, the intention has been for low density, with units carefully located to take meaningful account of topography, archaeology relating to the walled garden, views out from and into the site, and root protection in respect of significant trees. In consequence of these factors, the structures have been designed to tread lightly (and be constructible with small plant machinery), and to be physically and visually low-key, of small footprint and overall height.

In respect of the lodge structures themselves, there is much to commend the chosen design approach. The units are wholeheartedly

and committedly modern in terms of both form and use of materials, with a clean, pared-back aesthetic. Silhouettes are kept low with flat roofs, and wall planes expressed in frameless glazing, timber and natural stone. Given the sensitivities of the context, such a design approach (which essentially seeks to defer to the context while aiming for architectural distinction) seems entirely reasonable.

RECOMMENDATIONS: Advise consents be granted, but with condition for submission of palette of materials; with sample panel for stonework; and with details of glazing and eaves (incl. junctions) at 1:20 and 1:5.

I.9 The Garden History Society

No Comment Received.

I.10 One Voice Consultations

Transport Objection

This objection is on the grounds of inadequate visibility splays to the west at the site access.

Inadequate vision splay to the west at the site access.

If the District Planning Authority were minded to approve this planning application, I would recommend the following conditions be attached:

Access: Full Details

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: in the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Parking and Manoeuvring Areas Retained

Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and maneuvering areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and maneuvering areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and maneuvering of vehicles at all times thereafter.

Reason: In the interests of highway safety and to comply with Government guidance contained within the National Planning

Details of Turning for Service Vehicles

Prior to the commencement of the development hereby approved,

and notwithstanding the application details, full details of refuse and HGVs turning within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Government guidance contained within the National Planning

Cycle Parking Provision

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance Government guidance contained within the National Planning Policy Framework.

Travel Statement

Prior to the first occupation of the development hereby approved, a Travel Statement, prepared in accordance with OCCs guidance on Travel Statements, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Statement shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance Government guidance contained within the National Planning Policy Framework.

Construction Traffic Management Plan

Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety and to safeguard the amenities of the occupants of the adjacent dwellings during the construction period and to comply with Government guidance contained within the National Planning Policy Framework.

Drainage

The development permitted by this planning permission shall be

carried out in accordance with the approved Flood Risk Assessment prepared by Abington Consulting Engineers - 9th March 2016 REV C) and the following mitigation measures detailed within the FRA:

Soakaways

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority

The scheme shall also include:

Maintenance and management of SUDS features

Reason - In the interests of highway safety and flood prevention and to comply with Government advice contained within the National Planning Policy Framework.

Informatives:

Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700;

Archaeology

Recommendation:

No objection subject to conditions

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

Reason : To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012)

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological investigation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason : To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their

Minerals & Waste
Recommendation:
Objection

The proposed built development would sterilize deposits of limestone within and adjoining the application site. The application therefore needs to be considered against Oxfordshire Minerals and Waste Local Plan policy SD10; and policy M8 in the Oxfordshire Minerals and Waste Local Plan: Part I Core Strategy, Proposed Submission Document August 2015 should also be taken into consideration. Mineral safeguarding areas in Oxfordshire have not yet been defined through the Minerals and Waste Local Plan but it is unlikely that the application site will be included in such an area. The existence of a commercially workable deposit of limestone at this location is uncertain and mineral working at this location is already very significantly constrained by the inclusion of the application site (The New Garden, Great Tew) within the Grade II listed Great Tew Registered Park and Garden. In view of these factors, it is unlikely that this application would result in any significant increase in the sterilisation of mineral deposits such as to justify safeguarding the limestone deposits within and adjoining the site against the proposed development. The proposed development appears to involve the extraction of minerals (limestone) in order to construct the underground car park, and this element of the application could therefore be a county matter to be determined by the County Council as the Mineral Planning Authority, but this is not addressed in the application.

2 REPRESENTATIONS

2.1 Mr Michael Elliot of Holliers House , Oxford has commented as follows:

The rebuilding of the houses on the estate has been fantastic. The new grain store amazing. Soho house I understood got permission (how ?) on the back of local employment, most are on zero hour contracts so that is hardly helping the local economy. But all of these have led to an enormous amount of extra traffic not just in Grt. Tew but in all the local villages, and most of the verges of the local roads are now in a dire state. An accident waiting to happen!

I therefore object to more houses, leisure facilities and more car parking being built which will only make the situation worse on the site of the old kitchen garden.

3 APPLICANT'S CASE

The Planning Statement submitted with the application states as follows:

- 3.1 The proposed development is for the restoration of the mid-nineteenth century walled garden to provide a restaurant, production gardens, leisure facilities, the construction of 6 lodges, the provision of underground storage, site wide facilities and parking, associated access and landscaping at the New Gardens, Great Tew.
- 3.2 Soho House will operate the restaurant and gardens, both open to the public. The holiday lodges will be sold on a guest invest basis and put into the Soho House letting pool when not being used. The leisure facilities are for the use of the lodge owners but with villagers and the primary school having access at specific times.
- 3.3 The underground facilities provide space for operational storage and parking. The restaurant could not operate without these additional facilities, none of which could be achieved by new above ground structures, therefore an element of basement provision is a necessity.
- 3.4 The development would yield essential capital for the Estate to reinvest in the restoration of its remaining dilapidated heritage assets, in particular Gyles' Farm, Lower Grove Ash Farm and 50 The Square, planning applications for which are being submitted to run simultaneously with this application. **A legal agreement would be attached to any grant of planning permission for redevelopment of the New Gardens which secures monies to fund a schedule of essential works to safeguard the listed structures at Gyle's Farm, Lower Grove Ash and 50 The Square as a precursor to any subsequent conversions.**
- 3.5 The development would provide significant diversified annual income for both the estate and farm as highlighted in the outline business model.
- 3.6 It is considered that the NPPF and local development plan policy provide a very supportive context for the acceptance of the proposed development as outlined within.
- 3.7 The heritage and landscape evidence presented, proposes that the application will lead to less than substantial harm to the Listed Park and Garden and presents significant public benefits of access to a currently private space and secures the optimum viable use, a commercial use that will support the Estate's diversification.
- 3.8 The revitalising of a long dormant asset and opening to the public far outweigh any adverse harm. The LIVA reports that the changes to landscape character result in a net benefit to landscape, historic, conservation and amenity interest. The potential harmful impacts of the development were considered low or negligible overall.

A number of reports have been submitted to support the application. These can be found in full on the Council's website. A brief summary of the findings of these submissions are listed below:

- 3.9 Heritage Assessment submitted with the application advises as follows in respect of the impact of the development on the Registered Park:
- The proposals would introduce change in the way in which the asset and its setting is experienced. This change would be positive, though different from the present experience (as a derelict site);
 - The proposals will help secure the historical integrity of The Great Tew Estate;

- The proposals would help to ensure the historical integrity of the Registered Park;
 - The proposals would secure the repair and restoration of the walled garden;
 - The proposals would improve public access to and understanding of the history and role of the New Gardens and thus would enhance enjoyment of those that visit.
- 3.10 The detailed desk based Assessment undertaken by John More Heritage Services concludes that the evidence indicates that no known pre-post-medieval archaeology will be affected by the proposal;
- 3.11 The **Transport Statement** submitted with the application concludes as follows on the key highway issues of physical access design and impact of traffic movements:
- The proposed access complies with current design guidance (2.4 x 214 visibility in both directions);
 - The proposed development will generate modest levels of traffic during highway peak hours. The development's peak traffic generating hours will occur during times when the highway network is generally quiet; lunch-times, evenings and weekends. The development will therefore not place a significant burden on the capacity of local highways during critical peak times;
- 3.12 The **Arboricultural Assessment** concludes as follows:
- 10 trees are proposed for removal to facilitate the development, all of the trees are Category C providing little in the way of visual amenity. It is proposed the losses will be mitigated through a landscaping scheme which includes significant tree in the areas of the tree losses.
- 3.13 Survey and Structural Approach to Conservation and Heritage Report: there are two structural survey reports, one relating to the condition of the existing structures at the application site (Abington Consulting Engineers) and the second critically evaluating the structural approach to conservation and heritage (Oxford Consulting Engineers). The latter provides for an assessment on the siting of the subterranean car park to avoid trees and other planting, and the existing gardens walls and associated buildings.
- 3.14 The **Flood Risk Assessment** report submitted with the application concludes that the proposed development complies with the requirements of the Sequential Test set out in the NPPG. It also concludes that surface water will drain to soakaways and that this will prevent flood risk to adjacent land and property.
- 3.15 **Ecology Report:** a Phase I Habitat Survey and bat and badger surveys have been undertaken. The reader is referred to the full report for the findings. In summary:
- The grassland and ruderal habitats within the site are considered to be of low ecological value;
 - The mature and semi-mature trees within the site are a valued ecological feature, despite their age and diversity;

- No roosting bats were observed during the surveys and there is no evidence that bats are using the cellar chambers as a roost site.

3.16 The applicant's case concludes as follows:

This Planning Statement highlights and addresses the main planning issues and other material considerations and concludes that all relevant policy and guidance is met in this proposal for: the restoration of the walled garden at Great Tew to provide a restaurant, production garden, leisure facilities, the construction of 6 lodges and the provision of underground facilities to include storage and parking and associated access and landscaping.

On the matter of principle the scheme is acceptable further to meeting the primary assessment on Local Plan Policy TLC3 and NPPF para 28.

On the matter of heritage impact the application scheme is acceptable in meeting the relevant requirements of the NPPF and adopted Local Plan policy, specifically the relevant requirements of adopted Local Plan policy BE11 concerning Parks and Gardens of Historic Interest.

On the matter of landscape impact the application scheme is acceptable in meeting the requirements of all relevant adopted and emerging Local Plan policy, specifically NE3 and NE6 of the adopted Local Plan.

On the matter of economic growth the Council must place significant weight on the need to support economic growth. This application is founded on the need to diversify the existing Estates operations from principally farming and quarrying. The commercial operation proposed will significantly add to the successful economic growth of the estate and the wider business community for the reasons stated in the planning application. The Estate welcomes the support from the local planning authority in assisting the emergence and adoption of the Estate Masterplan. This is first application to be advanced to the Council following the engagement with it on the Masterplan. This application is critical to the first phase in seeking to meet the objectives of the Masterplan: objectives that include the restoration of the New Walled Gardens as a key heritage asset through the delivery of a sensitive and viable conservation-led diversification scheme.

4 PLANNING POLICIES

BE10 Conversion of Unlisted Vernacular Buildings
 BE2 General Development Standards
 BE11 Historic Parks and Gardens
 BE21 Light Pollution
 BE13 Archaeological Assessments
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 E4 Re-use of Vernacular Buildings
 TLC1 New Tourism, Leisure and Community Facilities
 TLC3 New Build Tourist Accommodation
 BE11 Historic Parks and Gardens
 NE3 Local Landscape Character
 E2NEW Supporting the rural economy

E4NEW Sustainable tourism
OS2NEW Locating development in the right places
T1NEW Sustainable transport
OS4NEW High quality design
EH7NEW Historic Environment
EH1NEW Landscape character
EH2NEW Biodiversity
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Planning History

15/01041/FUL - Restoration of the walled garden to provide a restaurant, production garden, leisure facilities, the construction of 8 lodges, the provision of an underground car park and associated access and landscaping - Withdrawn

Background Information

- 5.1 **This application was deferred at the last meeting for Members to undertake a site visit prior to determining the application. At the meeting Members raised a number of issues which included the following matters:**

The design approach taken in respect of the lodges;

The need for enabling development;

The Soho House connection;

The requirement for the underground car park;

In addition to the above County Highways had made comments in respect of the adequacy or otherwise of the vision splay serving the development and County Minerals had raised an issue in respect of the possible need for a minerals extraction application to cover the removal/ excavation of material associated with construction of the underground car park.

In response to these outstanding matters the applicants agent has provided additional information and explanation which can be found at the end of this report in a section headed 'Additional Information'.

- 5.2 This application relates to a site located in a hilltop location outside the main body of Great Tew. The site formerly operated as a formal walled garden serving the Great Tew Estate and is scheduled as part of the Historic Park and Garden associated with the Estate. It has not been used for a considerable period and is in a state of disrepair. The buildings on site are not listed but are clearly of historic significance as part of the history of the evolution of the country estate. The site lies outside the AONB but close to the Great Tew Conservation Area.
- 5.3 The application proposes re-use of the site as a restaurant along with 6 holiday lodges- essentially as a detached facility associated with the Soho House scheme further down into the

valley to the South. As part of the scheme the walled garden will be restored and a new restaurant and productive garden (along with some leisure facilities) created within the walled enclosure. Car parking will be largely underground. The main change outside the site is that a series of new holiday lodges will be created in the former slip gardens that surround the walled garden. These will be landscaped. The lodges are required in order to provide a baseline demand for the restaurant and to generate the income to both undertake the restoration and the creation of the new facilities.

