

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 7th August 2017

**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

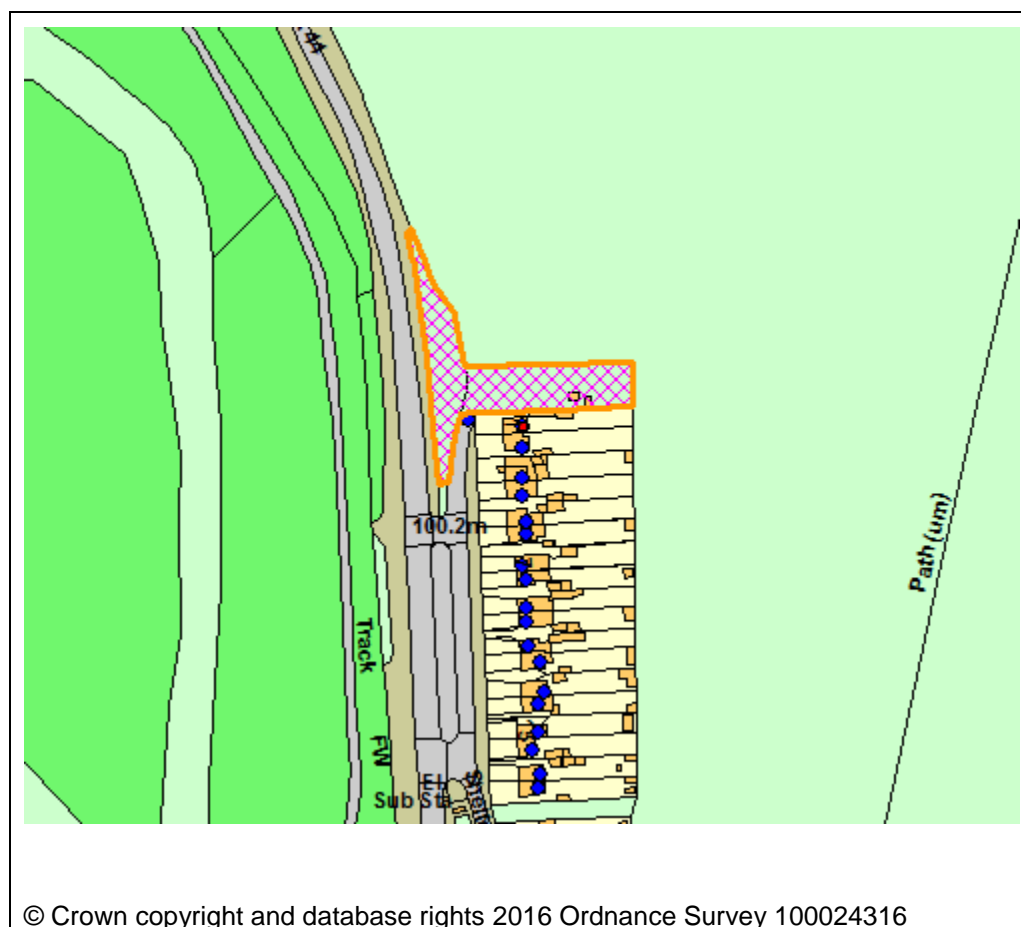
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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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Application Number	17/00829/FUL
Site Address	I Hill Rise Woodstock Oxfordshire OX20 1AA
Date	26th July 2017
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Woodstock Town Council
Grid Reference	444077 E 217764 N
Committee Date	7th August 2017

Location Map



Application Details:

Erection of two dwellings with associated access and landscaping

Applicant Details:

Apella Property Developments Ltd
C/O Agent

I CONSULTATIONS

- I.1 Town Council Woodstock Town Council OBJECTS to this planning application on the following grounds:
- It extends the built up boundary of Woodstock
 - It transgresses Policy B4
 - A similar application has been refused previously and refusal was confirmed at appeal
- I.2 WODC Drainage Engineers A drainage plan must be submitted showing all components of the proposed surface water drainage system. In addition, sizing of the components will need to be shown.
- If practical, we would like to see either Rain Water Harvesting or Rain Water Butts incorporated into the proposed surface water drainage system.
- A laying specification for the proposed hard standing will be required.
- An exceedance plan must be submitted, showing the route At which surface water will take, if the proposed surface water drainage system/s were to over capacitate and surcharge, with all exceedance flows being directed towards the highway and not towards private property or land. This plan must include existing/proposed CL, FF/slab levels.
- Confirmation in writing on who will own/be responsible for any shared/communal SuDS must be submitted.
- I.3 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- No objection
- I.4 WODC Architect No Comment Received.

2 REPRESENTATIONS

No third party comments have been received in objection or in support of this application.

3 APPLICANT'S CASE

- 3.1 At the current time the existing Local Plan 2011 is now out of date with regard to the provision for housing and significant shortfalls in housing supply have been identified. In such circumstances, the NPPF paragraph 14 dictates that the proposal be considered against the presumption in favour of sustainable development.

- 3.2 This requires an assessment of planning balance whereby any adverse impacts of the development should significantly and demonstrably outweigh the benefits.
- 3.3 In accordance with paragraph 7 of the NPPF there are three dimensions to sustainable development; an economic role, a social role and an environmental role. The benefits and adverse impacts of the proposal are summarised under these headings.
- 3.4 The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. The associated construction jobs and will be of economic benefit to the local area. The proposal has economic benefits and no significant and demonstrable adverse impacts.

An economic role

- 3.5 The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. The associated construction jobs and will be of economic benefit to the local area. The proposal has economic benefits and no significant and demonstrable adverse impacts.
- 3.6 The development will provide high quality housing which respects local amenity in a sustainable location where there is an identified requirement to boost housing supply. The need for housing on the land to the north and east of the site (beyond the existing settlement boundary of Woodstock) is already accepted in principle in the Draft Local Plan 2031. The provision of high-quality housing in this sustainable and promoted location has a social benefit and no significant or demonstrable adverse impacts.
- 3.7 The design solution will enhance the character and appearance of the location area while the retention of significant vegetation level will soften the appearance of the development. There are no significant or adverse impacts on the setting of proximate heritage assets or local ecology which outweigh the cumulative benefits of the development.

A social role

- 3.8 The development will provide high quality housing which respects local amenity in a sustainable location where there is an identified requirement to boost housing supply. The need for housing on the land to the north and east of the site (beyond the existing settlement boundary of Woodstock) is already accepted in principle in the Draft Local Plan 2031. The provision of high-quality housing in this sustainable and promoted location has a social benefit and no significant or demonstrable adverse impacts.

An environmental role

- 3.9 The design solution will enhance the character and appearance of the location area while the retention of significant vegetation level will soften the appearance of the development. There are no significant or adverse impacts on the setting of proximate heritage assets or local ecology which outweigh the cumulative benefits of the development.
- 3.10 In accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic, social and environmental benefits. There are no significant and

demonstrable adverse impacts which outweigh these benefits and planning permission should be granted without delay.

The planning balance

- 3.11 In accordance with the presumption in favour of sustainable development, the proposal has demonstrable economic, social and environmental benefits. There are no significant and demonstrable adverse impacts which outweigh these benefits and planning permission should be granted without delay.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
H2 General residential development standards
H7 Service centres
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
EH1NEW Landscape character
BE1 I Historic Parks and Gardens
EH7NEW Historic Environment
EW1NEW Blenheim World Heritage Site
BE1 I Historic Parks and Gardens
EW2NEW Eynsham-Woodstock sub-area
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of two semi-detached dwellings, which would be located within an area of domestic curtilage to the north of an existing detached property 1 Hill Rise. The site lies on the northern edge of Woodstock at the northernmost end of Hill Rise and lies to the east of the A44. The site does not lie within the Woodstock Conservation Area. The adjacent properties in Hill Rise are characterised by semi-detached white rendered non-vernacular 1950s properties featuring hipped roofs.
- 5.2 The land to the north and east of the site presently comprises of a large open agricultural field. This site is included as a draft allocation designated within Policy EW1d of the Emerging Local Plan and is identified as having development potential for the delivery of 120 homes.
- 5.3 A previous application on the site for two dwellings was refused in 2012 (12/0384/P/FP) on the basis that the development would fail to comprise infilling or rounding off and would consequently be contrary to Policies BE2, NE1, H2 and H7 of the Existing Local Plan. A subsequent appeal (APP/D3125/A/12/2178015) lodged against the refusal of this application was dismissed.

