

WILLOWBROOK APPLICATION - WODC MEETING ON 5 SEP 2016.

The residents of Radford and indeed the Councillors have fought hard to have controls put in place before development begins. These were,

1. that the size of the replacement dwelling be subservient to Radford House
2. that **as** this is a replacement dwelling, the existing dwelling should be demolished, and
3. that a flood mitigation plan be implemented before development begins.

However, since the last Meeting the Planning Officer has told us that the first two conditions are not legally enforceable. This would appear to be due to poorly drafted outline permissions and omissions therein. Furthermore the Planning Officer advised us not to oppose the application because if we do the Applicant is likely to appeal and if he wins the Planners will lose what little control they have left.

Now I was all set to blast the Planning Officers for allowing all this to happen but then I read a letter in a recent edition of The Observer. It is titled **Hug a Planner**.

Sir, In my experience, planners deserve big hugs owing to the hard time they have controlling aggressive developers.

A typical developer submits an outline application that raises many objections and reveals areas of concern. The planning authority and elected councillors are then quite likely to refuse permission.

*The developer then returns with amended plans and a full application. The authority may well refuse permission again, and for good reasons. The developer then appeals and brings along his legal team to present his case to a Government Inspector. The council and residents probably have limited funds, so are in some difficulty, and the developer has a good chance of getting his way. **This is how developers are really in charge of what's built, and not the planners.***

This is similar to what is happening at Willowbrook. The Planners have tried their best but in the end they are almost powerless to stop the developer from doing what he wants. So I would just like to thank Mr Kemp for all his efforts on our behalf. He inherited a mess from his predecessors so he has been up against it from the start, but he has always dealt with our enquiries in a timely and courteous manner and done his best to be helpful.

In conclusion I would just like to make the following points,

First, while we support the repositioning of the twin pipes upstream, we think that the headwall should still be a little further upstream beyond the start of the altered watercourse's retaining wall.

Second, could the Planning Officers please make sure that the flood mitigation scheme is properly implemented before development begins and that, thereafter, regular checks are made on the development's progress?

And third, although flooding is an existing problem, flood water has never actually entered Radford House. However, If the applicant is allowed to keep the existing dwelling then the new-build will no longer be a replacement dwelling but an additional one. In which case it could significantly add to the existing problem with disastrous consequences for Radford House.

Appendix B

- Why 12 objections from Sandford Park, Hill Close, Hannover Close, + Town Council
- Not anti-development – didn't object to 50% increase in house
- Or garage – though the house already has one en-block + parking space
- Or doubling of garage was soon as approved – though many did most affected in Hannover Close report not aware of this 2nd application
- Repeatedly told this was for bookstore for academic books,
- Plan showed space for garage, study and within it steps to bookstore
- Planning approved but clearly reaffirmed a house would not be acceptable
- But what was built was not in line – study now a double height living room, fitted kitchen (Hannover Close report had laundry facility venting for which was removed just before planning inspector visit)
- Shower and toilet fitted into garage space – together with boiler and stairs
- The garage was the original justification for building – now not clear it can even be used as such – as plan shows
- Our feeling is this is a house - garage space built with full insulation, double glazed windows – read to be further converted
- Not inexperienced builders, seasoned developers,
- Knew planning would not accept new house – being built by stealth, avoiding posting plans until challenged
- Comment that changes are marginal improvement – but those changes only visible to developers themselves - and not Hannover Close residents who now look out on a blank wall and double height roof.
- This isn't about the marginal changes the planning consultants have attempted to paint.
- Recognise challenges of planning and balancing decisions, developers and neighbours,
 - Third group – wider community, why so many have raised concerns.
 - Fairness to the many who approach planning in open way
- There is a planning application – submitted shown on page circulated, shows garage and bookstore, which is what have been told building is
- Ask that developers should reinstate to their revised plan of July 2015.

Appendix C

Application No. 16/02347/S73 – 10 Sandford Park, Charlbury

Mr Sharp endorsed the Planning Officer's report and, in response to comments made by the previous speaker, indicated that his clients were not experienced developers.

He noted that no objections had been raised to the initial application submitted in 2015 and advised that there was little material change between that and the current application; changes being restricted to alterations in fenestration and internal layout.

Mr Sharp noted that the Highway Authority had not raised objection to the application and stressed that the 2015 planning permission was granted subject to a restrictive condition that would prevent the structure approved from being occupied separately from the main dwelling. Clearly, independent use would require planning permission.

In conclusion, he indicated that the changes were only marginal and expressed the hope that Members could accept the Officer recommendation and approve the application.

Appendix D

PLANNING APPLICATION -16/02425/FUL Tansley Farm, Shilton Road, Burford **WD6 3AA**

PRESENTATION TO THE DEVELOPMENT CONTROL COMMITTEE HELD ON the 5th September 2016.

The main issue in this application relates to whether or not the proposed development is acceptable in principle.

Given that the Council cannot demonstrate a 5 year supply of land for housing, the policies that seek to control housing development are given limited weight. As a result of this shortfall in housing, which has been described by the Inspector at *Land South of High Street, Milton-under-Wychwood*¹ as severe, the burden placed on the decision maker is to weigh the benefits of the development against the harm that would result from approving it.

In the circumstances, the NPPF advice is that planning permission should be granted unless any adverse impacts of doing so would **significantly** and **demonstrably** (my own emphasis) outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

¹ Appeal Ref: APP/D3125/W/16/3143885, (paragraph 37)

The benefits to be had from approving the development include the following:

- Contribution to the local stock of housing and making efficient use of a brownfield site as required by Policy H3 and NPPF² advice.
- Policy H1³ of the local plan recognises the important role that windfall sites such as this, play in boosting the supply of housing. This is confirmed by the appeal Inspector at the afore referenced appeal site whereby it is recognised that 400 dwellings will need to come from windfall sites⁴. The proposed development therefore complements the Council's Housing Strategy.
- Financial benefits in the form of council tax receipts from the site would increase twofold.
- The development would help sustain the local construction industry in particular, supporting small construction companies which thrive on small projects such as this.
- In the short term, there would be employment opportunities created in the local construction sector and the future occupiers would assist in sustaining the local service centres.
- The proposed design would enhance the appearance of the countryside compared to the existing dwelling and thus accord with NPPF paragraph 56 which recognises that good design is a key aspect of sustainable development.
- The proposed development would assist in widening the supply of market housing in places where people choose to live⁵.
- Whilst services would be accessible mainly by private means of transport, the preamble to Policy T1⁶, makes it clear that:

² NPPF (paragraph 17, Bullet Point 8).

³ Policy H3, paragraph 5.13

⁴ Appeal Ref: APP/D3125/W/16/3143885, (paragraph 39)

⁵ NPPF section 6 broadly requires the delivery of a wide choice of high quality homes

' ... the Council recognises that for a large part of the District there is little alternative but to use the car.'

I therefore respectfully request this Planning Committee to approve the application as the proposed development complies with the Council's own policies and national advice within the NPPF and in particular none of the consulted parties have objected to the application.

Furthermore, the proposal accords with the conclusions of Planning Inspectors in similar situations and the site is not isolated as detailed in the Applicant's Planning Statement.

⁶ Policy T1, paragraph 4.12