- 5.4 A similar but larger application was submitted last year but was withdrawn prior to determination when officers advised that the scale of harms of developing to the extent then proposed in a prominent and sensitive location was not justified by the benefits then proposed. Since that time your officers have been in extended negotiation to both reduce the extent of development, secure public benefits and most crucially require by way of a legal agreement that a substantial portion of the profits are re-invested in three currently derelict listed buildings elsewhere on the Estate in order to bring them back into economic use and a good state of repair. Those objectives have now been secured and the parallel applications seeking to ensure the restoration and reuse of the derelict listed buildings appear elsewhere on this agenda
- 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

- 5.6 The policies of the adopted and emerging local plan are both positive about tourism development that is consistent with maintaining the rural character of the area and where particular harms such as highway danger are not caused (TLC 1 adopted, E2 of the emerging Plan). Generally the policies seek re-use of existing structures and to limit the extent of new build (TLC 3, E4) and in that regard the restoration of the walled garden and use as a restaurant facility is considered wholly policy compliant and to represent the form of sustainable rural development encouraged by the NPPF. The more problematic issue is that of the lodges. Officers originally sought to have these removed entirely from the scheme, but have subsequently been convinced that they are both functionally and financially needed in order to make the restaurant a success. Functionally the lodges will provide an on-site clientele who are likely to use the restaurant facility even when demand from the general public may not be so great and as such will enable it to remain staffed and open in off peak demand periods. Secondly, the income from the lodges helps to underpin the financial case for the restaurant and the expenditure required to restore the walled gardens. As such your officers have taken the view that if the degree of harms arising from their location in a sensitive area is outweighed by the extent of benefits then they can be considered acceptable in principle. These matters are explored later in this report.

Heritage Impacts

- 5.7 The walled garden is not listed but is scheduled as part of the registered park and garden associated with the Estate. It sits outside but on the approach to the Conservation Area. Policy BE11 of the adopted plan and EH7 of the emerging Plan seek to conserve and enhance the character setting and context of such heritage assets. The site has not been used for a considerable period and has no current economic use. It has fallen into a poor state of repair. The conversion and re-use for the restaurant will secure both restoration and economic use in

a manner that preserves (and indeed is heavily related to) its original function as a productive garden. More problematic is the siting of the lodges in the open "slip" gardens outside the walled garden. Historically these would have been used for the less tender planting and would have been retained largely open. The siting of the lodges in this open area and where they most affect the setting of the walled garden has thus been the subject of considerable debate. Ultimately Heritage England have concluded that "hiding" the lodges within the walled garden would be more problematic than locating them where currently proposed because developing the interior is so at odds with the original purpose of the open and sheltered space. The issue of harm to the setting did however still remain. Officers have therefore negotiated a multi-million pound investment programme into three listed buildings located on the Estate that are in a state of considerable disrepair and are at risk of being lost altogether. Of themselves the re-use of those assets is unlikely to generate sufficient profit to justify their restoration but the additional income generated on the back of allowing this proposal means that they can be restored and put to re-use. It is on this basis that Historic England and your officers now support the scheme in that the harm to the setting of the unlisted heritage asset/Registered Garden is outweighed by the physical restoration of the walled garden and in particular by the restoration of the three listed buildings and associated outbuildings.

- 5.8 With regards to other heritage assets the need for archaeological investigation can be met by imposition of a condition and the impact on the setting of the Conservation Area is considered to be neutral given the distance involved and existing and proposed planting on the intervening land.

Landscape

- 5.9 This is a key issue and officers will be making extensive use of the application plans to identify the siting, design and landscaping of the proposed lodges. The site sits on a hilltop and can be viewed in a general sense from many miles away due to some characteristic giant redwood trees planted upon it. Views of the wall and garden surrounds are more limited and are restricted to periodic views from the B4022 Enstone/Tew road and in particular from the road passing to the north of the site and the access road to Soho House. In these views the existing wall is clearly visible and it can be assumed that the lodges will similarly be potentially visible. In response to concerns regarding the landscape impact the agent has reduced the number of units and has re-sited some of them to less intrusive locations. Further, the car park and servicing areas in association with the use are underground and thus not visible in the landscape. The locations of the lodges are now considered optimal but there are still some further minor landscaping and design works that officers would wish to secure with a view to ensuring that the glazed areas of the new lodges are not overly intrusive as a result of sun glare or at night when illuminated. The recommendation for approval would be conditional upon securing these amendments whilst the legal agreement is being formalised.

Tourism and Employment

- 5.10 The site does not currently contribute to the local economy. The establishment of the restaurant will in itself create employment and will have spin offs in the local supply trades. Similarly servicing the lodges will create employment and the residents of the holiday lodges are likely to spend income in the local pubs and tourist attractions - albeit that the extent of spend may pro rata be less than lodges with less on site or on hand facilities. The facility at Soho House is running at close to full capacity with substantial economic benefits to the local economy and it is likely that as a related spin off to that facility this will reinforce/underpin that

economic benefit. Additionally the related applications to restore the walled gardens and other listed buildings are likely to generate additional construction and building trade employment opportunities. These benefits all weigh in favour of the scheme.

Ecology

- 5.11 There are not considered to be any particular ecological constraints associated with the development and the landscaping scheme offers the opportunity to enhance wildlife and biodiversity on site.

Neighbourliness

- 5.12 There is one cottage located to the east of the site but given the low key nature of the proposed uses and the separation distances involved the impact on residential amenity is not considered such as would justify refusal.

Highways

- 5.13 At the time of agenda preparation the views of OCC as Highway Authority have yet to be received. However in that they did not object to the last proposal it is considered unlikely that they will be objecting to this scheme. A verbal update regarding this aspect will be given at the meeting.

Legal Agreement

- 5.14 As advised earlier in this report key to the acceptability of this scheme is to ensure that the stated benefits are delivered in a timely fashion as a means to offset any residual concerns regarding the visual and heritage impacts of the proposed scheme. In that regard the Heads of Terms proposed are as follows:

1. Requiring the developer to secure a loan to cover the costs of the development and enabling developments within 1 year of the consent and seek to complete all works within 3 years
2. Not to start works on this scheme until the loan is secured
3. To implement the scheme as approved and maintain the walled garden and landscaping
4. To permit the Great Tew school at no charge to use the swimming pool on Tues and Thurs between 1pm and 3.30pm
5. To permit villages to use the leisure facilities at no charge (consent may be withdrawn at owners discretion)
6. To undertake the detailed schedule of works to the 3 listed buildings - Gyles Farm, Lower Grove Ash Farm and 50 The Square
7. To only use the lodges as holiday accommodation

Subject to these Heads of Terms being worked up into a formal agreement this is considered to satisfy the requirement to ensure that the stated benefits are delivered.

Additional Information

Design Approach

- 5.15 Our approach has been to develop the design solution from a clear spatial and Policy based

understanding to the site and its environs.

- 5.16 This understanding was achieved through on site investigation and from a series of expert reports providing insight into heritage, archaeology, arboriculture, landscape, ecology, engineering, flood, drainage and economic elements.
- 5.17 This investigative work was used to inform the production of an opportunities and constraints framework for the site.
- 5.18 This site-wide constraints and opportunities, together with specialist reports and advice on technical matters, formed the basis for the development of the design.
- 5.19 The following specific constraints were identified:
- Protect the open space inside the walled garden.
 - Restrict site access to the existing north entrance off the Ledwell road.
 - Protect the great many trees on the site by avoiding incursion of excavations into the extensive root protection zones.
 - Preserve (partially or wholly) the Piggery buildings.
 - Avoid any new residential buildings that compete within or near the space of the walled garden.
 - Develop an integrated design solution that respects the historical use, immediate environment and setting
 - Mitigate the impact of views into development at close range from north, east and west and long range views from the south.
 - Protect the viewing mound on the west side.
 - Given the wooded nature of the site (and the need to reinforce this even further) find ways of giving each lodge sufficient space, light and aspect.
 - Form an internal circulation road that will allow vehicles to arrive close to each lodge, whilst avoiding harm to trees.
 - Deal with formal closing up of a badger sett to south-west area of site.
 - Find ways of integrating underground drainage and other services, avoiding impact on tree root protection zones.
- 5.20 It became clear that a random approach to the design and siting of the lodges would not suffice. The initial concept scheme indicated 12 lodges, but following rigorous and detailed examination of the entire site, the number of suitable sites was originally reduced to eight, each having its own specific characteristics. This presented a significant challenge to design a scheme that would take full account of the individual site constraints, whilst providing a cohesive site-wide scheme that would relate to the historic nature and use of the site. Following the withdrawal of the first Planning Application, the scheme has been amended to reduce the lodge numbers from eight to six. Whilst this has significantly eased the density of development, the rigors of the design approach remain the same as with the original application.
- 5.21 The Heritage assessment identified a good deal of lost building archaeology in the outer regions of the walled garden and particularly on the east side where many low walled courtyards and structures stood, being various compounds and areas for allied horticultural production use. The first edition OS plan of 1886 indicates an intense area grid extending from the east, south and around to the west side where more open planting existed, but still of a rectilinear or orthogonal form. A philosophy began to develop for a scheme of lodges that would in all cases

pay homage to this orthogonal form, and in some cases be laid out on or near the lines of former stone walls. The site is heavily wooded and constrained by many important trees. Therefore each chosen site is naturally constrained by extensive root protection zones. The form chosen was a compact (a maximum of 12 x 12m) Palladian or Miesian plan, with an essentially square, raised upper ground floor of limited size concealing a floor below, of greater plan area. In two cases (Lodges 2 & 5) the plan is repeated on a smaller scale by an annex. In the single case of Lodge 3, the design is essentially different having the form of a pair of pavilions at upper ground floor level, being connected at lower ground floor level.

- 5.22 Not only does each chosen site occupy a relatively small footprint, but the strongly suppressed verticality of the existing structures demands solutions that have equal suppression. In terms of three-dimensional form, none of the existing structures on the site have a strictly traditional domestic form. The solutions would need to respect this by adopting an orthogonal form, precluding the use of pitched roofs. Raising the ground floor 1.2m above natural ground level, allows a lower ground floor bedroom level to be accommodated with access to a sunken garden, with all rooms having benefit of natural light and aspect.
- 5.23 An essential element of the design is the need to moderate the impact of each lodge by using natural stone walls that belie and partially conceal the full extent of the building behind. This is crucial feature of Lodges 1, 2, 4, 5 & 6 (See below) and a fundamental device for integrating the scheme, binding each lodge to its historic context and mitigating the visual impact. Inspiration for this approach was taken from the work of the Danish architect Jørn Utzon, designer of the Sydney Opera House but who's less well-known work includes 1950's & 1960's residential schemes such as Fredensborg and Hellebæk in Zealand Denmark. Both rely heavily on the integration of buildings by the use of seemingly free-standing masonry bounding walls.
- 5.24 The form of design of each Lodge has modernism at its root but with heavy emphasis on a harmonious partnership of natural local building materials and the latest technologies of glass and steel construction.

5.25 INDIVIDUAL SITE SOLUTIONS

LODGES 1,2,5,6

Site- specific constraining factors

- Restraining overall footprint of building and garden space to smallest possible area.
 - Ensuring low-key appearance when viewed from the north and west approaches.
 - Restraining overall height of building (excluding chimney core) to a maximum of 4.90m above natural ground level, and thereby no taller than the tallest sections wall bounding the walled garden.
 - Avoiding root protection zones.
 - Applying sufficient space between neighbouring Lodges/structures
 - Orientating fenestration to take into account available views, whilst avoiding undue overlooking of neighbouring properties.
- External material palette
- Flat roof of single ply membrane, essentially invisible from ground level.
 - Bounding walls of very high quality, second hand dry-laid limestone with ironstone quoins.
 - External walls panels at upper and lower ground floor levels of very high quality, finely dressed dry-laid limestone.

- Large glass external wall areas with minimal metal frames.
- Balcony balustrade in colourless, frameless glass.

LODGE 3

Site- specific constraining factors

- Respecting the north south axis of the main walled garden by aligning both lodges symmetrically east and west of this axis.
- Restraining overall footprint of building and garden space to smallest possible area.
- Maintaining single storey appearance of buildings from the north, by forming wide connecting lawn and restraining overall height of building by using difference in ground levels afforded by east-west raised walkway.
- Avoiding root protection zones.
- Applying sufficient space between neighbouring Lodges/structures
- Orientating fenestration to take into account available views, whilst avoiding undue overlooking of neighbouring properties.

External material palette

- Flat roof of single ply membrane, essentially invisible from ground level.
- External walls panels at upper and lower ground floor levels of very high quality, finely dressed dry-laid limestone.
- Large glass external wall areas with minimal metal frames.
- Balcony balustrade in colourless, frameless glass. The use of traditional painted metal Estate railings.

LODGE 4

Site- specific constraining factors

- Restraining overall footprint of building and garden space to a proportionately restricted area and strategic positioning to sit amidst nearby large trees.
- Ensuring low-key appearance when viewed from the north and west approaches.
- Utilizing lower natural ground level on south side of east-west raised grass walkway to suppress overall height of building.
- Avoiding root protection zones.
- Applying sufficient space between neighbouring Lodges/structures
- Orientating fenestration to take into account available views, whilst avoiding undue overlooking of neighbouring properties.

External material palette

- Flat roof of single ply membrane, essentially invisible from ground level.
- Bounding walls of second hand dry-laid limestone with ironstone quoins.
- External wall panels at upper ground floor level concealed and clad with 35x125mm Iroko or similar timber rain-screen cladding
- External walls panels at lower ground floor levels of very high quality, finely dressed dry-laid limestone.
- Large glass external wall areas with minimal metal frames.
- Balcony balustrade in rain-screen cladding to match upper external walls.

5.26 **In addition to the above rationale for the design the landscape scheme proposed for the site (see Portus and Whitton drawing I415L.7-D submitted with the application**

provides very substantial underplanting and mature tree screening throughout the entire site

- 5.27 Since writing the original report amended designs for a number of the lodges have been received which address your Officers concerns about the potential for sun glare and night time illumination in the wider landscape.