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

Principle of development
Design, scale and siting
Impact on heritage assets
Highways
Residential Amenity

Principle

- 5.5 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, currently 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.
- 5.6 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead -in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation .
- 5.7 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.8 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.
- 5.9 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions taking place in July 2017. Although the Council's approach has yet to be endorsed by the Local Plan Inspector, the direction of travel and commitment to boost the supply of new housing in the District is clear. Officers are therefore of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. Nevertheless, whilst there is still some uncertainty as to the housing land supply position, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of "decision taking" under paragraph 14 of the NPPF.

- 5.10 Notwithstanding the Council's position on housing land supply, the location based strategy for new housing development, outlined in Policies H4-H7 of the existing Local Plan and H2 of the Emerging Local Plan specifies that the majority of housing development should be located within the service centres and larger settlements in the district. Woodstock is identified as a service centre within both the existing and emerging local plans and the provisions of Policies H7 and H2 of these respective plans are applicable to the determination of this application.
- 5.11 Policy H7 of the existing local plan is permissible of residential development which constitutes infill or a rounding off of the settlement area, whilst Policy H2 of the emerging local plan is permissible of new residential development within or adjacent to service centres, where the development is consistent with the wider provisions of the plan, in particular Policy OS2. Of particular relevance to the siting of new residential development is the provision within Policy OS2, which requires that new housing should form a logical complement to the existing built form.
- 5.12 Planning approval for two dwellings in a similar layout to what is presently proposed within this application was refused in 2012 (12/0384/P/FP). Refusal reason two of the aforementioned application relates to the non-provision of affordable housing, which officers consider would no longer amount to an appropriate reason for refusal given that National Planning Practice Guidance advises that affordable housing should no longer be sought on schemes of less than 11 dwellings (6 within AONBs). Refusal reason one stated:
- "That the provision of a new dwelling in this location would not comprise infilling or rounding off as defined within the West Oxfordshire Local Plan 2011 resulting in an extension of built development into the open countryside which would erode the intrinsic qualities of the local landscape. As such, the development is contrary to Policies BE2, NE1, NE3, H2 and H7 of the West Oxfordshire Local Plan 2011 and guidance within the National Planning Policy Framework."
- 5.13 In dismissing the subsequent appeal (APP/D3125/A/12/2178015) the Inspector commented that the "appeal site is important in providing a gradual transition between the built form of the settlement and the countryside beyond." The Inspector states that the proposed two dwellings would "clearly extend the existing line of development and this would erode the area of transition between the built area and the open farmland, thereby causing significant harm to the character and appearance of the surrounding area".
- 5.14 Officers would note that the site remains as it did in 2012 as an area of undeveloped domestic curtilage associated with 1 Hill Rise. Since the previous appeal decision, increased weight is being afforded to the provisions of the Emerging Local Plan. Officers note that the previous application for two dwellings was not considered in relation to the Emerging Policy OS2, which allows for new residential development on the edge of existing settlements where this forms a logical complement to the existing built form. It is noted that the provisions of Policy OS2 are less restrictive than those of H7 which specify that development should constitute infilling or rounding off of the settlement area.
- 5.15 A pair of semi-detached dwellings is proposed in a position adjacent to the established linear built form along Hill Rise. A material consideration which must be afforded due weight following the Local Plan examination held in July 2017 is the proposed allocation of the adjacent site, referenced as Land North of Hill Rise within Policy EW1d of the Emerging Local Plan. This large site is listed as offering the potential for the delivery of 120 homes and extends up to the north

and east boundaries of the application site. However, given the visual sensitivities and character of the area, it is likely that the area of land adjoining the A44 would provide access and landscaping, with built form confined to the less visible areas behind existing development on the A44 and Vanbrugh Close. There is no suggestion that the existing built form fronting the A44 would be continued to the north.

- 5.16 Following the examination hearing held in July 2017 the examination Inspector requested that a heritage assessment be carried out to properly assess the impact of proposed development on the setting of the Grade I Blenheim Palace Park. Emerging Policy EW1d, currently attracts limited weight in this context. Until such time as the proposed allocation is formally adopted and a planning application is considered, it would be premature for the purposes of determining this application to assume that the development of the allocation would include built form in the immediate location of Hill Rise. As such, Officers consider that the comments of the Inspector in the previous appeal decision in 2012 (APP/D3125/A/12/2178015) needs to be afforded due weight notwithstanding the fact that the policy context with regards to the siting of new dwellings on the edge of settlements has been relaxed somewhat since the determination of this appeal.
- 5.17 The appeal Inspector identifies harm to the local landscape character and the character and appearance of the area. She considered that the development would form a visual break between the last dwelling and the backdrop of trees, providing a gradual transition between the built form of the town and the more open landscape beyond. The context of the site has not changed materially since the determination of the appeal in 2012, therefore the Inspector's comments in relation to the identified harm to the landscape setting and settlement character remain of relevance.
- 5.18 Officers note that a Landscape Assessment has been provided in support of the application which concludes that the impact of development in relation to the landscape and visual character of the area is likely to be at worst minor. It is stated that owing to the presence of hedgerows to the north and east of the site, wider views of the development, including views from the nearby right of way to the east of the site would be limited. Owing to the presence of thick boundary screening adjacent to the A44 views of the development site from the South would be very limited. Whilst Officers would not disagree that the site has some degree of visual containment, it was noted that at the time of the previous appeal being determined that similar screening existed, however the Inspector considered that development of an additional two dwellings would read as an extension of the built form, which would erode the transition between the built area and the open countryside. There is no guarantee that existing screening would be retained in the future, particularly the dense hedgerow adjacent to the A44 which shields views of the development site. Future occupiers may wish to optimise their outlook by removing screening.
- 5.19 The design of the proposed development is addressed in the following section of this report, however officers consider that this would further exacerbate the visual harm which would arise as a result of the proposed development. Whilst the previous application in 2012 and subsequent appeal dealt with two dwellings of a similar appearance to the existing properties in Hill Rise, the present application proposes a pair of dwellings which in design terms would relate poorly to the existing built form and are larger in terms of scale. Given that the design of the dwellings would in officers appear incongruous within the context of the immediate built form; this would cause further visual harm to the immediate landscape setting.
- Siting, Design and Form

- 5.20 Officers consider that a layout consisting of a pair of semi-detached dwellings would largely replicate the existing built form and arrangement of development in this part of Woodstock. The previously refused planning application (12/0384/P/FP) on the site proposed the erection of a pair of semi-detached dwellings which mirrored the design and form of the existing properties on Hill Rise. Whilst officers previously raised concerns about the principle of development and the extension of the existing built form into the open countryside, Officers were satisfied at that time that the design of the proposed dwellings appeared appropriate within the context of the street scene.
- 5.21 Development within this immediate part of Woodstock comprises solely of 1950s residential dwellings, which feature simple frontages and hipped roofs. Whilst the dwellings are notably non-vernacular there is a reasonably strong degree of uniformity in the design of the properties in the immediate area. There is no strict requirement to directly conform to the design of the properties within the immediate area, however it would be expected that any new residential dwellings should relate well to the existing built form and character to avoid any new development appearing unduly incongruous in the street scene.
- 5.22 Whilst a pair of semi-detached dwellings is proposed, the design and form of the proposed dwellings differs considerably from that of the adjacent properties in Hill Rise. Officers raised concerns regarding the design of the frontage of the proposed dwellings, most notably the two storey front gables, but also the roof structure and height of the properties. The proposed plans have been amended to exclude the previously proposed timber cladding on the front gables of the property, however the gables are retained within the amended plans, albeit that these would be rendered rather than clad in timber.
- 5.23 The design of the proposed dwellings would in your Officers' opinion relate poorly to the character and appearance of the existing built form. Officers consider that the proposed front gables bear no relationship to the frontages of the existing properties in Hill Rise, which feature simple frontages albeit with the exception of ground floor bay windows some small and subservient front extensions. Whilst Officers would be permissive of some additional design features to the front elevation of the dwellings, there would still be an expectation that the design of the properties relates meaningfully to the character and appearance of the existing built form along Hill Rise, given the relative design uniformity.
- 5.24 In a similar departure from the character of the existing properties, the proposed design features a gabled roof structure rather than hipped roof in contrast to the existing properties along Hill Rise which all feature hipped roofs. The roof form would not only differ from the design of the properties but would additionally increase the visual mass of the dwellings as experienced within the street scene in Hill Rise. The impact of this would be to increase the visual prominence of a pair of properties which are of a markedly different design to the properties in the immediate vicinity. Officers consider that the dwellings would appear overbearing in scale in relation to the existing built form and given the significant design difference in relation to the relatively uniform character of the existing properties in Hill Rise, Officers consider that proposed dwellings would appear incongruous within the immediate street scene. Whilst the site does not lie within the Woodstock Conservation Area, the development would be located on a principal approach into the town and opposite the Blenheim Park World Heritage Site, therefore it is of increased importance that the dwellings are of an appropriate design.

