

OVERBURY

Planning Consultancy

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CHARTERED TOWN PLANNER

Speech to Members of the Uplands Area Planning Sub-Committee.

Re - Appl. Ref: 16/03408/FUL- 1 Four Winds, Wards Road, Chipping Norton,
Oxfordshire, OX7 5BU.

I would firstly underline that there have been positive discussions with the case officer and considerable agreement on the planning merits of the proposed scheme. The three key areas of agreement are on:

1. **The principle of development.**
2. **The design and siting of the dwellings.**
3. **Highways**

The only unresolved area of concern is the perceived overbearing scale, mass and siting of the proposed development on which I would comment as follows:.

- a) The issue of the impact of the development on adjoining occupiers in Lodge Terrace was only raised by officers in an e-mail of the 23 December following lengthy discussions on the design and height of the proposed dwellings and their impact on the adjoining bungalow.
- b) There is a distance of 14.5m between the two storey element of the rear elevations of Nos 1 to 3 Lodge Terrace and the side elevation of the proposed gable of the nearest dwelling at Four Winds. This distance accords with the guide separation distance referred to in paragraph 5.12 of the officer's report.
- c) The change in levels between the application site and the rear of Lodge Terrace is highlighted as an important factor in the ultimate decision to recommend refusal of the application. However this statement is subjective and not evidence based. I do not believe it could be described as "*a pronounced drop in ground levels*" as referred to in the officer's report.
- d) The officer's report advises that:

"Nos. 1 to 3 Lodge Terrace each have very small areas of outdoor amenity space, the quality of this space is highly dependent on the rear outlook to the west."

It should be noted that this statement is incorrect. The outlook from the rear amenity space and the habitable room windows of the rear of Lodge Terrace **face east** not west. In view of this orientation, I believe that the loss of sunlight and daylight to the curtilage of Nos. 1-3 Lodge Terrace will not be as significant as referred to in the officer's report. It will only be in the early morning that a loss of sunlight and daylight would occur, a time when there is little or no activity within the rear gardens.



e) Considerable weight is attached to the quality of the amenity space of Nos. 1-3 Lodge Terrace being compromised by the proposed development, but their rear gardens are largely filled with sheds and associated outbuildings where issues of over-dominance and loss of light are not material considerations.

f) As with the issue of the change in levels, no technical assessment of the loss of sunlight or daylight, or reduced outlook is made in the officer's report, all the statements made are unsubstantiated by fact.

Conclusion.

In summary, I believe the recommended reason for refusal is very subjective and not evidence based and that the perceived impact from the proposed development on the outlook of the rear curtilage space and rear aspect of the existing properties at 1, 2 and 3 Lodge Terrace would not significantly and demonstrably outweigh the clear sustainable benefits of the scheme upon which both parties are in agreement.

For the above reasons, Members are requested to approve the application.

Appendix B

Mr Mcloughlin indicated that this was a well thought through application that was compliant with Policy OS3 of the emerging Local Plan. He stressed that there were no technical objections to the development and noted that there were only two minor outstanding issues that needed to be resolved.

The scale of development was in keeping and would not overwhelm the existing settlement. The application was in outline and sought permission for a modest development of up to 18 units; 50% of which would be affordable housing. A development of this size would attract small local builders who would provide bespoke designs rather than the 'identikit' units constructed by the national developers.

Whilst the application was in outline only, the conditions proposed would ensure that the indicative scheme was the one delivered rather than being faced with a total redesign at reserved matters stage.

The scheme would provide community benefits in terms of both affordable housing and a financial contribution of some £14,000 towards the provision of play equipment.

In conclusion, Mr Mcloughlin reiterated that there were no technical objections to this development on the edge of the settlement and invited Members to support the Officer recommendation of conditional approval.

16/04151/HHD (Oldner Stables)

Address to Planning Committee on 6 March 2017 by applicant Mark Finniear

This is a good design, fitting its purpose: an integral garage, natural principal entrance to property and a raised living area with open outlook. All of which the existing building lacks.

The planners proposed a sprawling largely single-storey extension over a larger footprint, blocking light, with complicated retaining walls along the boundary but less useable space. Their own suggestion also showed full-height gable windows to the South, to which they now object in my proposal.