Need for Enabling Development

- 5.28 To be read in connection with the Great Tew Estate outline Business Model available on the Councils website as part of the supporting documents submitted with the application.
- 5.29 Reasons why the Heritage sites can't be sold.
1. Two of the heritage sites, Gyles Farm and Lower Grove Ash Farm, are located in key positions within the estate and it is imperative they remain in estate control to prevent fragmentation and a breakup of the Estates ring fenced ownership.
 2. These two sites are located in key remote valleys where third party ownership would be detrimental to the estate shoot and diversification enterprises as control of those areas would be lost.
 3. The estate trustees won't allow freehold sales of key properties which are integral to the estates core asset value. If these properties were sold the ring fenced estate becomes punctured with properties no longer in Estate ownership/stewardship and thus the value of the estate as a whole is reduced.
 4. It has been demonstrated in the submitted document 'Appraisal of the Development Opportunities within the Estate Master Plan' on page 2, why selling off No. 50 The Square does not provided the capital sum required to fund the restoration of the heritage sites, providing just £250k profit of the £2.31M needed. The rental model on this site is viable in its own right so why sell an asset if it can be developed and retained within the Estates rental portfolio.
 5. The Estate is fortunate that it has not suffered from inappropriate sales and development like many other country estates to keep it afloat over the years. Great Tew remains a place of great character and custodianship which is testament to the way it is managed to prevent isolated freehold sales.
- 5.30 Why the current application represents the minimum amount of development
1. The viability model for five lodges (See Option 4; page 12 within the 'GTE Outline Business Model') provides a gross profit of £1.6M to the Estate which is considerably less than the £2.31M required to restore the heritage sites as required. Five lodges produces a 9.9 % return on investment which makes the scheme unviable from the trustee's perspective and the banks enthusiasm to allow borrowing.
 2. The viability model for the current application with six lodges (See Option 5; page 13 of the 'GTE Outline Business Model') demonstrates a gross profit of £2.8M which just covers the £2.31M required to fund the heritage sites restoration with a small profit to the estate. This

is why no further lodges have been included in the application as this is the minimum level of development that can sustain the restoration costs.

The Soho House connection

- 5.31 To be read in connection with the Great Tew Estate outline Business Model available on the Councils website as part of the supporting documents submitted with the application.
- 5.32 SH are our preferred partner in this venture but we are not committed to them. Indeed, we are free to choose whatever operational partner we see fit. One of the principle reasons for joining them in as applicants was to demonstrate a proper business footing for the restaurant and pooled, serviced lodge accommodation. In doing this we were able to provide accurate forecasts to uphold our business model which forms the backbone of the proposal.

Requirement for an underground car park

- 5.33 To be read in connection with the Great Tew Estate outline Business Model available on the Councils website as part of the supporting documents submitted with the application.
1. Please refer to Option 6; Page 15 of the 'GTE Outline Business Model'. Option 6 demonstrates the viability of six lodges with an overground car park as opposed to a underground car park. This option produces a net profit of -£109,371.
 - Profit WITH underground Car Park = £2.8M
 - Profit WITH overground Car Park = (- £109,371)
- 5.34 The provision of an underground car park gives greater value to the individual lodges by providing an exclusive, car free feel to the development. With an overground car park the freehold value of the lodges is reduced by £4M making the scheme unviable. See the valuation report by Carter Jonas LLP on page 21; Appendix 3 of the business model.
2. The extra over cost of the underground car park compared to an overground car park only amounts to £1.05M which is more than covered by the increase in value to the lodges.
 3. All the options put forward that include a restaurant and lodges bring about a requirement for additional storage which can't be achieved with new structures above ground. Therefore an element of basement provision is a necessity which is provided for within the underground facility.

County Consultation Response

- 5.35 At the time of writing a re-consultation response from the County remains outstanding. However, your Officers are of the opinion that the existing vision splay can be conditioned to ensure that there is more than adequate visibility in both directions. Members will be able to see the access arrangements for themselves at the site visit.
- 5.36 In respect of the issue raised by County Minerals the applicant has advised that all of the extracted material will be used within the Estate. If the excavation of the Car Park does require a separate application for mineral extraction this does not preclude a grant of conditional

planning permission for this application but rather an informative on the decision letter advising of the requirement.

Conclusion

- 5.37 This application relates to a prominent open countryside site where the setting of an unlisted heritage asset will be affected and where new build (housing) development would not normally be allowed. However the lodges proposed are reduced in number to the amount the applicants advise is needed to ensure the functional and financial viability of the restaurant use and the use of the site as a restaurant and productive gardens is the optimum use as far as that heritage asset is concerned. The scheme has been carefully designed and with the minor elevational and landscaping tweaks it is considered that the impact has been substantially reduced. Critically the approval of this scheme will be a mechanism to provide a cash injection that will fully fund the restoration of the fabric of three derelict listed buildings on the Estate which otherwise is not likely to be financially viable. This "enabling" element is considered sufficient to outweigh the harms and with the other employment, tourism and social benefits secured by way of the legal agreement conditional approval is recommended (subject to the final comments of OCC as Highway Authority) and any additional conditions as may be required.

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 Prior to the commencement of development a fully detailed programme/schedule of works essential for the safeguarding of the listed structure/s incorporating the following matters shall be submitted to and approved in writing by the LPA and the said approved safeguarding works shall be carried out in full in the implementation of the listed building consent hereby approved :
- A) Grubbing out, cutting down and removal of vegetation;
 - B) Temporary stabling/ propping of garden wall enclosure and attached structures within the site;
 - C) Any works of permanent stabilisation or underpinning of the retained garden wall and attached structures;
 - D) Repairs to the external and internal faces of the retained garden wall and attached structures;
 - E) Means of protecting the retained garden wall and attached structures during the course of implementing the building works from collapse/damage;
 - F) Recording of all architectural elements and salvaged remains contained within the site
- REASON: To safeguard the non-listed heritage asset during and post implementation of the planning permission
- 4 No demolition or other works shall be undertaken on site other than those agreed in the Schedule referred to under condition 3 of this planning permission unless prior approval has been granted by the LPA .
REASON: In the interests of the non-listed heritage asset

- 5 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.
REASON: To preserve the architectural integrity of the non-listed heritage asset.
- 6 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials, shall be submitted to and approved in writing by the Local Planning Authority before any hard surfacing work commences. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.
REASON: To safeguard the character and landscape of the area and the setting of the range of listed buildings.
- 7 Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
REASON - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012)
- 8 Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
REASON - To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).
- 9 All of the development works must be carried out as per the recommendations in section 7 of the Ecology Report (Windrush ecology.com March 16) this shall include badger mitigation, integral bat and bird boxes as well as the trees retained and new tree planting as illustrated on the Landscape drawings no 14 L7 & 6 Rev C15. All mitigation & enhancement works must be completed before the new lodges are first brought into use and all enhancements must be permanently maintained thereafter.
Before works begin on site a ten year landscape and ecological management plan shall be submitted for approval to the LPA to show how the ecological enhancements shall be created and maintained. Once approved all works will be carried out as per the approved plan.
REASON: To ensure that badgers, birds & bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, The 1992 Badger Act and In line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 10 That part of the development to be constructed of natural stone shall be constructed of natural stone of the same type, colour and texture and laid in the same manner as the stone used in the existing walled structure in accordance with a sample panel which shall be erected on site prior

to the commencement of development and approved in writing by the LPA and retained on the land until the development is completed.

REASON: To safeguard the character and appearance of the area and in the interests of the architectural integrity of the non-listed heritage asset.

- 11 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
- 12 Notwithstanding details contained in the application, detailed specifications and drawings of all the windows (including cills and heads) ,external doors and glazed screens at a scale of not less than 1:20 with sectional details at a min of 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.
- 13 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 and the non-listed heritage asset.
- 14 Notwithstanding the application details no part of the development shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and retained thereafter.
REASON: To safeguard the character and appearance of the area
- 15 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), extensions, alterations or outbuildings other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed in the interests of the character and appearance of the area.
- 16 That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before 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 ensure the safeguarding of the character and landscape of the area during and post development.

- 17 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.

Application Number	I6/01239/FUL
Site Address	The Dragon Inn 152 High Street Burford Oxfordshire OX18 4QU
Date	22nd June 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Burford
Grid Reference	425097 E 212109 N
Committee Date	4th July 2016

Location Map



Application Details:

Conversion (including single storey in-fill extension) of existing derelict outbuilding to create additional holiday let together with associated storage shed. (Part retrospective).

Applicant Details:
Rick And Sally Lockyer
The Dragon Inn
152 High Street
Burford
Oxon
OX18 4QU

I CONSULTATIONS

I.1 WODC Architect

Opinion: The outbuilding in question is (or was) not in great condition, although it is part of an interesting linear group, and I would judge that it is, nonetheless, worthy of retention and conversion, if this can be achieved without comprising the character. And they do seem to be working pretty much with the existing forms - with the original envelope preserved, and with new joinery fitted into existing openings. I think it may have been possible to save at least some of the original roof structure, although that opportunity seems to have been lost - and there is no doubt that much of it was indeed beyond repair. There would also be a new single storey element, although this would replace decrepit and unsympathetic existing structures. I have no problems with the general principle of this, but, like the existing adjoining structures, the roof would be laid to a pitch that is too low for any traditional roofing material - including the proposed slates and plain tiles. Note that the minimum pitch for slates is 22.5 degrees, and the minimum pitch for plain tiles is 35 degrees - whereas here we have around 10 degrees. They may just get an interlocking tile to work at this low pitch, which doesn't seem to have been considered. I also find the change in roofing material at the mid-point to be somewhat strange, and fussy too. So, they need to explain: a) how they will get the proposed roofing materials to work at this low pitch; b) why they are changing roofing material at the mid-point. I note that there would also be a new storage shed at the end of the plot, which would be tucked behind the boundary wall, and which would be of no great size. There are no great problems with this except that, again, they have slates laid at too low a pitch - again, around 10 degrees.

Recommendations: Seek clarification on the roofing to the low pitches. When satisfactorily resolved, consents, (partly retrospective) should be given with: condition E17 for matching works; condition E12 for demolition only where shown; condition D124 for a sample of the roof slates and/or tiles; condition D23 for recessed window and door frames (min 75 mm); condition D21 for external joinery details (including details of the rooflights), with elevations of each assembly at min. 1:20 scale, with sections of each component at min. 1:5 scale and with details of the proposed timber and the proposed treatment.

- 1.2 Parish Council We fully agree with the enforcement notice therefore do not approve of this application.
- 1.3 OCC Highways No reply at the time of writing.
- 1.4 Ecologist No reply at the date of writing

2 REPRESENTATIONS

- 2.1 Ian Brown has written in respect of the application. In a summarised form his comments are as follows:

I wish to register my objection to the increased roof height of at least 0.5 metres to the "derelict building" at the back of The Dragon Inn 152 High Street Burford.

I am concerned that again the applicant is developing a very sensitive site and grade II listed buildings without apparently obtaining proper planning approval. I am also concerned about other planning issues detailed below.

Roof Height

I first contacted you on 19 February 2016 to register my concern about the increased roof height and you allocated an enforcement reference 16/00047/PENF for 'Alleged unauthorised works to raise the roof height of a listed building (non-compliance with approved details submitted under 15/02672/FUL)'. From the two photos I attached to my email dated 19 February (which show the original roof height and the new roof height) one can estimate accurately that the new roof is at least 0.5 metres higher than the old roof. I attach the photos again for reference.

It is interesting to note that the drawing HSB/42 contained in the retrospective planning application does not include any dimensions / heights.

Planning Issues

As you are aware the first retrospective planning application for this property stated on the plans this "derelict building" was to remain as existing.

"NO". There are alterations.

Reference Question 4 "Materials - Rainwater Goods" - applicant stated Upvc gutters and downpipes. Shouldn't these be cast iron due to being a grade II listed building?

Reference Question 6 "Assessment of flood risk" - I would appreciate details of the soakaway to cater for 5 holiday lets.

Work has continued on the derelict building since the enforcement notice was issued, and the intended use of the building has changed from "A room with a washing machine and ping pong table in for the guests to use" to "additional holiday let" accommodation.

Mr Brown has also provided a timeline of correspondence between himself and WODC relating to the retrospective works which includes the following:

On 14 March I was informed that: WODC had been advised that the intended use of this building will be ancillary to the 4 holiday lets on the site. e.g. A room with a washing machine and ping pong table in for the guests to use. WODC advised the applicants that this required a change of use application for this proposed use.

WODC had made the applicants very aware that this is a very sensitive site and grade II listed and they needed to write to WODC prior to any works being undertaken so WODC can advise if an application is required.

On 7 April I was advised that WODC had asked the agent to remind his client that undertaking any unauthorised works to a listed building is a criminal offence and all works, if any are being undertaken or plan to be undertaken, must cease immediately until an application for any works has been approved.

On 13 April WODC advised me that George Mynehan, who is the investigating officer dealing with this case had been in contact with Mr and Mrs Lockyer and they have confirmed that they only have one builder employed on the site at present to clean up the debris and remove old concrete and bricks etc. from the site.

Mr IRW Moore of 6 Sweeps Lane has commented as follows:

Yet again the builder is getting away with planning rules putting in a retrospective application and getting the ok for something he has already done;

Why can't you fine him as he is running rings around the planning process and getting away with it.