- 5.25 Policy BE2 of the Existing Local Plan requires that all development is well designed and respects the existing scale, pattern and character of the surrounding area; and should respect and enhance the form, siting, scale and massing of adjoining buildings. Officers consider that the proposed dwellings would fail to respect the character and design of the existing built form in terms of design, scale, massing or form and would fail to constitute good design. As a consequence the development would erode the character and appearance of the surrounding area, contrary to Policy H2 of the Existing Local Plan.

Impact on heritage assets

- 5.26 The site is not within the Woodstock Conservation Area and there are no listed buildings in close proximity. However, importantly, Blenheim World Heritage Site lies opposite the site to the west of the A44. In assessing the level of harm to the setting of the Grade I listed park and WHS, it is noted that there is significant tree planting within the park in this location and therefore very limited scope for intervisibility between the site and the park. The effect of two additional dwellings in this location, somewhat set back from the boundary with the WHS is judged at the lower end of the "less than substantial" range under paragraph 134 of the NPPF. Although the harm is limited, given that the proposal is unacceptable in design and visual terms, this would not be outweighed by any public benefit, which in this case would be the provision of two new dwellings making a very modest contribution to housing supply.

Highways

- 5.27 The application site would be accessed via Hill Rise to the East of the site, with a new parking and turning area formed. Officers consider that the proposed means of access onto Hill Rise would be acceptable and would not be detrimental to highway safety or amenity. Two spaces would be provided for each dwelling which officers consider would be adequate to serve the size of the proposed units. Officers note that no objections have been raised to the proposed development from OCC Highways Officers.

Residential Amenities

- 5.28 The proposed dwellings would be sited adjacent to No.1 Hill Rise, which would be the only property significantly affected by the proposed development. Officers note that the proposed dwellings would not extend significantly beyond the rear building line of No.1 Hill Rise and consequently the development would not result in a loss of light to any of the rear windows serving this property. Owing to the orientation of the proposed dwellings the proposed rear windows of the dwellings would not result in direct overlooking of the rear curtilage area of No.1 Hill Rise and no windows are proposed on the South facing side elevation of this property. Officers consider that the scale of the proposed dwellings would not appear overbearing in relation to either No.1 or No.2 Hill Rise. Each property would be afforded with an adequate quantity of residential amenity space.

Conclusion

- 5.29 The application proposes the erection of two dwellings on an edge of settlement site where consent was previously refused in 2012 and where an appeal was subsequently dismissed on the basis that an extension of the built form would result in harm to the character of the immediate landscape. Officers are of the view that there has been no material change in locational characteristics that would lead to a different conclusion now. Officers consider that the

development would result in an extension of the built form which would result in the erosion of the rural transition between the settlement and open countryside, which would be of detriment to the character and appearance of the area and would be contrary to Policies H2, BE2, NE1 and NE3 of the Existing Local Plan and Policies OS2, EH1 and H2 of the Emerging Local Plan.

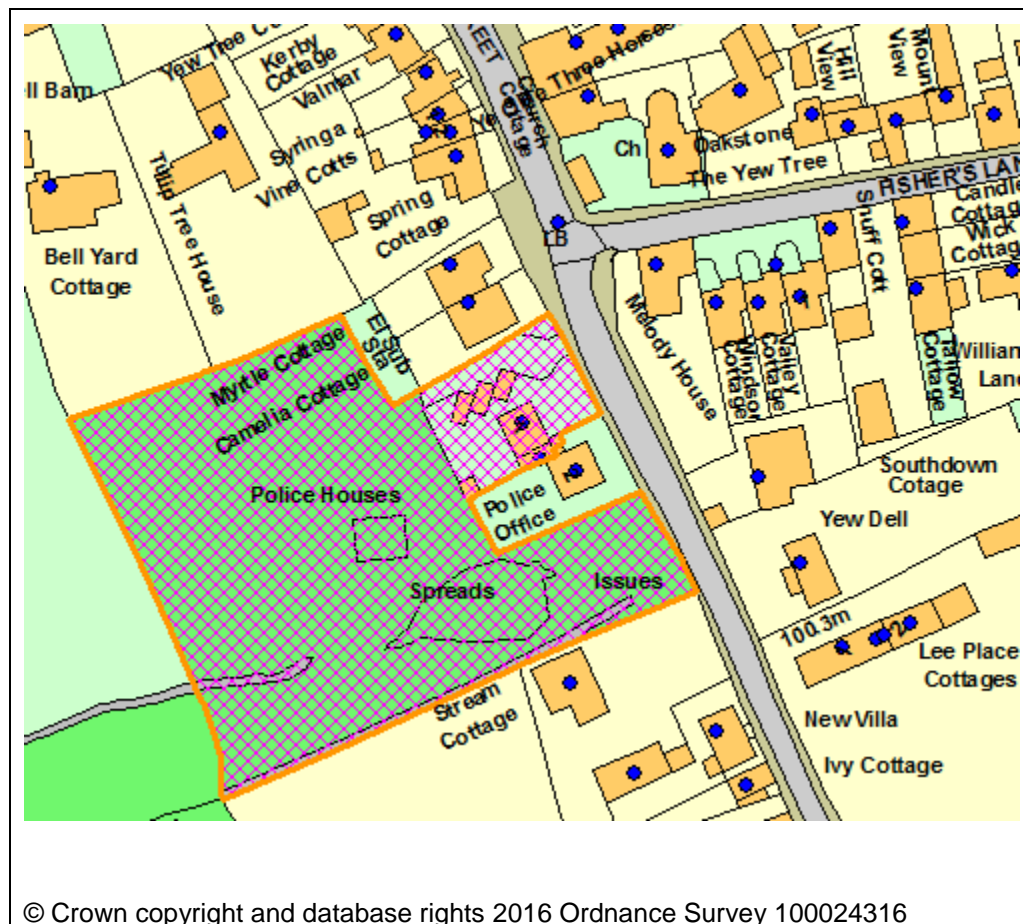
- 5.30 Officers consider that the design, scale and massing of the proposed dwellings would be inappropriate and would relate poorly to the character and appearance of the existing built form and consequently would fail to constitute good design in accordance with the provisions of Policies BE2 and H2 of the Existing Local Plan; Policies OS2, OS4 and H2 of the Emerging Local Plan; in addition to the relevant provisions of the NPPF in particular Paragraphs 17, 58 and 64.
- 5.31 The development would result in limited harm to the setting of Blenheim Park and WHS but this is nonetheless not outweighed by public benefit, contrary to paragraph 134 of the NPPF.
- 5.32 In looking at the wider planning balance, Officers consider that for the reasons expressed above, the harm significantly and demonstrably outweighs the limited benefit of delivering two new dwellings. Consequently, Officers recommend that permission should be refused.

6 REASONS FOR REFUSAL

- 1 The development by reason of its design, scale and massing would fail to respect the existing scale, pattern and character of the surrounding area and adjacent built form. As a consequence the proposals would result in a development which would appear incongruous within the street scene and would erode the character and appearance of the surrounding area. These impacts would result in less than substantial harm to the setting of the Blenheim Grade I Listed Park and Garden and Blenheim World Heritage Site which is not outweighed by public benefits. The proposal would accordingly fail to accord with Policies BE2, BE1 I and H2 of the West Oxfordshire Local Plan 2011; Policies OS2, OS4, EH7, EW1, and H2 of the Emerging West Oxfordshire Local Plan 2031; and would be contrary to the provisions of the NPPF, in particular paragraphs 17, 58, 60, 61, 64, 132 and 134.
- 2 The development by reason of its siting would result in the loss of an open space which forms an important transition between the built form and adjacent open countryside. The development of this space would be of detriment to the character and appearance of the natural environment and the character and appearance of the immediate area. As such the development would be contrary to the provisions of Policies BE2, NE1, NE3 and H2 of the West Oxfordshire Local Plan 2011; Policies OS2, OS4, EH1 and H2 of the Emerging Local Plan 2031; as well as the relevant provisions of the NPPF, in particular paragraphs 17 and 58.