My proposal is compact on a small footprint, maintains light into the existing structure by stepping in to retain a window and through roof windows. Stepping in also allows access to the garage.

Objections by planners today to the continuation of the ridge and raising of eaves contradicts their agreement on 7 February, as confirmed by email, where they had no objection to the footprint, overall height or stepping-in.

My proposal avoids construction near boundaries and neighbouring buildings, which are old with minimal foundations.

The bungalow is in a natural dip, surrounded by larger two-storey buildings on higher ground. The drawings are deceptive since we are excavating into the bank and the structure is therefore far less imposing than these suggest. Its impact is that of a single rather than two-storey extension.

Hips on the mansard reduce prominence further. The mansard has a specific purpose - roughly doubling useable space on the upper floor, which is light and airy.

The extension is to the rear and contrary to submissions by the planning officers and as shown in photographs, it is not visible from rights of way to the rear. Visibility to the front is a narrow grey line blending with a slate roof. The neighbour to the West has a high fence and no windows. To the East is a continuation of the existing structure.

Planners object only to the South and West elevations. These are visible to no-one but us. It is recessed low into the site and prominence is softened - therefore not bulky. We are confident of the design, nevertheless, absence of visibility is an important aspect, which must be considered.

Until today, planners have refused to discuss or properly consider neighbouring precedents, including a 200 year old mansard and highly visible two-storey flat-roofed extension built 2 years ago to the front of my neighbour's Georgian house, which planners are now denigrating by referring it to the enforcement team when it complies in every respect.

The existing modern structure is an unusual stone agricultural building from 1950 with a shallow 30 degree steel-truss roof, not in a conservation area, described by planners as of no particular merit. It is quite appropriate therefore to use innovative, modern shapes even if these are contrasting.

Planners' objections are muddled, inconsistent, misleading and do not take account of precedent.

Mine is a green design insulating the old building. Its compactness is energy efficient, retaining natural light. Excavations will provide stone for construction. We will use nothing reconstituted, no rendered concrete facades. Locally sourced timber cladding will reflect agricultural origins and the extension's subservience.

The Hare – Planning Committee

Good afternoon, further to my last attendance at planning committee, we have taken on board many of the comments raised by councillors in last debate, and have modified the scheme, increasing the parking allocation to the public house to match the original maximum on site provision of 10 spaces, as demonstrated in drawings accompanying this application and as confirmed in the committee report. The additional parking spaces are 2.5 x 5m, and the layby spaces 6m long. The highways department have confirmed that they have visited the site to review existing parking on a number of occasions, as noted in para 5.18. The manoeuvring area for the carpark area has also been increased in size.

I must note that the previous applicant Acres Development, who was responsible for some of the more interesting applications on this site, is not my client, nor the applicant.

I would highlight The Hare has been in separate ownership for 15 months and trading as a public house for a year. The owners of The Hare have indicated to your officers that they would consider the redevelopment of the site as being preferential to the land remaining vacant and fenced off, however they did not want their written comments on this application to be made public.

The applicant retains ownership of part of the original carpark, and while it was confirmed by your officers at the last meeting that the applicant has rights to fence off land in their ownership, the applicant has not yet taken an aggressive stance and instead we have continued negotiations with your officers to receive today's recommendation for approval.

The application supporting documents highlight, that there is a huge amount of variance in parking provision for public houses within the district; many successful rural pubs have minimal parking provision without affecting viability. The council has considered each application on its individual circumstances as to following any particular parking standard, and it is appropriate to do the same here.

The purchaser of The Hare purchased land sufficient for at least 7 parking spaces. I can confirm this new application provides a further 3 for the public house and I confirm that the applicant offers a s106 or UU to secure these.

The parking provision for The Hare will now match the maximum parking provision that the public house had before it was sold to Acres Development, and also importantly matches the existing capacity of the current carpark.

Further one visitor space is provided for the proposed houses, to stop any visitors to the houses parking in the pub carpark.

Turning to other matters raised in previous appeals, the new layout provides for a beer garden adjacent to The Hare. Previously the beer garden was separated from the pub by the carpark and brew house. This enhances the usability and attractiveness of the beer garden, as well as providing space subject to planning for extensions and modifications to the existing building. Both changes again aid viability of the public house.