John A Kimberley , Chairman of the Burford Charity Trustees has commented in a precised form as follows:

No yellow notices were posted at Sweeps Lane. We were notified by an undated letter posted to both the occupiers of 1 and 2 Sweeps Lane, the residents of which are elderly and rarely visit the High Street where the yellow notice was displayed;

The site is sensitive and all the work appears to have been carried out without approval;

Both Almshouses will lose amenity and the windows will directly overlook these properties and gardens and the quiet enjoyment of their gardens is at risk;

A new built up garden area will increase noise levels;

Concerned about the increased parking that an additional holiday let will generate.

3 APPLICANT'S CASE

- 3.1 The creation of a new holiday let by a new single-storey infill and conversion of the existing outbuilding to involve structural repairs and improvements to safeguard what remains of the

original structure due to years of neglect plus internal alterations and other renovations including new timber doors to a traditional pattern and traditional flush casement timber windows.

Historic and special architectural importance of the building

- 3.2 As can be seen from the site photographs, what remained of the original building was a dilapidated shell with the roof to the rear section having collapsed and with the corrugated metal roof to the front section being in a poor state of repair with damaged/missing areas of roofing and extensive dry rot and beetle damage to the remaining beams and purlins.
- 3.3 In addition, as all of the timber floors at First Floor level were missing and the few steel tie rods almost rusted through, the external walls were in danger of total collapse.
- 3.4 The proposed remedial work includes the introduction of a new steel frame to support a new timber floor at First Floor and with new tie rods and brackets to provide the required restraint to the external walls together with extensive repairs and remedial work to the existing external masonry and a totally new timber roof throughout.
- 3.5 As stated above the new internal layout has been designed to retain as much of the basic fabric of the existing building as possible with all new windows and doors being slotted into the existing openings.
- 3.6 In addition, the original external walls, terraced areas, and footpaths at the rear of the site are being repaired and refurbished to enhance the setting of the listed building.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

- 5.1 The application has been submitted following investigations in to a complaint that unauthorised works were being undertaken to a listed outbuilding to the rear of 152 High Street.

Background Information

- 5.2 Planning permission and listed building consent were granted under 15/02672/FUL and 15/02673/LBC for a change of use of the building to 4 holiday lets. These permissions did not include conversion or alteration of an outbuilding the rear of the premises.
- 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;

Impact on the Listed Building and the Conservation Area;

Impact on the residential amenity of adjoining occupiers;

Impact on Highway Safety;

Principle

- 5.4 It is considered by Officers that the change of use of the outbuilding to a self-contained holiday let would be consistent with the policy objectives of both the existing and emerging the plan Local Plans with the holiday let use being complementary to existing uses in the town centre, particularly as Burford represents one of the key tourist destinations in the District.
- 5.5 Policy TLC2 of the adopted Local Plan covers proposals for the change of use / conversion of existing buildings to visitor accommodation. Such accommodation will be permitted provided:
- a) There is adequate off-street parking or other public parking available
 - b) The scale of proposals does not generate a level of activity which would have detrimental effect on the character or appearance of the area
 - c) The existing building should be capable of conversion to visitor accommodation without excessive alteration or rebuilding which would damage its character or setting.
 - d) The character and setting of the existing building is not damaged.
- 5.6 In respect of the other tests of policy TLC2 Officers consider that the scale of the development and the design modifications to accommodate the holiday let use will not result in unacceptable levels of harm to the character and appearance of the listed building and it's setting. Further that the character of this part of the Conservation Area which can be glimpsed from 'Sweeps Lane' will be enhanced. In respect of off street parking and highway issues these are addressed in the relevant section of this report below.

Impact on the Listed Building and the Conservation Area;

- 5.7 Members will note that the Conservation Architects consultation response is generally supportive of the application advising that the building is part of an interesting linear group located within the Conservation Area worthy of retention and conversion. He does raise issues about the ability to use certain materials given the shallow roof pitches of a number of elements of the scheme but is not objecting just seeking clarification. Members will note that a condition is suggested to address this matter.

- 5.8 In light of the above the proposals for the rear of the site are considered to respect the character and appearance of the listed range and enhance the Conservation Area and thus are compliant with policies BE5, BE7 and EH7 NEW.

Impact on the residential amenity of adjoining occupiers:

- 5.9 In making this planning assessment Officers have considered the impact of the proposal on the adjoining occupiers and those living along Sweeps Lane. In your Officers opinion, 5 holiday lets is likely to generate less noise and disturbance than the former restaurant use which comprised visiting members of the public, staff living on site and a commercial kitchen.
- 5.10 In terms of the physical works and openings to the building, the key impact is considered to be the potential perceived overlooking of a sitting out area of the garden serving 154 High Street from a first floor bathroom window which is located approximately 7 metres away. In order to address this issue a condition is recommended that this casement window be obscure glazed and fitted with a limited opening mechanism to allow for ventilation only.
- 5.11 Officers are also aware that concerns have been raised regarding the impact of the perceived raising of the main ridge of the outbuilding on properties at 1 and 2 Sweeps Lane, the gardens of which directly abut the site and of increased noise and disturbance associated with the holiday let use on the quiet enjoyment of their gardens.
- 5.12 In terms of the physical works to the building in your officers opinion by virtue of its design and siting neither of these properties will be unacceptably overlooked nor will any changes to the ridge have an unacceptable overbearing impact. In terms of noise and disturbance from the garden area serving the holiday let use this impact needs to be considered within the context of the impact of noise and disturbance from the former commercial use of the property and the fact that the four holiday lets approved under 15/02672/P/FP and presently under construction, will use this area of land as garden. In your Officers opinion, given this background context it is difficult to argue that the use of the land by a further holiday let use will result in 'material' harm to the occupiers of 1 and 2 Sweeps Lane which outweighs the tourism and heritage benefits from the proposals for the former derelict outbuilding.

Highway Issues

- 5.13 In respect of parking provision County Highways raised no objection to the application for 4 holiday lets on the grounds that the proposals were unlikely to create a material increase in the demand for parking compared to the former commercial use of the property. Whilst a formal response from Highways has not been received at the time of writing this report it is anticipated that given the technical response to the earlier application that it is unlikely that the addition of a further 2 bed holiday let on the site will generate an objection from Highways.

Conclusion

- 5.14 In light of the above assessment this part retrospective application is recommended for conditional approval with conditions imposed which seek to address both the historic context of the site and the residential amenity of adjoining occupiers.

6 CONDITIONS

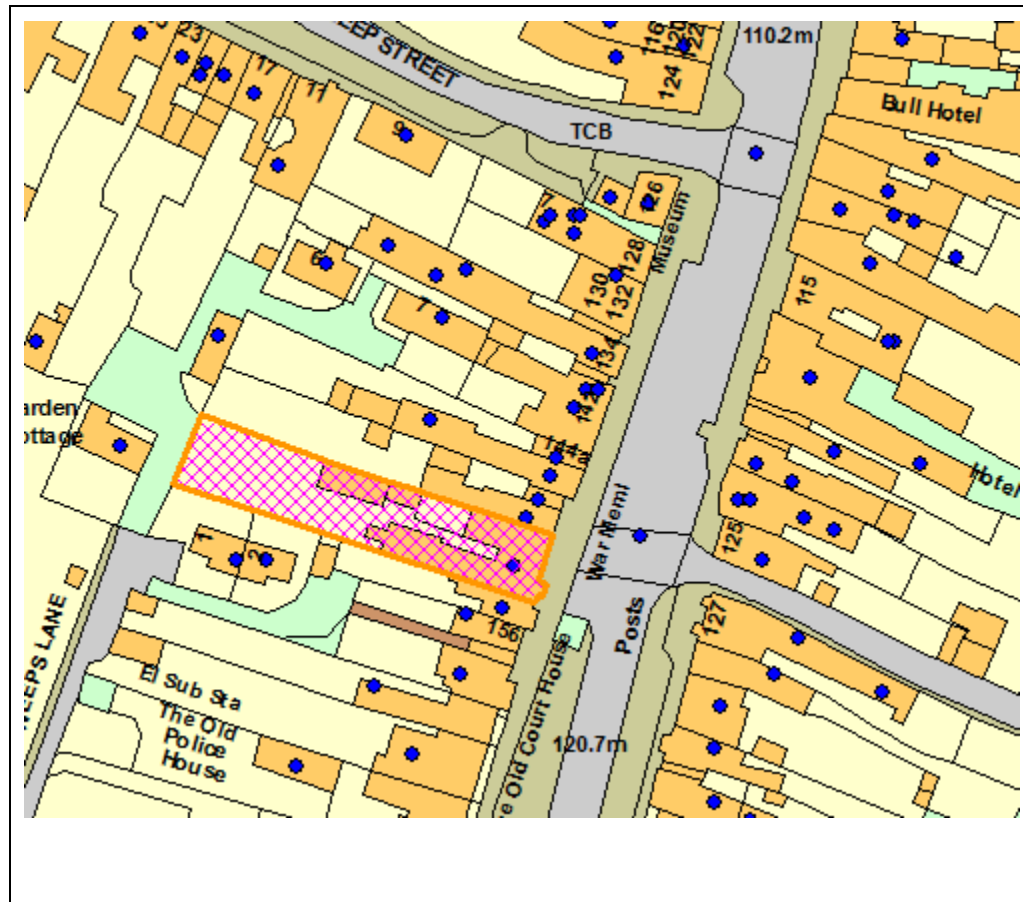
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the application details the roof(s) of the building(s) and storage shed hereby approved 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 and retained as such thereafter.
REASON: To safeguard the character and appearance of the listed building and its setting.
- 4 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings or as agreed in writing by the LPA.
REASON: To preserve the architectural integrity of the Listed Building.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery (including details of rooflights at a scale of not less than 1:20 with sectional details at a min of 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: In the interests of the architectural character and appearance of the listed building.
- 6 The occupation of the accommodation shall be limited to holiday tenancies not to exceed 4 weeks (in each case) and no person shall occupy the accommodation in consecutive tenancy periods.
REASON: The accommodation is on a site where residential development would not normally be permitted, and is unsuitable for continuous residential occupation.
- 7 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 alterations other than those expressly authorised by this permission, shall be constructed.
REASON: Control is needed in the interests of residential amenity.
- 8 Before first occupation of the building hereby permitted the first floor window serving the bathroom shall be fitted with obscure glazing and fixed with a limited opening in accordance with details to be first approved in writing by the LPA and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
- 9 All works must be carried out as per the recommendations in section 6 of the Bat Survey (Building inspection and Ground level tree assessments) by Abricon updated 2nd December 2015. All mitigation and enhancement works must be completed before the holiday let is first

brought into use and permanently maintained thereafter. In order to fully comply with this condition a letter with photographs showing the enhancements must be submitted to the LPA.
REASON: To ensure that birds and bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the 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 including EH2 and saved policy NE13 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 10 Notwithstanding the proposals for the formal garden and terraced area outlined on drawing HSB/02 submitted with the application the land to the rear shall be informally laid out as a communal area to serve the holiday let use on the site and retained as such.
REASON: In the interests of the residential amenity of the adjoining occupiers.

Application Number	I6/01240/LBC
Site Address	The Dragon Inn 152 High Street Burford Oxfordshire OX18 4QU
Date	22nd June 2016
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Burford
Grid Reference	425097 E 212109 N
Committee Date	4th July 2016

Location Map



Application Details:

Conversion (including single storey in-fill extension) of existing derelict outbuilding to create additional holiday let. (Part retrospective).

Applicant Details:
Rick And Sally Lockyer
The Dragon Inn
152 High Street
Burford
Oxon OX18 4QU

I CONSULTATIONS

I.1 WODC Architect

Opinion: The outbuilding in question is (or was) not in great condition, although it is part of an interesting linear group, and I would judge that it is, nonetheless, worthy of retention and conversion, if this can be achieved without comprising the character. And they do seem to be working pretty much with the existing forms - with the original envelope preserved, and with new joinery fitted into existing openings. I think it may have been possible to save at least some of the original roof structure, although that opportunity seems to have been lost - and there is no doubt that much of it was indeed beyond repair. There would also be a new single storey element, although this would replace decrepit and unsympathetic existing structures. I have no problems with the general principle of this, but, like the existing adjoining structures, the roof would be laid to a pitch that is too low for any traditional roofing material - including the proposed slates and plain tiles. Note that the minimum pitch for slates is 22.5 degrees, and the minimum pitch for plain tiles is 35 degrees - whereas here we have around 10 degrees. They may just get an interlocking tile to work at this low pitch, which doesn't seem to have been considered. I also find the change in roofing material at the mid-point to be somewhat strange, and fussy too. So, they need to explain: a) how they will get the proposed roofing materials to work at this low pitch; b) why they are changing roofing material at the mid-point. I note that there would also be a new storage shed at the end of the plot, which would be tucked behind the boundary wall, and which would be of no great size. There are no great problems with this except that, again, they have slates laid at too low a pitch - again, around 10 degrees.

Recommendations: Seek clarification on the roofing to the low pitches. When satisfactorily resolved, consents, (partly retrospective) should be given with: condition E17 for matching works; condition E12 for demolition only where shown; condition D124 for a sample of the roof slates and/or tiles; condition D23 for recessed window and door frames (min 75 mm); condition D21 for external joinery details (including details of the rooflights), with elevations of each assembly at min. 1:20 scale, with sections of each component at min. 1:5 scale and with details of the proposed timber and the proposed treatment.

- 1.2 Parish Council We fully agree with the enforcement notice therefore do not approve of this application.