Application Number	I7/00889/FUL
Site Address	1 Police House Hixet Wood Charlbury Chipping Norton Oxfordshire OX7 3SA
Date	26th July 2017
Officer	Michael Kemp
Officer Recommendations	Approve subject to Legal Agreement
Parish	Charlbury Town Council
Grid Reference	435819 E 219330 N
Committee Date	7th August 2017

Location Map



Application Details:

Demolition of existing Police House and adjacent garages. Erection of 8 cottages with access from Hixet Wood.

Applicant Details:

Mr Nathan Craker
Apollo House
Mercury Park
Woodburn Green
HP10 0HH

I CONSULTATIONS**I.1 Town Council**

The Town Council wishes to object to this application for the following reasons:

- a. The proposal does not meet the mixed tenure, including homes for rent, shared equity, self- build and co housing which the Town Council wishes to encourage
- b. This proposal represents an over development of a relatively small and difficult town centre open green space and does not enhance the Conservation Area.
- c. The site represents a "green corridor" in this part of Charlbury, from Tanners Court through to Park Street and, as such, encourages and supports flora and fauna, some of which we believe to be "red book" species. Development will inevitably lead to the destruction of a recognised habitat which currently supports a wide variety of species.
- d. The proposal will generate considerably more traffic in this narrow pinch point at the lower end of Hixet Wood. The area is already congested and represents the only area for many residents to park. Access to the site would inevitably lead to the reduction of current on street spaces to the detriment of existing users/residents with nowhere else to go. The parking proposals within the site are considered entirely unsatisfactory in design, layout and practical use.
- e. There needs to be significant provision for section 106 contributions to local infrastructure if the development proceeds, particularly for school spaces, water/ sewage, roads and footways and community facilities.
- f. This represents one of the last green field sites in the Town and is known for its springs and marshy condition (it abuts Spring Cottage). Is this a suitable site for development particularly in respect of the likely need for extensive foundation works and the inherent risk of flooding?
- g. It is considered that the various statements supporting the application are skewed and do not represent reality in terms of transport/ environment/access and similar.
- h. In a 2016 assessment WODC described the site as unsuitable for development, SHELAA update 2016 revised appendix 3, SHELAA reference 359a. This surely has not changed and, if it has, why is this so?
- i. In other previous proposals of a similar nature (Rushy Bank, Little Lees) the District Council required a public meeting to be held to explain and consult widely within the community. Surely this

should also be applied in this case where the proposal is for a sensitive and contentious site?

j. The proposal is not public transport friendly and encourages the use of cars in an area which is entirely unsuitable in terms of width, with equally narrow and congested approach roads. An increase in traffic can only exacerbate an existing problem and is not acceptable to residents in this area and generally.

k. There will be considerable overlooking of adjoining properties numbering some five or six including Stream Cottage which seems to have been overlooked in the submission. This will lead to a loss of visual amenity and intrusion in to near neighbours views.

1.2 Major Planning Applications Team

Highways

Should the Local Planning Authority decide to grant outline planning permission for this proposed development, the following legal agreements would need to be concluded:

An agreement would be required under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £10,000 to contribute towards the improvement of local bus services in the Charlbury area so as to ensure that opportunities for travel by sustainable modes in accordance with the National Planning Policy Framework. This is based in a contribution of £1000 per dwelling which is the rate used for new residential developments throughout Oxfordshire.

The same agreement would be required to secure the following works which would be completed by the applicant under Section 278 of the Highways Act 1980:

The widening of the existing access to the site to create a bell-mouth of 11m in width and a radii of 5.5m, and to tie the proposed access into the existing highway on Hixet Wood.

Should the applicant wish for the proposed access road to be adopted as public highway maintainable at public expense, an agreement would be required under Section 38 of the Highways Act 1980 to enable Oxfordshire County Council, as the Local Highway Authority for Oxfordshire, to do this.

Site Access Road

The applicant proposes an access with the bell-mouth width of 11m and radii of 5.5m. This is acceptable for an access that the applicant might wish to be adopted as public highway maintainable at public expense.

However, Oxfordshire County Council's Residential Roads Design

Guide, which can be accessed at: <https://www.oxfordshire.gov.uk/cms/content/transport-development-control-tdc>, states that a development of this sort, if the applicant wishes for the access road to be adopted as public highway, must have a carriageway width of 4.8m. The applicant currently proposes a carriageway width of 4.5m.

In addition to this, the same document advises that any shared space facility has a minimum width of 6m. The shared space areas between plots 9 and 10 and 2 and 3 have a current width of approximately 4-5m. Also, a carriageway width of 4.5m immediately north of the on-street parking spaces allocated to plot 1 is not ideal as this is not quite wide enough to allow two average sized cars to pass each other safely.

Visibility Splays

I am satisfied that the applicant has provided visibility splays based on and informed by 85th percentile average wet weather speed surveys and I agree with their proposed visibility splays. However, the applicant must demonstrate that these can be achieved from the site access and that the land required to maintain them is within their control.

Vehicle Parking

There appears to be a lot of tandem parking proposed within the development. Due to the risk of their being blocked in, this could lead to residents parking on the carriageway within the turning areas for service vehicles instead. This could inhibit their use by service vehicles and could inhibit the ability of other vehicles to manoeuvre within the development.

All parking spaces should be at least 2.5m x 4.8m and the ones nearest to the carriageway should have a clear area of at least 6m in length behind them to allow drivers to reverse out safely.

Drainage Strategy

Although the applicant has submitted a drainage plan, they do not appear to have submitted an accompanying strategy, with calculations, to show that their drainage proposals will be adequate for the development.

The applicant has not demonstrated that the proposed SUDS features are appropriately sized to manage surface water flood risk onsite for all storm events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently the attenuation will not be able to cope with increased volumes, leading to increasing flood risk elsewhere. This is contrary to Paragraph 103 of the National Planning Policy Framework

(NPPF).

Archaeology

No objection

I.3 WODC - Arts We have considered the scale and mix of development in this application and as it falls beneath our threshold we will not be seeking S106 contributions towards public art at this site.

I.4 WODC Architect 'I note that ten dwellings are proposed, including a single replacement dwelling on Hixet Wood, with three pairs of semis and a terrace of three to the rear, all of two-storey form, with the usual neo-vernacular aesthetic. Considering the proposed layout, I note that the development is kept on the higher ground to the rear of the Hixet Wood buildings, although Plots 4 and 5 do nonetheless encroach somewhat on the watercourse. In my view, they need pull the development in this corner of the site back to the north and east - and it seems likely that they need to omit something here. They could perhaps omit one unit, and join the other onto Plots 1 and 2, although I suspect that omission of both would give a better strategy for the site. And note that omission of buildings in this more exposed part of the site would greatly lessen the impact on the views along Hixet Wood. Considering the proposed designs, I note that these are fairly convincing evocations of traditional forms, and are all of fairly modest scale. However, I do find the Plots 6, 7 and 8 terrace the least successful - mainly due to the cat-slide roofs with the bulky dormers, which are fussy by comparison with the other forms, particularly on the rear elevation; the ridge lines here are also somewhat long and dominant'.

Considering their new scheme, I note that that they have followed our advice on the south-west corner of the site, and have omitted the two dwellings that were previously located here - and it is notable that they have not tried to squeeze the lost dwellings in elsewhere, and are now proposing just eight dwellings. As a result, the scheme feels more relaxed, and less urban - and in addition the prominence of the development will be greatly reduced in the important views along Hixet Wood.

Turning to the designs, I note that the same neo-vernacular forms are proposed, generally well-proportioned and well-composed. I still have reservations about the terrace of three houses, which retains the slightly uncomfortable massing around the cat-slides and dormers, although this is a small point, and they have already made very significant compromises.

I.5 Biodiversity Officer No Comment Received.

I.6 Historic England Do not wish to comment.

I.7	ERS Env Health - Uplands	Due to the historical use of the site as police offices and an electricity substation, the site may have been subjected to land contamination. Consider attaching conditions relating to contamination. Mr ERS Pollution Consultation Previously submitted comments remain relevant.
I.8	WODC Housing Enabler	Since the original response was made, it is understood that the number of dwellings to be developed on this site has reduced from 10 to 8. Therefore the affordable housing contribution ought to be adjusted accordingly. Therefore the new contribution to be sought by the Council from this application is £20,000.
I.9	Natural England	<p>The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.</p>
I.10	WODC Landscape And Forestry Officer	No Comment Received.
I.11	WODC - Sports	<p>Following contributions are sought as a S106 contribution to the original scheme.</p> <p>Contributions of £1,156 × 10 = £11,560 off site contribution towards sport/recreation facilities in Charlbury. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS</p> <p>£818 × 10 = £8,180 for the enhancement and maintenance of play/recreation areas in Charlbury. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.</p>
I.12	WODC Env Services - Waste Officer	No Comment Received.
I.13	Thames Water	No Comment Received.
I.14	Major Planning Applications Team	No Comment Received.