2 REPRESENTATIONS

- 2.1 See report under 16/01239/FUL

3 APPLICANT'S CASE

- 3.1 See report under 16/01239/FUL

4 PLANNING POLICIES

BE7 Alterations and Extensions to Listed Buildings
EH7NEW Historic Environment
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 See report under 16/01239/FUL

Background Information

- 5.2 See report under 16/01239/FUL

- 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 consideration of the application is

- 5.4 The impact of the proposed works on the architectural character, integrity and appearance of the listed heritage asset

Architectural Character, Integrity and Appearance of the Listed Heritage Asset

- 5.5 Members will note that the Conservation Architects consultation response is generally supportive of the application advising that the building is part of an interesting linear group located within the Conservation Area worthy of retention and conversion. He does raise issues about the ability to use certain materials given the shallow roof pitches of a number of elements of the scheme but is not objecting just seeking clarification. Members will note that a condition is suggested to address this matter.

- 5.6 In light of the above the proposals for the rear of the site are considered to respect the character ,appearance and integrity of the listed range and thus are compliant with policies BE5, BE7 and EH7 NEW.

Conclusion

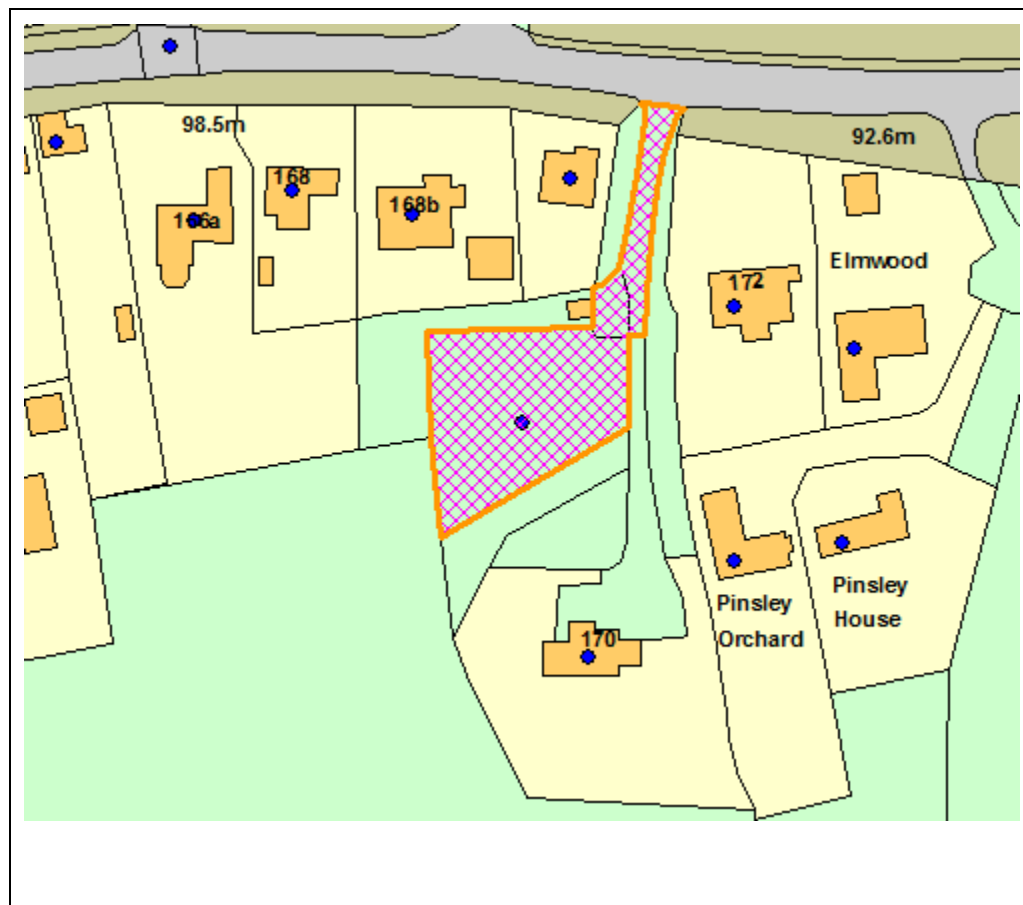
- 5.7 In light of the above assessment the application is recommended for conditional approval.

6 CONDITIONS

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding the application details the roof(s) of the building(s) and storage shed hereby approved 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 and retained as such thereafter.
REASON: To safeguard the character and appearance of the listed building and its setting.
- 4 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings or as agreed in writing by the LPA.
REASON: To preserve the architectural integrity of the Listed Building.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery (including details of rooflights at a scale of not less than 1:20 with sectional details at a min of 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: In the interests of the architectural character and appearance of the listed building.

Application Number	I6/01425/OUT
Site Address	Land South Of 168A Main Road Long Hanborough Oxfordshire
Date	22nd June 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Hanborough
Grid Reference	442820 E 214248 N
Committee Date	4th July 2016

Location Map



Application Details:
Erection of one dwelling.

Applicant Details:

Mr & Mrs Steven Pottinger
22 Glyme Way
Long Hanborough
Witney
OX29 8JT
UK

I CONSULTATIONS**I.1 WODC Drainage Engineers**

According to contour information, the site is situated on a relatively flat gradient. The proposed surface water drainage system/s must not increase the flood risk to any neighboring residential, land or highway.

According to geology layers, it appears that infiltration techniques at this site may not be viable. This will however be confirmed during soakage testing.

The SuDS hierarchy must be adhered to.

Greenfield sites

If the proposed increase in impervious area exceeds 25m², this does, then the proposed surface water drainage system/s should be designed in accordance with BRE365 to accommodate up to and including a 1 in 30 year + 30% CC storm event. However, the site must contain surface water for all return periods up to and including the 100 year + 30 % CC storm event. Therefore, it is a recommendation that the proposed surface water drainage system/s is/are designed to accommodate up to and including a 1 in 100 year storm event + 30 % CC, otherwise the site would need to flood itself.

If soakage tests prove that soakaway/s are viable, Then If it is found that the groundwater level is above 1meter below the invert of soakaway inlet pipe, shallow storm cells with a void capacity of 90% could be proposed subject to them being installed more than 5mtrs from any structure.

General

We would like to see RWH/rain water butts incorporated into the proposed surface water drainage system/s.

A drainage plan will need to be submitted, showing the location, Form and sizing of the proposed surface water drainage system/s.

An exceedance plan must be submitted, showing the route At which surface water will take, if the existing/ proposed surface water drainage system/s were to over capacitate and surcharge. This

must however have no profound effect on any neighbouring, private property or land. In addition, we would like to see existing/proposed levels incorporated onto this plan.

- 1.2 OCC Highways The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
- 1.3 Parish Council Planning permission to build a house on this field was refused in 2006, appealed and turned down again by an inspector in 2007.

The applicant now hopes to exploit the District Council's lack of an agreed Local Plan and the consequent reduction in weight attached to relevant policies. Hanborough Parish Council nevertheless considers that the loss of this idyllic spot would be a harm that outweighed modest benefits, and therefore contrary to the NPPF. The would-be vendor of this 1 hectare plot wants to retain a strip of it to create a 5m access route to the fields beyond, which would almost certainly necessitate cutting a 5m gap in the mature western hedge: potentially a worrying precursor to far greater harm to the landscape.

Hanborough Parish Council therefore objects to this application

2 REPRESENTATIONS

Two letters of objection have been received:

Mr and Mrs Richardson made the following comments:

- It is stated that the proposals would provide accommodation to be occupied by two generations of the family thus having the effect of releasing their existing properties onto the open market. This is hardly significant in the larger scheme of things.
- This is a relatively small site which is made smaller by the farmer wanting to retain a 5 meter strip on the eastern and southern boundaries of the site. This will have the effect of pushing any building even nearer to our southern boundary. There will also be a difficult access down a private road which at least two other cars will be in using.
- The Ordnance Survey map identifying the location of the site is no longer accurate and will confuse members considering this application. The garden of 168B abuts directly onto the north and west side of the boundary of the site in question. Furthermore the ancient hedge is deciduous and provides no screening during the winter months, meaning there will be a significant loss of privacy for 168B. It is also assumed that some of this ancient hedging will have to be grubbed out for development purposes.
- It is stated that the site behind 168A and 168B is a bungalow and a dormer bungalow. 168b is a substantial four-bedroom house of over 2400 sq. ft. and we would be looking directly down onto this development, again meaning a significant loss in our privacy.

- In relation to Policy H2 it is stated a) development should not erode the character and appearance of the surrounding area. Clearly these proposals will, as this is an open meadow surrounded by agricultural land which is a rich habitat for a variety of wild life including barn owls, sparrowhawks and woodpeckers. H2 also states that proposals should not create unacceptable living conditions for existing and new residents. A visit to 168B will demonstrate that the proposals will create unacceptable living conditions for an existing resident. Furthermore, H2E states that development should not create unsafe conditions for the movement of people or vehicles. In our view the development will generate unsafe conditions for vehicles coming onto a very busy road with poor visibility in both directions.

- Under Policy H7 of the 2011 Local Plan it is stated that in such designated service centers new dwellings would be permitted under the designation of infilling or rounding off. In our view this proposal is not infilling or rounding off.

- Reference has been made to the general principals set out in Policy H2 of the emerging Local Plan being less prescriptive than the descriptions of acceptable development in the old plan. This does not form a logical complement to the existing scale and pattern of development, with the exception of one chalet bungalow fronting the main road the remaining houses surrounding this site are substantial family homes in large plots of land.

- It is stated that in the light of the changed policy and physical context of the proposals which favour the development it has not been considered necessary to carry out pre-application consultations. We are astonished that it has not been considered necessary. Any approval for development on this site will adversely and substantially affect our living conditions and that of our neighbours. Development of this agricultural parcel of land represents an irreversible loss of open countryside and further urbanisation of our village. Added to which this site has always been an open field and has never been used for any structure whatsoever.

Mr Groom objects to the application for the following reasons:

- The site is Greenfield land and the development would erode the character and environment of the area. The site exists as an important area of open space.
- The development would have a negative impact on the open aspect of the immediate area and would detract from the setting of 172 Main Road.
- It is questioned whether the dwelling would be a 3 bedroom property and not a 4 bed property. Additional traffic would be generated from the erection of a dwelling.

3 letters of support have been received in relation to this application:

Ms Wood supports the application on the basis that the development would house a local family and release an existing property. The development would have little or no effect on the countryside.

Mr Bailey supports the application for the following reasons:

1. It is clear from The Design and Access Statement that the applicant has fully considered, and addressed, any possible visual impact on the area and neighbours. The proposed design and scale of the dwelling will have no adverse effect on the neighbourhood. Similarly there will be no loss of privacy or the residential amenity of neighbouring owners.

2. The plot has not been used for any agricultural or similar purpose for a period in excess of 10 years.
3. The development will release 2 other properties in Long Hanborough onto the local housing market.

Mr James supports the application for the following reasons:

- The property would be behind Pinsley Orchard and its effect on the landscape would be innocuous.
- Since the previously lost Appeal, 'Burleigh Court' has been constructed which provides well defined boundaries to the countryside which create a more obvious opportunity for 'rounding off' the village envelope. Indeed, we thought the previous rejection of rounding off' was a very marginal opinion.
- The local group of houses tends to have high hedges and heavy planting to create privacy and no doubt this could be introduced into the new development.
- Taking a wider view, we have a housing crisis, and empirical evidence suggests that 'a little but often' is a more flexible and effective supplier of relevant housing than multiple developments of 200+ houses which are currently the subject of several planning appeals in the village. Hanborough has a good record of creating and absorbing genuinely affordable houses for people with a local connection within its boundaries. This proposal is within a similar category.

3 APPLICANT'S CASE

- 3.1 The site is almost completely surrounded by residential curtilages and does not form part of the street scene. As such any development on the site would not alter the public perception of the character and appearance of the area. The illustrative footprint serves to confirm that the development can be designed to ensure that it would not create unacceptable living conditions for existing or new residents. There would be no adverse traffic issues.
- 3.2 Substantial development has been approved in the immediate area in recent years including the extension of Riely Close, Burleigh Court and Myrtle Farm. This serves to confirm that the Council has recently been determining housing applications in line with the emerging Local Plan and the NPPF. As such it would be logical to determine the present modest proposal on the basis of sustainability and potential harm. The development would form a logical complement to the existing scale and pattern of development and will not cause harm to the character of the area.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
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
EH1NEW Landscape character

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks outline approval for the erection of a dwelling with all matters reserved. The site consists of a small paddock area located behind two detached dwellings fronting Main Road in Long Hanborough, a further detached dwelling is located to the rear of the site. The paddock is undeveloped and enclosed by boundary hedges on three sides; an area of agricultural land adjoins the south western boundary of the site. The site is accessed by a small gravel driveway onto Main Road which serves 170 Main Road, to the south of the site. It is noted that a 5 metre section of the south of the site, but included in the paddock area is excluded from the red line area shown on the plans and is not subject of this application.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle of development
 - Landscape and visual impact
 - Impact on residential amenity
 - Access

Principle

- 5.3 Paragraph 49 of the NPPF specifies that all applications for housing are determined in accordance with the presumption in favour of sustainable development as outlined within paragraph 7 of the NPPF. This requires that an assessment is made with regards to the social, economic and environmental sustainability of the proposed development and its accordance with relevant Local Plan Policy, where relevant policies are considered to be in date.
- 5.4 Paragraph 49 requires that policies relating to the delivery of housing should not be considered in date if the local authority cannot demonstrate an adequate five year supply of housing. The Councils overall position on housing land supply is at present is unclear as a five figure is yet to be established. The Local Plan Inspector in his initial comments made following the first phase of the Local Plan inquiry held late last year suggested that further work will have to be carried out to establish an exact figure, or alternatively the Council could adopt a higher figure of 660 units per year. West Oxfordshire District Council at present claims to be able to demonstrate a five year housing land supply in line with a delivery figure 525 houses per year, however the Local Plan inspector has indicated that the figure will sit within a range of 525-660 units and it is therefore unclear where the Council currently stand in terms of a precise figure for housing delivery, and whether the Council can currently meet this requirement.
- 5.5 The Councils current position on housing land supply is a material consideration in the weight attributed to existing Local Plan Policies H4-H7 and Emerging Local Plan Policy H2, given the existing situation it is considered that minimal weight can be attached to these location based policies. Notwithstanding the Councils position on housing land supply, the location based strategy for new housing development, outlined in Policies H4-H7 of the existing Local Plan specifies that the majority of housing development should be located within the service centres

and larger settlements in the district. The site in question is on the edge of Long Hanborough, which is identified as a Service Centre in both the existing and emerging local plans. Policy H7 of the Existing local plan limits development on the edge of service centres to rounding off, infill development and edge of settlement development on allocated sites. Policy H2 of the emerging local plan is however more permissive of the development of undeveloped edge of village sites where this is deemed to constitute sustainable development in accordance with Policy OS2 and the wider development criteria of the emerging local plan. In the case of undeveloped land on the edge of settlements, new development it is specified that this should form a complement to the existing built form.