2 REPRESENTATIONS

- 2.1 A significant number of letters of objections have been received in relation to this application, a number of these also relate to the amended plans received. They are summarised as follows:

nb: (A) details objections to amended plans.

Charlbury Conservation Area Advisory Committee (CCAAC)

- 2.2 The current application site had been assessed and found unsuitable for housing in the 2016 WODC SHELAA. Amongst the reasons were that development on the site would result in: the removal of thick vegetation and severely harm the character of the Conservation Area and Street Scene. The site provides an important green space within the centre, and an attractive backdrop within the wider area, with development potentially harming the character and appearance of this part of the town.
- 2.3 The CCAAC agree with the points raised in the 2016 WODC SHELAA. They agree that the site is 'an area of open space which breaks up the density of development and contribute to the character of the street scene in terms of public views' (WODC pre-application letter, 18th January 2017). Members did not accept the pre-application view that the proposed development reflected local vernacular design and the character of the Conservation Area.
- 2.4 The committee concluded that the proposed development would cause significant harm to the Conservation Area on two counts; the loss of a substantial open area of 'The Slade', which is one of Charlbury's most unusual and distinctive features, being replaced by a small, unsympathetic suburban estate. The development would neither preserve nor enhance the Charlbury Conservation Area.
- 2.5 Officers note that a follow up response has been received in relation to the amended plans, the response is as follows:

The omission of two houses and the very minor amendments to the design of the remaining houses did not alter the comments previously made by the Committee on the application. These were strongly reiterated by members; a copy is at Appendix A. The proposed development would harm the Conservation Area on two counts: the loss of a substantial piece of the remaining open area of the 'Slade' which was one of Charlbury's most unusual and distinctive features and its replacement by a small suburban estate unsympathetic to the character and appearance of the historic town centre to which it would relate. The development would neither preserve nor enhance the Charlbury Conservation Area, and the application should be refused.

Friends of the Evenlode and West Oxfordshire Cotswolds

- 2.6 The Friends of the Evenlode and West Oxfordshire Cotswolds have concerns regarding the application. They agree with the Charlbury Conservation Area Advisory Committee's (CCAAC) view that the development would cause harm to the Conservation Area through the erosion of open space and the introduction of a suburban estate into the heart of the Conservation Area. Whilst the scale of the proposed means of access will probably comply with highways regulations, the principle and siting of this is poor. The Friends of the Evenlode and West

Oxfordshire Cotswolds detail how Paragraph 115 of the NPPF should be taken into consideration in regard to retaining the open views and conserving the landscape.

- 2.7 When discussing the amended plans, the Friends of the Evenlode and West Oxfordshire Cotswolds believe that the revisions do not ameliorate the impact on the Conservation Area or AONB in any meaningful way. Parking and traffic problems have not been fully addressed. Moreover, there are concerns that the amendments may bring the scheme below the 1,000m² threshold for Affordable Housing delivery.

Principle of Development

- The proposed housing isn't social housing, which was recently identified as a priority for Charlbury, so will do very little to help the problem of lack of affordable housing in Charlbury.
- Existing, similar properties along this road are not selling; not an immediate need for similar developments.
- Proposal is viewed as overcrowding and too many for the site in question.
- The proposed development is out of character and unsympathetic with its setting and surrounding area.
- The proposed parking provisions are inadequate for the number of dwellings suggested.
- Site is unsuitable for development by virtue of the WODC SHELAA 2016: Site 359a.
- (A) Reducing the number of houses from 10 to 8 still does not address or mitigate the previously summarised problems.
- (A) Still no mention of Affordable Housing.

Conservation Area, AONB, and landscape

- Significant environmental impacts and incursion into the Conservation Area and AONB.
- Removal of vegetation on the site could cause increased flood risk elsewhere.
- The development would neither preserve nor enhance the Conservation Area, instead harming its character.
- Erosion of the historic fabric of the settlement.
- Removes green space from the centre of Charlbury.

Highways

- The proposed means of access to the site have not been addressed comprehensively and surrounding highways are deemed dangerous by local residents as the roads are already narrow and heavily congested.
- Increased traffic on Sheep Street, Hixet Wood, and Fishers Lane.
- Approach roads are already extremely narrow and hazardous.
- Existing highways infrastructure already at capacity.

Residential amenity

- Existing infrastructure is already under pressure (drainage, sewage, parking, schools etc.).

Other matters

- Site is situated in a flood-risk area, which could be exacerbated by vegetation removal and less permeable surfaces.
- Biodiversity will be adversely impacted.

3 APPLICANT'S CASE

- 3.1 Charlbury itself is a sustainable settlement, and the location of this site in the heart of the town - with good road access and within easy walking distance to the facilities and services on offer, including public transport - is an appropriate and sustainable solution to delivering the homes Charlbury and the wider District needs.
- 3.2 It is an underutilised site that is of low amenity value. The proposals represent an appropriate balance between developing part of the site for high quality 'Cotswolds' style homes, and retaining a significant portion of the site for landscaping.
- 3.3 Accessed directly from Hixet Wood and with the stream as the centrepiece to this area of amenity space, the development will allow for the planting of new trees and vegetation, and provide ecological enhancement opportunities to complement the adjacent woodland and stream.
- 3.4 The existing vehicular access to the site will be retained, and widened to ensure the new access has appropriate visibility splays and a separate pedestrian surface. It is not considered that a net increase of 9 homes will have any adverse impact on highway safety or local amenity in terms of the small increase in vehicular movements, especially given the site's highly sustainable location just to the south of the town centre.
- 3.5 The proposal is well-designed and will utilise high quality materials. The layout, urban grain and site density reflects the local character and appearance of this typical Cotswolds town. It is an appropriate response to developing this underutilised site, having regards to the site constraints and need to ensure there is no adverse impact on nearby residential amenity.
- 3.6 The new dwellings can be delivered without adverse impact to any nearby listed buildings, to the Conservation Area, or to the wider CAONB.
- 3.7 In addition to the physical provision of 10 new dwellings (a net increase of 9 dwellings overall), the economic and social benefits flowing from the creation of these new homes in Charlbury include benefits to local businesses, support for local residents and families, job creation through the construction phase of the development, and additional Council tax revenue. The proposal meets the roles of sustainable development as put forward by the NPPF as discussed previously in this document.

The Presumption in Favour of Sustainable Development

- 3.8 Notwithstanding the proposal's compliance with Development Plan policies, Paragraph 14 of the Framework advises that where the Development Plan or relevant policies are out of date, planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework

when taken as a whole, or where specific policies in the Framework indicate that development should be restricted.

- 3.9 A key objective of the NPPF is to boost significantly the supply of housing (paragraph 47), which includes the requirement for local authorities to ensure that they have at least a five-year supply of deliverable housing sites at any one time.
- 3.10 Paragraph 49 states that all applications for housing development should be considered in the context of the presumption in favour of sustainable development, and relevant policies for the supply of housing should not be considered up to date if the local authority cannot demonstrate a specific supply of deliverable sites providing a five-year supply of their housing requirements. A summary of the key planning considerations arising from the proposed development, set against this current planning policy context, is as follows:
- The Council cannot demonstrate a five-year supply of housing. The degree of shortfall is a material consideration;
 - The Council's housing supply policies are therefore out of date;
 - There is an identified shortfall and housing need for Charlbury, the sub-area, and the wider District;
 - This is a highly sustainable site close to the town centre. It is currently underutilised and contributes little by way of amenity value, and lends itself well to infill development in accordance with current and emerging planning policy;
 - The significance of the Charlbury Conservation Area would remain unaffected by the development proposals;
 - There are no adverse effects on any listed buildings;
 - The visual impact of the development will be minor, and it is not considered that any harm will arise as a result of the proposals. Public views into the site are limited to glimpses from Hixet Wood, and private views of the development site are only possible from the properties immediately adjoining the site to the east and north;
 - The development is highly sustainable - meeting the economic, social, and environmental criteria defined at paragraph 7 of the NPPF and discussed in detail above - and therefore Paragraph 14 of the NPPF and the Presumption in Favour of Sustainable Development is engaged;
 - The delivery of 10 new dwellings is a public benefit to be welcomed in an area which needs to provide 1,000 new homes;
 - There will be a financial contribution of £88,000 towards the Council's affordable housing fund; and
 - The site is available and deliverable in the short term, another benefit.
- 3.11 In conclusion, there is a compelling need to deliver housing in Charlbury. Substantial weight should be given to the delivery of housing on a site that is highly sustainable, and immediately available in an area with an identified shortfall. The application should therefore be considered in the context of the presumption in favour of sustainable development.
- 3.12 In any event, the proposed development complies with the current development plan, and with emerging policies of the new Local Plan (notwithstanding the weight which should be attached to these policies, and that the Council's current housing policies are out of date).
- 3.13 Furthermore, at the pre-application stage the Council have concluded that the principle of developing this site is acceptable.