- 5.6 Officers note an appeal decision in 2007 (APP/D3125/A/07/2038088) made in relation to the refusal of an outline application for a single dwelling on this site. The application was refused on the basis that the development would be contrary to Policy H7 of the existing local plan and did not constitute infill or rounding off. The inspector in dismissing the appeal cited the developments inconsistency with Policy H7. The context of the site itself has not changed and the development would still not constitute infill or rounding off of the settlement area although it is noted that there has been recent development in the immediate area to the west of the site. The site is however well contained, with existing development to the north, south and west.
- 5.7 There is significant boundary screening separating the site from the adjacent open countryside to the south west. A new dwelling on the site, with appropriate landscaping could be well screened and would visually merge with the existing built form therefore ensuring that the development would not appear prominent in the wider landscape. The inspector in the 2007 appeal mentions that the development would be a departure from the existing linear form along Main Road, however there has been notable recent development to the rear of existing dwellings along Main Road including the erection of four dwellings in 2013 (13/0191/P/FP) along with a further dwelling (13/0563/P/FP). The site in question is contained to a greater degree within the existing settlement envelope and is also substantially screened in comparison to this neighbouring site to the west.
- 5.8 Officers consider that the development of a dwelling on this site would form a logical complement to the existing built form consistent with Emerging Local Plan Policy H2. The site is considered to be a sustainable location in relation to its proximity to local services including the nearby railway station. Accounting for the increased weight now attributed to the housing location policies of the emerging local plan, officers consider the principle of a dwelling on this site to be acceptable.

Siting, Design and Form

- 5.9 The matters of design are reserved although it is indicated that the dwelling would be of a similar appearance to the neighbouring 1.5 storey dwellings to the east of the site. Officers consider that a dwelling of a suitable design could realistically be developed on the site. Were the dwelling to be of an appropriate scale it is unlikely that the development would be prominent in the immediate landscape.
- 5.10 Landscaping is a reserved matter however officers would seek the retention of the boundary hedges to limit the visibility of a potential dwelling in the landscape. In relation to the concerns raised by the Parish Council, there is no specific reason to object to the 5 metre strip of land to the south of the site being excluded from the red line area and officers note that there is no

intention specified to carry out further development on this land, including the creation of any access point into the adjacent field.

Highway

- 5.11 Access is not being considered within this application, although realistically the development could only be served by the existing access onto Main Road. This is a narrow access however the level of vehicular use generated by a single dwelling is likely to be low and visibility is considered adequate at the site entrance. Sufficient space exists on the site to provide parking for at least two vehicles.

Residential Amenities

- 5.12 Officers consider that the development of a dwelling of an appropriate scale would not impact substantially on the amenity of the adjacent properties and could be developed without resulting in overlooking or loss of privacy to the properties to the north and south. The separation distance between a potential dwelling and neighbouring properties is considered acceptable and a dwelling of an appropriate scale would not be substantially overbearing.
- 5.13 Officer's additionally note that the inspector in the 2007 appeal found little convincing evidence that development of the site would harm the living conditions of neighbouring occupants.

Conclusion

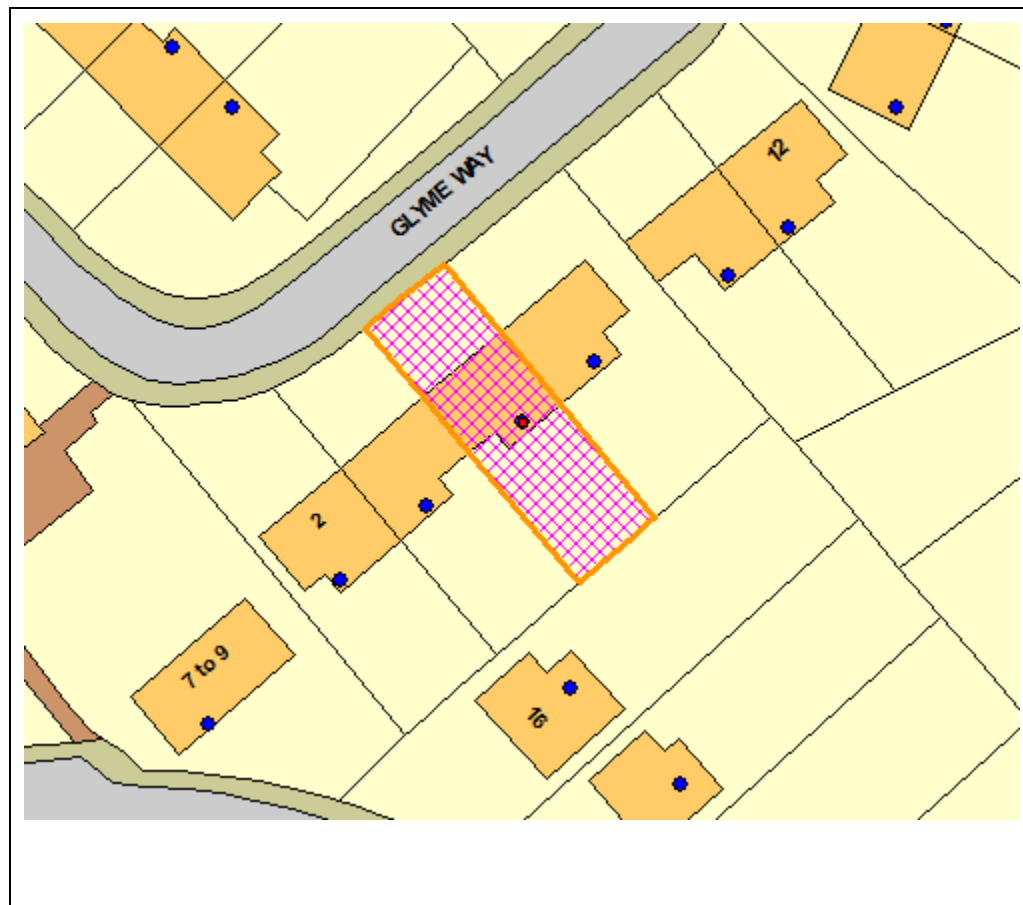
- 5.14 In relation to the Policy provisions of H2 of the emerging Local Plan, officers consider that a suitably designed dwelling on the site would form a logical complement to the existing pattern of development and the site represents a sustainable location for a new residential dwelling. The development is considered to be compliant with the wider policy provisions of the Existing and Emerging Local Plans and the provisions of the NPPF.

6 CONDITIONS

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
and
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
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 Details of the appearance and scale of the proposed dwelling, means of access and landscaping, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
REASON: The application is not accompanied by such details.

Application Number	16/01669/FUL
Site Address	6 Glyme Way Long Hanborough Witney Oxfordshire OX29 8JT
Date	22nd June 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Hanborough
Grid Reference	441720 E 213939 N
Committee Date	4th July 2016

Location Map



Application Details:

Erection of single, first floor and two storey extensions to create new dwelling. Subdivision of rear garden and erection of new boundary fence.

Applicant Details:

Mr Adrian Cox
35 Manor Road
Bladon
Woodstock
Oxfordshire
OX20 1RU

I CONSULTATIONS

- I.1 Parish Council
- Dwellings on this estate are all semi-detached or detached. None are terraced. This proposal forms a terrace of three.
- Hanborough Parish Council is therefore concerned that this proposal is not in keeping with the whole estate and if approved could set a precedent for future applications.
- The streetscape would be disrupted, parking would become a problem, and the bulk of extra building could feel overbearing; albeit that increased overlooking has been kept to a minimum in the drawings submitted. Hence, Hanborough Parish Council has serious reservations about this application.
- I.2 OCC Highways
- The proposal, if permitted, will result in 2 x 2 bed dwellings with only 3 parking places instead of the 4 spaces required by standards. Glyme Way is a culs de sac where traffic flows and speeds passing the site are low. Even though the site is located adjacent to the double bend I cannot demonstrate severe harm that would warrant the refusal of a planning permission.
- The proposal, if permitted, will not have a significant detrimental effect (in terms of highway safety and convenience) on the local road network.
- I.3 WODC Architect
- No Comment Received.
- I.4 WODC Drainage Engineers
- The SuDS hierarchy must be adhered to.
- (Greenfield) Extension
If the proposed increase in impervious area exceeds 25m², then the proposed surface water drainage system/s should be designed in accordance with BRE365 to accommodate up to and including a 1 in 30 year + 30% CC storm event. However, the site must contain surface water for all return periods up to and including the 100 year + 30 % CC storm event. Therefore, it is a recommendation that the proposed surface water drainage system/s is/are designed to accommodate up to and including a 1 in 100 year storm event + 30 % CC, otherwise the site would need to flood itself.
- (Brownfield) Existing house.
The calculation to determine brownfield rates should be carried out in accordance with CIRIA C753 section 24.5. We would expect to

see the existing/proposed surface water drainage system achieve a minimum of a 40% reduction in peak runoff volume.

We are however happy for the applicant to design a new surface water drainage system to accommodate all return periods up to and including a 1 in 100 year storm + 30% CC from the entirety of impervious area at the site.

General

We would like to see RWH/rain water butts incorporated into the proposed surface water drainage system/s.

A drainage plan will need to be submitted, showing the location, Form and sizing of the proposed surface water drainage system/s.

An exceedance plan must be submitted, showing the route

At which surface water will take, if the existing/ proposed surface water drainage system/s were to over capacitate and surcharge. This must however have no profound effect on any neighbouring, private property or land. In addition, we would like to see existing/proposed levels incorporated onto this plan.

A laying specification for the proposed permeable surfacing will be required.

Due to the known surface water susceptibility on the adjacent highway the proposed access way could be compromised during an intense rainfall event. Furthermore, if the adjacent highway were to flood, then this could result in residents/visitors being unable to leave the area and therefore isolation for the residents/visitors of this site could occur.

2 REPRESENTATIONS

2.1 A total of 12 letters of objection have been received in relation to this application, these comments are summarised below:

- There is insufficient parking and the proposals would result in on street parking on Glyme Way.
- The development would have a negative impact on house prices.
- The development would set a further precedent for the subdivision of other properties in Glyme Way.
- The development would result in a terrace being created.
- The development would result in a loss of light to the garden areas of the neighbouring properties.
- The development would be out of keeping with the other properties in Glyme Way.
- The size of the dwellings would be inappropriate in the immediate area.
- The proposals represent overdevelopment of the plot.
- No space has been allocated for bin storage.

3 APPLICANT'S CASE

3.1 The extension has been set back to prevent a terracing effect from occurring. All facing materials would match the existing dwelling.

- 3.2 The extension would not impinge on 45 degree light and should not result in overlooking. The 3 parking spaces are acceptable and would have a permeable finish.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
H7 Service centres
H8 Sub-division of existing dwellings
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
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 extension and subdivision of a two storey semi-detached brick dwelling located in a 1960's/1970's housing estate in Long Hanborough. Glyme Way consists of fairly uniform semi-detached dwellings with side garages, although it is noted that a number of dwellings have been extended, mainly to the side, above the existing garages. The properties in Glyme Way generally have small front gardens, although a number of these have been largely paved or have had hardstanding laid for parking. Currently none of the existing dwellings in Glyme Way or the immediate area have been subdivided.
- 5.2 The proposals would involve the subdivision of the property to create two smaller dwellings. The property would be extended at two storeys to the side over the footprint of the existing garage, with a two storey extension developed to the rear, measuring 3 metres in length. Three parking spaces would be created to the front of the property and the rear garden would be subdivided to create two separate amenity spaces.
- 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

Principle

- 5.4 Paragraph 49 of the NPPF specifies that all applications for housing are determined in accordance with the presumption in favour of sustainable development as outlined within paragraph 7 of the NPPF. This requires that an assessment is made with regards to the social, economic and environmental sustainability of the proposed development and its accordance with relevant Local Plan Policy, where relevant policies are considered to be in date.

- 5.5 Paragraph 49 requires that policies relating to the delivery of housing should not be considered in date if the local authority cannot demonstrate an adequate five year supply of housing. The Councils overall position on housing land supply is at present is unclear as a five figure is yet to be established. The Local Plan Inspector in his initial comments made following the first phase of the Local Plan inquiry held late last year suggested that further work will have to be carried out to establish an exact figure, or alternatively the Council could adopt a higher figure of 660 units per year. West Oxfordshire District Council at present claims to be able to demonstrate a five year housing land supply in line with a delivery figure 525 houses per year, however the Local Plan inspector has indicated that the figure will sit within a range of 525-660 units and it is therefore unclear where the Council currently stand in terms of a precise figure for housing delivery, and whether the Council can currently meet this requirement.
- 5.6 The Councils current position on housing land supply is a material consideration in the weight attributed to existing Local Plan Policies 5.2.4 H4-H7 and Emerging Local Plan Policy H2, given the existing situation it is considered that minimal weight can be attached to these location based policies. Notwithstanding the Councils position on housing land supply, the location based strategy for new housing development, outlined in Policies H4-H7 of the existing Local Plan and Policy H2 of the emerging local plan specifies that the majority of housing development should for sustainability reasons be located within the service centres and larger settlements in the district. Notwithstanding the Councils current position on housing land supply the site would ordinarily be considered a sustainable location for new housing, given that the property is contained within the built form of Long Hanborough, which is identified as a service centre within the Existing and Emerging Local Plans.
- 5.7 Policy H8 of the existing Local Plan and Policy H6 of the emerging local plan allows for the subdivision of existing dwellings in the larger settlements in the district subject to there being no adverse impacts on the character of the immediate area or residential amenity. These issues are explored in further detail in the following sections of the report, however the general principle of subdividing the property is considered acceptable.

Siting, Design and Form

- 5.8 The proposals involve the erection of a two storey side extension on the footprint of the existing garage and a two storey rear extension measuring 3 metres in length. There is a general uniformity in the design of the properties in Glyme Way and when extending semi-detached dwellings to the side in a relatively dense built environment, there is a potential that such extensions may lead to the creation of a terrace effect along residential roads. Presently No. 6 Glyme way and 4 Glyme Way are attached by single storey garages and a visual separation would be retained given that No.4 has not been extended at first floor level. In addition the extension proposed to No 6 is set back 1 metre from the front wall to indicate a degree of subservience and to limit the extent to which a terracing effect would occur. Officers note that a number of other properties in Glyme Way have previously been extended at first floor level above the existing garages and consider that the extension would not appear unacceptable in a visual sense or would not appear out of character with the street scene including existing development which has occurred in the immediate area. The two storey rear extension compromising of a large rear gable is considered acceptable in terms of design and would not appear overbearing in relation to the existing property. The works to create additional parking to the front of the property although not desirable in a visual sense would be considered as permitted development.

- 5.9 Two smaller dwellings on this plot would evidently differ from the character of the other larger semi-detached dwellings in the street scene. A number of dwellings in the street scene have however been extended and there is a variance in dwelling form and design, including the design of the attached property which appears notably different. As such the general degree of uniformity in the street scene has been eroded to a degree. Taking into account these factors officers consider that on balance the extension would not result in adverse harm to the character and appearance of the street scene.

Highway

- 5.10 The proposals involve the creation of two, two bed dwellings with 3 parking spaces provided, which would fall short of the minimum parking standards usually required. The site is however located in residential cul-de-sac where traffic speeds are low. OCC Highways officers in assessing the application consider that on balance the development would not be detrimental to highway safety or amenity, despite the quantity of parking falling below minimum standards.

Residential Amenities

- 5.11 The extension to the side of No.6 would be located around 2.5 metres from the side wall of the first floor section of the adjacent property, although officers do not consider that this element of the extension would appear substantially overbearing. The rear extension, whilst extending beyond the line of the adjacent property whilst resulting a minor degree of light loss to the rear curtilage of No.4 would not result in any substantial light loss to the rear windows of this property and substantial harm to the amenity of this property cannot be demonstrated.
- 5.12 There is a distance of 10 metres between the rear window of the extension and the curtilage space of a neighbouring property in Churchill Way. Given the existing extent of overlooking of the garden of this property from the properties in Glyme Way officers do not consider that the minor additional overlooking resulting from the erection of a 3 metre long extension would not be unacceptable from an amenity perspective.
- 5.13 The separate amenity spaces created would be relatively small although it is considered that the quantity of space would be acceptable given the size of the two dwellings.

Conclusion

- 5.14 Officers consider that the principle of subdividing the property is acceptable in terms of the general policy provisions of Policy H8 of the Existing Local Plan and Policy H6 of the Emerging local Plan. The means in which the subdivision would be achieved namely through extending the property is considered to be acceptable on balance in terms of the design, scale and form of development and officers are of the opinion that there are insufficient grounds to suggest that the development would adversely result in harm to the character of the street scene or the amenity of the adjacent property.

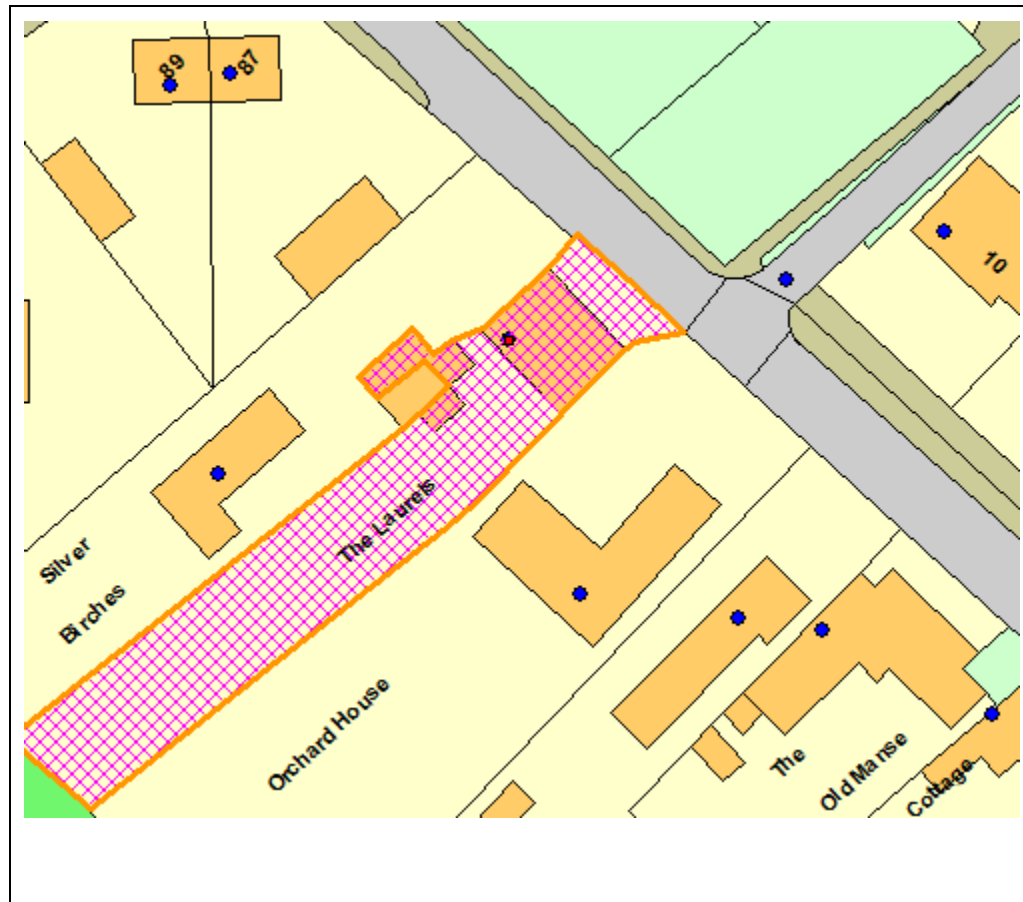
6 CONDITIONS

- 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 materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.
REASON: To safeguard the character and appearance of the area.
- 4 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.
- 5 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
- 6 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.
- 7 No part of the development shall be occupied until the facilities for the storage of refuse at the site have been approved in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.
REASON: To safeguard the character and appearance of the area.
- 8 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 building(s) is occupied.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.

Application Number	I6/01753/HHD
Site Address	The Laurels Jubilee Lane Milton Under Wychwood Chipping Norton Oxfordshire OX7 6EW
Date	22nd June 2016
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Milton Under Wychwood
Grid Reference	426267 E 217983 N
Committee Date	4th July 2016

Location Map



Application Details:

Erection of two storey rear extension and conversion of loft to include front and rear dormers.

Applicant Details:

Ms N El-Kaldush
The Laurels
Jubilee Lane
Milton Under Wychwood
Chipping Norton
Oxfordshire
OX7 6EW

1 CONSULTATIONS

- 1.1 Parish Council No Comment Received.
1.2 WODC Architect No Comment Received.

2 REPRESENTATIONS

3 letters of objection have been received:

Mr Smith of Orchard House, the adjacent property to the south east made the following comments:

Rear wall to extension has now moved in by 600-700mm which now takes the build off our property.

At the Gable end, the distance is 500mm from dry stone wall.

Our concerns, during digging of foundations for new extension, the wall could fall down. Our driveway is higher than the ground on The Laurels side.

There is little room to construct, the build, between the dry stone wall.

The window on side elevation, is very large 800mm. This is on our boundary. We will be looked down on and we don't want to look up to a bathroom window from our drive and garden.

Our 1st floor, to our property has an en-suite, bathroom and bedroom window, for this window to look across to.

Mr Hext of Silver Birches made the following objections:

The only outside parking is located on the road outside the Laurels. There are no parking rights to the side of the property.

The proposed dormer windows are out of keeping and would overlook the adjacent properties. The rear windows would particularly overlook Silver Birch and the driveway area of this property.

Mr Bennett made the following comments:

1. A mature Holly tree has recently been removed from the rear garden, during nesting season, and it is clear this would have been a hindrance to the proposed extension. It appears this was a pre-emptive act to minimise objections to the application, and thus at best a cynical act and at worst possibly illegal.

2. The drawings for this application are very sketchy and make it difficult to assess the overall quality of this proposed design. For example the plans show the apex of the dormer to be level

with the roof apex, but in the elevations, they are lower than the roof apex; which is correct? Thus I feel this application should not be approved without further clarification on window and door details and sizes.

3. No mention is made of the status of the outbuildings towards the rear of the property, and it is unclear whether they are to be demolished to make way for this development, I think this matter should be clarified before the application is approved, and I would be broadly against demolition of period outbuildings, too many are being lost to the village in recent years and this is detrimental to the characterful feel of the village.

4. I feel that this extension, and in particular the conversion of the loft with dormers is an over-development of the property, the house is apparently already a four bedroom property and the conversion of the loft does not add to the number of bedrooms.

3 APPLICANT'S CASE

- 3.1 The proposed extension to The Laurels, Jubilee Lane, will retain the current four bedroom status of the property providing much needed space on the first floor for a landing and family bathroom, in addition regaining the privacy lost when the extension to Orchard House was completed.
- 3.2 The proposed extension has been carefully designed with due consideration to neighbouring properties ensuring that light is not impacted, the advantage of Jubilee Lane is all the properties on the right hand side when entering from The High Street benefit from the sun raising and setting to the rear of the properties, with natural light all day. The proposed extension to The Laurels, does not impact the natural light to any neighbouring property as it does not extend beyond the current neighbouring properties, even with the proposed extension The Laurels will remain offset and behind the neighbouring properties.
- 3.3 The property was built in 1800's, it's in need of internal and external restoration to fulfil its beauty and make the property habitable, with woodworm, dry rot, damp, leaking roof and other problems. The proposed extension will be sympathetic to the original structure, with Cotswold stone rather than render being used and windows and other features compliant with buildings of this era. It is unfortunate that over the decades as properties have been built and land sold on Jubilee Lane, that The Laurels has lost the land alongside it which take you to the properties garage. These decisions were made well before my purchase of The Laurels, the owner of Silver Birches does not wish to sell the strip of land referenced, however has been very kind to offer me the ability to park my car alongside my property and off the main road as I do have right of access to my garage and to the entrance of the rear of the property. The Laurels is not habitable currently, I am sadly rarely there.
- 3.4 When I purchased The Laurels in January 2016, at no point in time during the purchase process nor in the sellers agreement was there any mention of any parking restrictions associated with this four bedroom house, if the Parish Council are prepared to provide legal evidence that there are restrictions imposed on this property in parking on the main road to the right of the property which does not restrict access to those living in Harman's Close, and that these restrictions were made known to the previous owner(s), I will have legal right to take action against the party who sold the property to me and claim all monies spend and expense as such information had to legally be provided. However, I am pretty confident that the previous owner was not aware of any restrictions as the restrictions do not exist.