- 3.14 For all of the above reasons, it is therefore considered that planning permission should be granted.

4 PLANNING POLICIES

H2NEW Delivery of new homes
BE8 Development affecting the Setting of a Listed Building
NE4 Cotswolds Area of Outstanding Natural Beauty
EH7NEW Historic Environment
EH1NEW Landscape character
EH2NEW Biodiversity
BE2 General Development Standards
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
BE5 Conservation Areas
NE4 Cotswolds Area of Outstanding Natural Beauty
H2 General residential development standards
H7 Service centres
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of 8 dwellings on a 0.5 hectare site located close to the centre of Charlbury. A 1970's brick detached dwelling, associated hardstanding and garaging is located on the site although the majority of the site comprises of open grassland and is overgrown with vegetation. The lower section of the site, which would remain undeveloped comprises of a small stream, pond, trees and is likewise is overgrown with vegetation. The site lies within the Charlbury Conservation Area and lies within the Cotswolds AONB. The site lies within the setting of a Grade II listed building known as Melody House which lies to the east of the proposed access.
- 5.2 It is proposed that the development would be accessed via a new access road onto Hixet Wood in the position of the existing access driveway serving 1 Police House. A total of 8 dwellings are proposed comprising of three terraced properties, two pairs of semi-detached dwellings and a detached dwelling which would replace the existing property 1 Police House. An adjacent dwelling 2 Police House is a 2 storey 1970's non-vernacular dwelling, approval exists for a replacement dwelling of a contemporary appearance, the design of which was modified in 2017 (17/01374/S73). 2 Police House is not included within the application site plan.
- 5.3 The proposed development has been modified through the submission of amended plans, reducing the number of dwellings from 10 to 8. Two dwellings in the South West corner of the development site were excluded following concerns raised by officers that the previously proposed development would fail to preserve a sufficient degree of openness as experienced in public views from the adjacent street scene in Hixet Wood. Minor revisions have additionally

made to the access and parking arrangements, including the provision of a newly proposed single storey car port, which would be sited adjacent to Plot 4.

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

Principle of Development

Design, scale and siting

Impact on Conservation Area setting and setting of Grade II Melody House.

Highways and access

Impact on Cotswolds AONB

Impact on biodiversity and natural environment

Principle

- 5.5 Following the first sessions of the Examination of the emerging Local Plan 2031 in November 2015, the Council undertook further work on housing land supply matters, including a call for additional sites to be considered in a review of the SHLAA. In October 2016 the Council published an updated Housing Land Supply Position Statement and modifications to the Plan. The 5 year requirement is now based on the 660pa midpoint identified in the SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this will be WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011, currently 1,978 dwellings, plus a further 5% 'buffer' in accordance with national policy.
- 5.6 In accordance with a common assumed start date of 2021, the Council is proposing through the Local Plan that Oxford's unmet need will be dealt with after the year 2021 to take account of lead-in times on large, strategic sites. Furthermore, in order to maintain an annual requirement that is realistically achievable the Council is proposing that the accumulated shortfall will be spread over the remaining plan period to 2031 using the "Liverpool" calculation rather than addressing it in the next 5 years under the alternative "Sedgefield" calculation .
- 5.7 The Council's assumed supply of deliverable housing sites includes existing large and small commitments, draft local plan allocations and anticipated 'windfall' which total 5,258 dwellings (as referred to in the May 2017 Position Statement). This gives rise to a 5.85 year supply using the Liverpool calculation and a 5% buffer. Using a 20% buffer the supply is 5.12 years.
- 5.8 The Council has been making great efforts to boost the supply of housing by making further Plan allocations, identifying suitable sites in the SHELAA 2016, and approving, and resolving to approve, a large number of housing proposals. The Council will be making a strong case for the "Liverpool" calculation and is confident that its approach is appropriate to address housing needs in the District in a realistic and sustainable manner over the plan period.
- 5.9 Following consultation on the modifications to the Plan, it has been submitted unaltered to the Planning Inspectorate and the Examination resumed on 9th May 2017, with further sessions timetabled for July 2017. Although the Council's approach has yet to be endorsed by the Local Plan Inspector, the direction of travel and commitment to boost the supply of new housing in the District is clear. Officers are therefore of the view that increasing weight should be attached to the emerging plan given its progression to the next stage of examination. Nevertheless,

whilst there is still some uncertainty as to the housing land supply position, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of “decision taking” under paragraph 14 of the NPPF.

- 5.10 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 H2 of the Emerging Local Plan specifies that the majority of housing development should be located within the service centres and larger settlements in the district. Charlbury is classed as a service centre within both the existing and emerging Local Plans and the provisions of respective policies H7 and H2 are applicable. Policy H7 is permissible of residential development in circumstances where this constitutes a ‘rounding off’ of the existing settlement area, whilst Policy H2 of the Emerging Local Plan is permissive of new residential development within or adjacent to the existing settlement area, where this is deemed to form a logical complement to the Existing built form.
- 5.11 The area of the application site subject of development comprises of an area of open space located predominantly to the rear of two existing dwellings fronting Hixet Wood and two dwellings to the north at Bell Yard. The site lies close to the centre of Charlbury and could be deemed a sustainable location in terms of its relative proximity to existing services and facilities in the town as well as public transport links namely local bus services and Charlbury railway station.
- 5.12 The site is well contained within the settlement envelope and is surrounded by existing development to the north and east. Officers consider that it could be reasonably considered that the proposed development would form a logical complement to the existing built form. Subject to the developments compliance with the wider provisions of the existing and emerging local plans, officers consider that the principle of residential development on the site would be considered acceptable.

Affordable Housing Provision

- 5.13 Policy H3 of the Emerging Local Plan, in accordance with the National Planning Practice Guidance outlines that it is reasonable within developments comprising of 6-10 units within AONB’s to seek a commuted financial contribution towards the provision of off-site affordable housing. The applicants have agreed a commuted sum of £20,000 towards the provision of off-site affordable housing, which was requested by the Councils Housing Officer and would be provided by way of a Section 106 agreement.

Siting, Design, Form and Conservation Area Impact

- 5.14 The site is within the Charlbury Conservation Area wherein the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.15 Due consideration should be given to the sites specific contribution to the Conservation Area. The existing property on the site, 1 Police House is relatively low key in appearance although the building is non-vernacular and makes no specific positive contribution to the character of the Conservation Area. The removal of the building and its replacement with a vernacular dwelling

of an enhanced design would generally be considered to be an enhancement to the immediate setting and street scene. The sites wider value to the Conservation Area is principally derived from its open character, which forms a visual break in a relatively dense built form along Hixet Wood. The wooded and overgrown nature of the site also provides an area of green space which is clearly discernible in public views along Hixet Wood.