- 3.5 The objections raised in relation to parking should not be considered a direct correlation to the proposed planning. The Laurels is currently a four bedroom house, post extension it will remain as a four bedroom house. The Laurels is positioned opposite the grave yard, which is next to the Church and Church Hall, none of which have any parking, therefore those who wish to part take in activities held at the church or hall; or which to visit the grave yard, park along Jubilee Lane, not solely in front of The Laurels. With the current consideration for further homes being built in Milton-Under-Wychwood, this problem may be compounded, again this has no direct correlation to my proposed planning application. The parking along Jubilee Road has been an issue well before my purchase of The Laurels, therefore parking cannot be considered a relevant objection towards the proposed planning.
- 3.6 The desire is to create a comfortable home, one that complements the origins of The Laurels, with the planned extension designed to be in keeping with the era, adding value to the area. The Planning Office have provided me with the much needed insight to ensure that the proposed plans are in keeping with the area and do not impact the neighbouring properties, i have adhered to their advice. Many properties along Jubilee Lane have benefited from renovations and improvements, and I am keen to ensure that the potential home can be part of the long history to come for this area.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

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 a two storey rear extension comprising of a gable extending to 4 metres in length. A loft conversion is additionally proposed, which includes the addition of two front dormer windows, a rear dormer, one front roof light and one rear roof light. The application is a resubmission of a previous withdrawn application for a larger two storey rear extension, which would have been located closer to the boundary of Orchard House (16/00585/HHD). The application has been brought to committee at the request of the local ward member.
- 5.2 The dwelling in question is a two storey stone dwelling of a vernacular appearance located on Jubilee Lane, a residential road in Milton under Wychwood. The building is not located within a Conservation Area and the surrounding buildings consist of a mix of vernacular and non-vernacular dwellings of a suburban character. The Laurels is set forward of two neighbouring dwellings, a two storey modern property known as Orchard House lies to the South and a single storey bungalow known as Silver Birch is located to the south west of the property. The extension would be sited between 1 and 1.5 metres from the boundary of Orchard House.

- 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:

Design, Scale and Siting of the extension
Impact on residential amenity
Highways

Principle

- 5.4 The proposals are for a relatively modest rear extension of 4 metres in length which is deemed acceptable in principle.

Siting, Design and Form

- 5.5 The proposed extension is of an appropriate scale and appears subservient to the existing dwelling with the roof ridge of the extension set below the main roof ridge of the dwelling. The extension would be constructed from stone to match the existing property. The general scale does not appear over dominant and the extension generally harmonises with the character of the existing dwelling.
- 5.6 The proposed loft conversion is considered acceptable and the proposed dormer windows are of an acceptable scale and design and do not detract from the appearance of the front and rear of the property.

Highway

- 5.7 The property is currently served by a single parking space within a garage to the side of the property. It is noted that the means of access to this garage is across land not under the ownership of the applicant. Officers have considered the existing constraints regarding the lack of off street parking and problems with parking in the immediate area. It is noted however that the proposals would not result in the provision of an additional bedroom and the dwelling would remain a four bed property. Officers therefore consider that there are insufficient grounds to object to the proposals on highway amenity grounds on the basis that the extension would not increase the number of bedrooms in the dwelling and would not bring about a requirement for additional parking.

Residential Amenities

- 5.8 Two properties would be materially impacted upon by the works, these being Orchard House and Silver Birch, both to the rear of The Laurels and the concerns of the adjacent neighbours are noted.
- 5.9 The extension would be located between 1 and 1.5 metres from the boundary of Orchard House and around 4 metres from the front of this property. The area to the front of Orchard House currently consists of hardstanding used for car parking. There is a ground floor front window located approximately 4.5 metres from the side of the proposed extension and a further window located at first floor level, although this would appear to be obscure glazed. Ordinarily an extension in this position would result in some degree of light loss to the ground floor front window, however it is noted that the front windows are north facing and do not

receive a substantial degree of light at present. The extension is relatively close to the boundary of Orchard House; however the scale of the extension is not deemed to be excessive and has been set down from the main roof ridge. Officers are not of the opinion that the extension would appear dominant or overbearing in relation to this property. It would be conditioned that the proposed first side window of this property should be fitted with obscure glazing to prevent overlooking.

- 5.10 With regards to Silver Birches there is separation distance of between 15 and 17 metres between the extension and the frontage and side of this property. It is noted that the front and side of this property contains windows, however given the substantial separation distance it is considered that the proposed extension would not result in a loss of light to the windows of this property. Given the substantial separation distance it could not reasonably be considered that the extension would appear overbearing in relation to this property.
- 5.11 In terms of overlooking it is considered that the addition of the rear dormer would not substantially increase the extent to which Silver Birches would be overlooked. The distance between the rear dormer and front and side windows is between 17 and 19 metres. Presently there is a first floor window on the rear elevation just below the proposed dormer. The windows of the two properties, The Laurels and Silver Birches would be offset and do not directly face each. Similarly the rear windows of the gable extension would be offset in relation to the side windows of Silver Birches. Giving consideration to these factors officers consider that the development would not result in an unacceptable loss of privacy to the occupants of this property.

Conclusion

- 5.12 Officers consider that the siting, scale and design of the extension is acceptable and would not be substantially detrimental to the amenity of the occupants of the two adjacent properties. As such the development is considered to be compliant with Existing Local Plan Policies BE2 and H2 and emerging Local Plan Policies OS4 and H6.

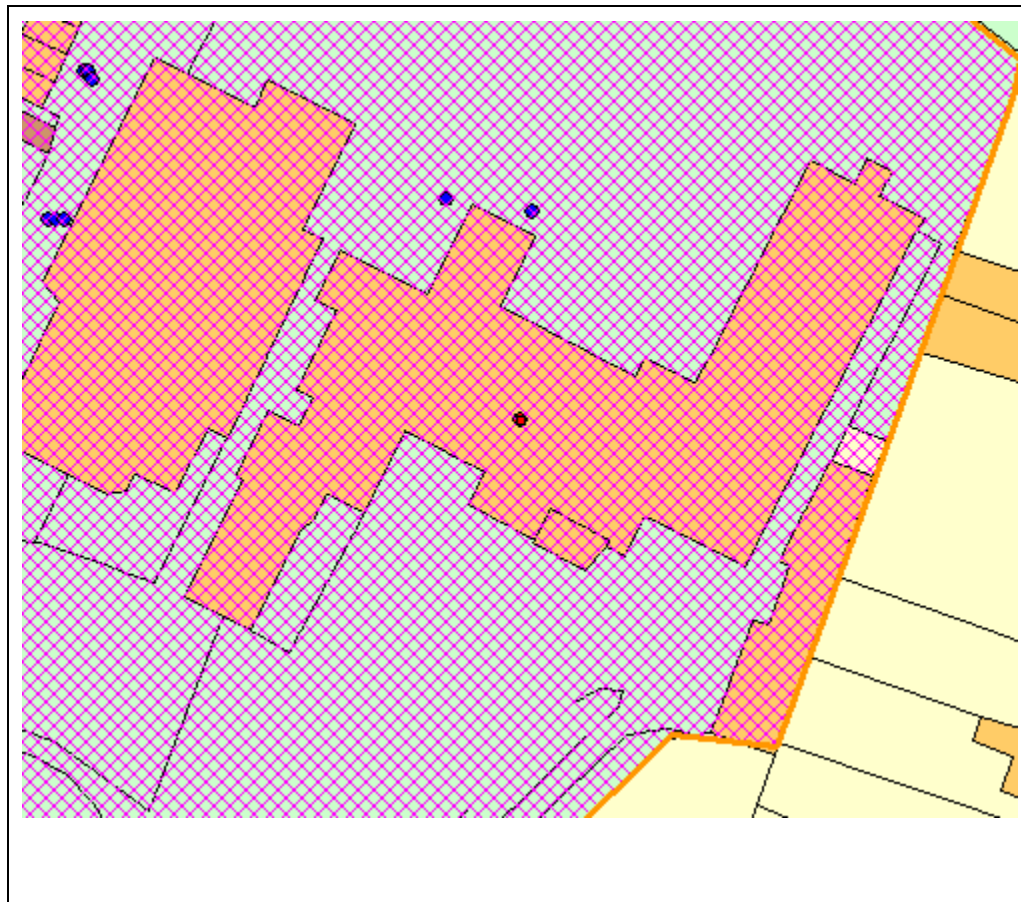
6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls shall be constructed of natural stone of the same type, colour and texture and laid in the same manner as the stone used in the existing building.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.

- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all windows; at a scale of not less than 1:20 including details of external finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 6 The first floor south east elevation side window; shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

Application Number	16/01677/S73
Site Address	Penhurst School New Street Chipping Norton Oxfordshire OX7 5LN
Date	22nd June 2016
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Chipping Norton
Grid Reference	431118 E 227247 N
Committee Date	4th July 2016

Location Map



Application Details:

Non compliance with condition 2 (14/0754/P/FP) kitchen extraction units. Details of external plant.

Applicant Details:

Mr Robert Sharratt
1 High Street
Windsor
SL4 1LD
Berkshire

I CONSULTATIONS

- I.1 WODC Env Health – Uplands I have visited objectors previously and I asked for the current noise report. Suitable mitigation as proposed should limit the noise level. Conditions are needed to manage noise emissions and ensure implementation of mitigation:
- (i) Noise emissions attributable to the kitchen extract and condensers shall be limited to a level not exceeding a rating noise level limit (LAr) of 34 dB during daytime (07:00-23:00) and 20 dB during night time (23:00-07:00) 1m from the facade of the nearest noise sensitive receiver*
- (ii) A three sided acoustic screen shall be installed around the air condensers and an attenuator shall be fitted to the discharge side of the fan (located inside the roof void) as per the design specifications given in the Chipping Norton Care Home Ramboll Environment Noise Impact assessment report (9 May 2016) Project no.1620002149.
- (iii) Noise emitted at any time from the condensers and extract shall not contain any discrete continuous note, ie. whine, hiss, screech, hum etc. or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) audible at 1m from the façade of any noise sensitive properties in the locality.
- Informative.
- *The rating noise level limit shall be assessed based on guidance contained in BS.4142:2014 Methods for rating and assessing industrial and commercial noise.
- I.2 Parish Council The Town Council object to this planning application due to noise levels and odours which would come from the extraction units. The units would be installed close to Distons Lane, again why close to a neighbourhood amenity?

2 REPRESENTATIONS

- 2.1 At the time of agenda preparation, six letters of objection to the proposals have been received from local residents. They are summarised as follows:

The kitchen vent appears to be an addition to the last application

Siting of the A/C units and kitchen vent are detrimental to residents of Distons Lane
Site is large enough for these units to be placed elsewhere with less intrusion.
Unacceptable noise levels
Unreliable and misleading data on noise levels provided by application
Plan out of date and doesn't show extensions to properties in Distons Lane

3 APPLICANT'S CASE

3.1 A noise statement has been provided with the application and is summarised as follows:

"Based on the noise data for the proposed plant, and the incorporation of mitigation in the form of attenuators/screens, the noise emissions from the proposed plant are predicted to fall below the noise rating limits during both daytime and night time periods. Therefore, no significant adverse noise impacts are predicted as a result of the proposed plant installation."

4 PLANNING POLICIES

BE2 General Development Standards
BE18 Pollution
BE19 Noise
EH6NEW Environmental protection
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1. The application seeks consent for revisions to the approved plans to include air conditioning units and a kitchen extract fan to the previously approved care home.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
Siting and form
Residential amenities

Siting and Form

- 5.3 The proposed AC units are to be positioned to the rear of the care home along the eastern boundary of the site. The units are to be housed in a small compound measuring 1.5m by 3m and the units themselves are 0.5m x 1m and 0.75m x 1.2m x 1.7m.
- 5.4 The units are considered to be sited in a logical position, and the compound has a solid acoustic barrier above 1.5m to reduce noise carrying (below 1.5m is a louvered screen to permit airflow to the units).
- 5.5 The kitchen extract unit is on the roof of the care home and is approximately 30m from neighbouring properties. It will not be obvious in any view points of the building.
- 5.6 The siting and form of the proposed units is considered to be acceptable.

Residential Amenities

- 5.7 Environmental Health were consulted on the application and they have concluded that the noise report is sufficient in its conclusions that the proposed units will not cause unacceptable levels of disruption to neighbours. To ensure that this is in perpetuity, a condition and an informative have been included in the recommendation.
- 5.8 The ground level is 0.75m lower than the rear gardens of properties in Distons Lane so the units will not be visible and this change in levels will also help to absorb any noise.
- 5.9 It is acknowledged that the plans submitted with the application may not have taken into account subsequent extensions to properties in Distons Lane, however the distances between the plant and the rear of the houses are still over 20m.
- 5.10 The noise report concludes that the units will not result in unacceptable levels of noise or disturbance to neighbours and our Environmental Health team concur with this conclusion.

Conclusion

- 5.11 The proposal is considered to accord with local plan policies BE2, BE18 and BE19 of the Adopted Local Plan and EH6 of the Emerging Local Plan. The publicity on the application (press advert) expires on the 7th July and therefore Officers are requesting delegated Authority to approve the application subject to no new and substantive issues being raised and with the inclusion of the conditions below.

6 CONDITIONS/REASONS FOR REFUSAL

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 (i) Noise emissions attributable to the kitchen extract and condensers shall be limited to a level not exceeding a rating noise level limit (LAr) of 34 dB during daytime (07:00-23:00) and 20 dB during night time (23:00-07:00) 1m from the facade of the nearest noise sensitive receiver*
(ii) A three sided acoustic screen shall be installed around the air condensers and an attenuator shall be fitted to the discharge side of the fan (located inside the roof void) as per the design specifications given in the Chipping Norton Care Home Ramboll Environment Noise Impact assessment report (9 May 2016) Project no. I620002149.
(iii) Noise emitted at any time from the condensers and extract shall not contain any discrete continuous note, ie. whine, hiss, screech, hum etc. or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) audible at 1m from the façade of any noise sensitive properties in the locality.
REASON: In the interest of residential amenities.

- 4 Other than the addition of the A/C unit and kitchen extractor hereby approved, the development shall be carried out in all respects in accordance with the extant permission, legal agreement and discharged conditions relating to this site.
REASON: For the avoidance of doubt and as this is an amendment to the extant consent.