- 5.16 It is noted that only half of the site is visible in public views, given the positioning of 1 and 2 Police Houses which front Hixet Wood. The siting of the proposed dwellings would not extend beyond the side elevation of No.2; consequently proposed plots 4-8 would be visible only from the position of the proposed access onto Hixet Wood. Officers consider that the most important public views of the site from Hixet Wood are those which are experienced in the street scene immediately to the south of No.2 Police House. The extent of the proposed development which would be visible from this point would be largely limited to a section of the rear aspect of Plots 2 and 3 and the rear curtilage area of these properties. The applicants have excluded two previously proposed dwellings to the south of Plots 4 and 5, which would have been visible and prominent from this public viewpoint.
- 5.17 The southern section of the site, beyond the side of No.2 Police House would remain as an area of undeveloped open space. It is proposed that this space would be managed and made accessible to members of the public via a new access point onto Hixet Wood. Whilst the present space provides an open and green aspect, it is also visibly overgrown, unmanaged, underutilised and inaccessible to the public. A stream presently runs through this section of the site although given the overgrown condition of the site at present this is barely discernible in public views. The proposals include a management plan for this section of the site involving the addition of a footpath between Hixet Wood, the clearance of excess vegetation to increase visibility of the stream, the retention of existing trees and the future maintenance of this space. Officers consider that there would be discernible public benefits arising from the proposed improvements to this space and the potential for this space to be made publically accessible. The improvements arising from the management of this space would in officer's opinion represent an enhancement to the character and appearance of the Conservation Area setting.
- 5.18 Officers note that the site was considered as a potential allocation within the West Oxfordshire SHELAA (site reference 319). The site appraisal concludes that the site would not be suitable for housing development as development would necessitate the removal of thick vegetation, whilst access constraints are additionally identified. It is noted that the SHELAA document considers the development potential for the whole of the site. Officers would accept that there would be significant harm arising from development of the southern section of the site to both ecology and to the setting of the Charlbury Conservation Area, however as identified the northern section of the site, where the residential development is proposed within this particular application is significantly less prominent and officers consider that this particular section of the site does not provide a substantial contribution to the Conservation Area setting.
- 5.19 Officers note that a planning application on the site was refused in 1985 85/1378, this related to a development comprising of 6 dwellings. This particular application was refused on four grounds, these being: that the development failed to constitute rounding off or infilling; highways and access; the impact on the character and appearance of the area; in addition to potential precedent setting. Whilst officers give due weight to this decision it is noted that this particular development related to the south east corner of the site adjacent to 2 Police House. Officers consider that development within this area of the site would be harmful, however for the reasons cited within this report officers consider that this should not preclude development

within the section of the site where the present development is proposed. Additionally since this application was determined in 1985 the planning context has significantly changed.

- 5.20 The proposed development would involve the removal of significant vegetation and a number of small non-mature trees. The removal of the majority of the existing trees in the northern section of the site would be necessitated in order to carry out the proposed development, although as noted in the above paragraphs this section of the site is not visibly prominent in public views. The southern section of the site is similarly overgrown with vegetation; a quantity of this would be removed to allow for the proposed landscaping works to be carried out, including the laying of a pathway through a section of this part of the site. The landscaping plan would retain existing trees of identified value, whilst allowing for additional planting to be carried out. There would be additional visual benefits arising from the removal of the vegetation which would reveal the existing stream that is not presently discernible in public views. Future retention of this area of open space would be sought through a unilateral undertaking to prevent future development and to ensure the long term management of this space.
- 5.21 The proposed dwellings would be of a vernacular design and appearance and would be constructed from natural stone. Officers consider that the design of the properties would be reasonably consistent with the character and appearance of the existing properties in the immediate vicinity of the site and the character and appearance of the Conservation Area as a whole. Officers consider that the proposed dwellings would be of an appropriate scale and consider that the layout of the site would reasonably complement the existing built form within this part of the town.
- 5.22 The proposed development would be located within the setting of a Grade II listed property Melody House, which is located on Hixet Wood, in a position immediately opposite the proposed access and proposed Plot 1. Whilst the proposed access would face this property, officers consider that there would not be demonstrable harm to the setting of this property by reason of the siting of either the access or the one for one replacement of No.1 Police House.
- 5.23 The site lies within the Cotswolds AONB; Paragraph 115 of the NPPF requires that great weight is given to conserving landscape and scenic beauty within Areas of Outstanding Natural Beauty. The site is located within a Town Centre location, which is surrounded by existing development on three sides. The site would not appear prominent in wider landscape views and officers consider that the impact on the development on the wider landscape setting of the Cotswolds AONB would be negligible.
- 5.24 In summary officers consider that the sites specific contribution to the character of the Charlbury Conservation Area is as an area of open space, which helps to break up an otherwise densely developed built form. Paragraph 138 of the NPPF requires that an assessment is made as to whether the loss of an element which contributes to the character of a Conservation Area would amount to harm or less than substantial harm in respect of the provisions of respective paragraphs 133 and 134 of the NPPF. The proposals would result in the partial loss of an area of open space, which is identified as providing a contribution to the Conservation Area setting. Whilst the loss of the whole of the space could be treated in officer's opinion as substantial harm, as the proposed development retains a significant degree of the open perspective as experienced from the most prominent public view point on Hixet Wood, officers consider that the resulting level of harm caused to the Conservation Area would be less than substantial.

- 5.25 Paragraph 134 of the NPPF requires that where a development proposal is deemed to amount to less than substantial harm, this should be weighed against the public benefits of the proposal, whilst also in accordance with Paragraph 138 of the NPPF accounting for the relative significance of the asset and its contribution to the Conservation Area. In making this assessment officers consider that there would be clear discernible benefits arising from the proposed development in terms of the contribution of 8 dwellings to meet local housing need, alongside a financial contribution towards the provision of off-site affordable housing. Additionally there would be clear benefits arising from the landscaping improvements proposed within the southern area of the site and future management of this space for public use. Officers consider that these identified benefits would outweigh the less than substantial harm caused to the Conservation Area through the partial loss of open space.

Biodiversity

- 5.26 A preliminary ecological appraisal was conducted on the site to inform if protected species would be significantly impacted upon by the proposed development. The appraisal concludes that the impact of the development on site ecology is likely to be neutral, although a series of mitigation measures are proposed. Further surveys were carried out to assess the suitability of trees for bat roosts and to establish whether Great Crested Newts are present within a pond in a nearby site, both surveys found no evidence of protected species.

Highways

- 5.27 A single means of access to the site is proposed onto Hixet Wood roughly in the position of the existing means of access serving 1 Police House. Officers note that objections were raised regarding the width of the proposed access, although these objections were submitted on the basis that the road would be adopted by OCC. Officers understand that the applicants are not seeking for the road to be adopted. Officers note that no objections have been raised by OCC regarding the safety of the proposed access point into Hixet Wood. It is noted that Hixet Wood carries a low volume of traffic with the proposed development generating a relatively low level of vehicular movements and with adequate forward visibility attainable at the point of the junction, officers consider that the proposed access would not be detrimental to highway safety.
- 5.28 The proposed development would be served by a total of 17 parking spaces. Whilst in accordance with OCC Residential Roads Design Guide a total of 18 spaces would be required, OCC Highways Officers have raised no objections and consider that the quantity of spaces proposed would be adequate as any minor overspill of parking would be unlikely to compromise highway safety. No objection has been raised in relation to the siting of the proposed refuse collection area.

Residential Amenities

- 5.29 Officers consider that there would be reasonable separation between the proposed dwellings and the existing properties fronting Hixet Wood. It is noted that there would be a separation distance of 16 metres between the side elevation of Plot 8 and the rear elevation of the adjacent dwelling Camellia Cottage, with a separation distance of 10 metres between the side wall of the proposed dwelling and the boundary of the rear curtilage area of this property. Owing to the topography of the site, Plots 9 and 10 would be set down in relation to Myrtle and Camellia Cottage. Officers consider that owing to the relative separation distances and owing to the variation in levels, the proposed development would not be of detriment to the amenity of the

occupants of these existing properties by reason of overbearingness, overshadowing or loss of light. It is noted that no windows are proposed on the side elevation of Plot 8 which would overlook these properties. The orientation of the dwellings would be offset in relation to neighbouring Spring Cottage, therefore overlooking of the rear curtilage area of this property would not be direct. There would additionally be a separation distance in excess of 12 metres between the rear elevation of plots 7 and 8 and the rear curtilage area of this property, which officers consider would be adequate to avoid the amenity of this property being significantly compromised by overlooking, particularly as the proposed dwellings would be sited at a lower topography.

- 5.30 Proposed Plots 4-8 face the rear aspect of two detached dwellings to the North of the site, these being Bell Yard Cottage and Tulip Tree House. The separation distance between the rear aspect of the proposed dwellings and the relatively extensive curtilage area of these properties varies between 12 and 11 metres. There would be a distance of approximately 42 metres between the rear elevation of the proposed dwellings and the rear elevation of the existing properties to the north which officers consider would be adequate in ensuring that the amenity of these properties would not be significantly compromised.
- 5.31 The siting of proposed plot 2 would be offset in relation to 2 Police House and there would in officer's opinion be significant separation to ensure that the amenity of this property would not be significantly compromised either in its present form or as consented under planning reference (17/01374/S73).
- 5.32 Officers consider that the proposed dwellings would be afforded with an adequate quantity of residential amenity space.

Conclusion

- 5.33 The application proposes a development comprising of 8 dwellings within a sustainable location close to Charlbury Town Centre. The site lies within the Charlbury Conservation Area and exists as an area of open space which provides a degree of visual amenity and contributes to the character and appearance of the character of the street scene and settlement as a whole. Whilst the development would result in the loss of a section of open space, this would be limited to an area located to the rear of the existing Police Houses fronting Hixet Wood and the section of the site which appears prominent within public views would be retained as open space preserving the open aspect within the Conservation Area. Furthermore the loss of the open space in the northern section of the site would be offset to a large degree by the proposed enhancements to the southern area of the site.
- 5.34 On balance officers consider that the provision of 8 dwellings alongside the proposed landscaping enhancements would outweigh the less than substantial harm caused to the Conservation Area by reason of the loss of the existing open aspect. Furthermore officers consider that the development would not result in adverse harm to either highway safety and amenity or residential amenity by reason of loss of privacy, overbearingness or loss of light. Consequently officers consider that the development as proposed would be acceptable and compliant with the relevant provisions of the Existing and Emerging Local Plans in addition to the relevant provisions of the NPPF.

- 5.35 Officers recommend that permission be granted subject to a section 106 agreement covering required financial contributions towards the provision of off-site affordable housing and subject to a Unilateral Undertaking to secure the retention of the southern area of the site as undeveloped open space.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of 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 local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, 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 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.
- 7 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

- 8 Details of the design and specification of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed before the use hereby permitted is commenced.
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 9 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 development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A and B shall be carried out other than that expressly authorised by this permission.
REASON: To protect the visual amenities of the area
- 10 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.
- 11 Prior to the commencement of development, a plan showing the proposed means of access between the land and the highway shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall commence only in accordance with the approved plan.
REASON: In the interests of providing safe and suitable access to the development in accordance with the National Planning Policy Framework.
- 12 Prior to the commencement of development, a plan showing visibility splays of 2m x 30m in a southerly direction, and 2m x 24m in a northerly direction from the proposed access on to Hixet Wood shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details.
REASON: In the interests of highway safety in accordance with the National Planning Policy Framework
- 13 Prior to the commencement of development, a plan showing all of the individual accesses and parking areas shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be constructed, surfaced, lit and drained in accordance with this plan.
REASON: In the interests of highway safety in accordance with the National Planning Policy Framework
- 14 Prior to the commencement of development, a plan showing the cycle parking arrangements for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details.
REASON: In the interests of maximising the opportunities for sustainable travel in accordance with the National Planning Policy Framework

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

- Discharge Rates.
- Discharge Volumes.
- Maintenance and management of SUDS features, including contact details of any management company.
- Sizing of features - attenuation volume.
- Infiltration in accordance with BRE365.
- Detailed drainage layout with pipe numbers.
- SUDS - list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy.
- Network drainage calculations.
- Phasing.
- The plans must show that there will be no private drainage into the existing public highway drainage system.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework

16 Prior to the commencement of development, a construction traffic management plan (CTMP) should be submitted to and approved in writing by the Local Planning Authority. The CTMP should cover the following points:

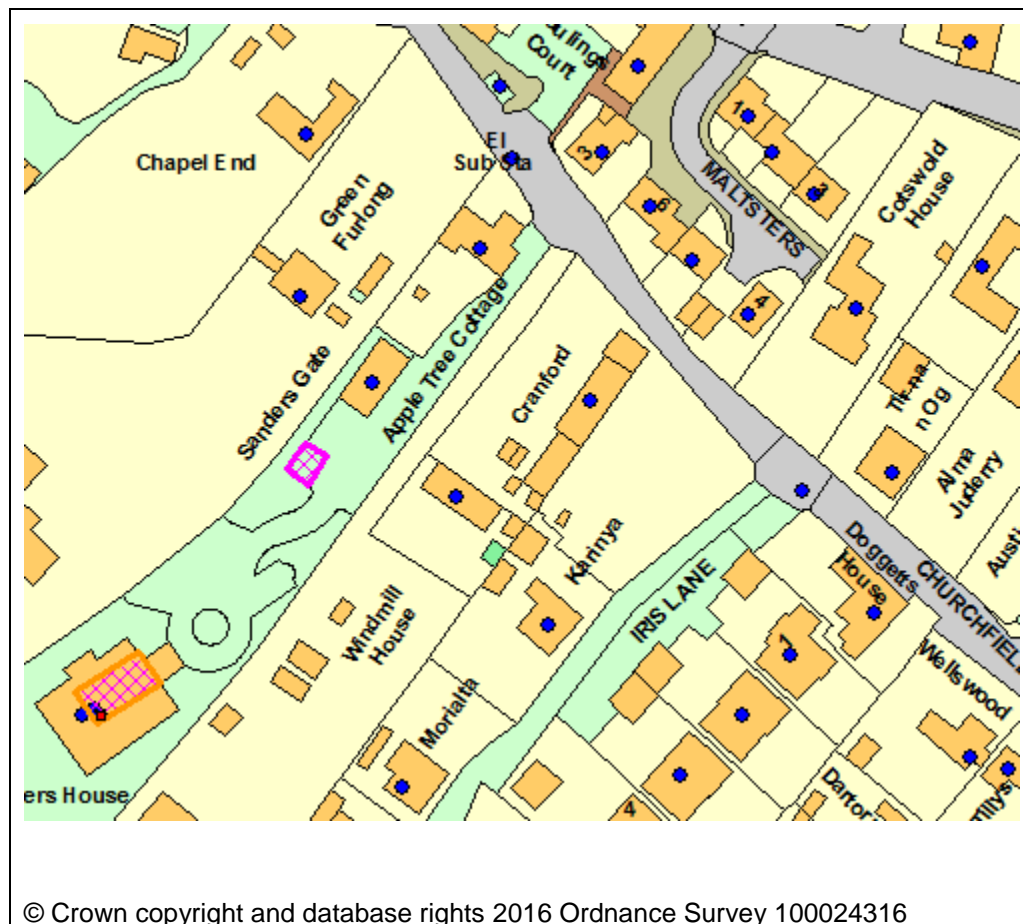
- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc., in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc.) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0845 310 1111. Final correspondence is required to be submitted.

- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

REASON: In the interests of highway safety in accordance with the National Planning Policy Framework

Application Number	17/01460/HHD
Site Address	Flat 8 Sanders House Churchfields Stonesfield Witney Oxfordshire OX29 8ST
Date	26th July 2017
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Stonesfield Parish Council
Grid Reference	439082 E 217055 N
Committee Date	7th August 2017

Location Map



Application Details:

Alterations to include new velux.

Applicant Details:

Mr Steven Holmes
Flat 8
Sanders House
Churchfields
Stonesfield
Witney
Oxfordshire
OX29 8ST

1 CONSULTATIONS

- 1.1 Parish Council No objection.

2 REPRESENTATIONS

- 2.1 One neighbour objection from the occupant of the flat below. The issues are summarised below.

1. Loss of privacy - direct and unscreened views of my private garden.
2. Overlooking neighbouring properties.
3. Contravention of local building standards. Not in keeping with other rooflights on the building.
4. Sound disruption from the window.

3 APPLICANT'S CASE

- 3.1 The applicant has submitted a supporting statement which is summarised as follows:
1. View from the communal car park during autumn and winter provides unrestricted views through the deciduous beech bushes into the gardens of flats 1 and 2.
 2. The existing window above the garden to flat 1 belongs to our bedroom.
 3. The layout of Sanders House is not one of private outdoor space but of communal areas.
 4. At the top of the spiral staircase to flats 7 and 8 there is already a view directly down into the gardens of 1 and 2. Public access is available to this point for deliveries and visitors.
 5. View from current bedroom is into garden of flat one.
 6. There are existing Velux windows to flats 5 and 6 which are of the same style as the proposed Velux.
 7. There are existing Velux windows to the kitchen and mezzanine of flat 8 which are of the same style of the proposed unit.
 8. There is an existing view from the triangular mezzanine window into the gardens of flats 1 and 2.
 9. The existing view to the garden of flat 1 from the proposed Cabrio style Velux on the mezzanine level will be similar to the view of flat 2's garden from the existing Velux.
 10. The Cabrio style Velux window does not afford access to the flat roof area therefore any noise generated should be significantly less than that from the bedroom window directly above the garden of flat 1.

Conclusions

- 1) The addition of a Cabrio style Velux window to flat 8 does not provide any additional views over flat 1's property.
- 2) The style and proportion of the window is entirely in keeping with the existing structures.
- 3) The likelihood of any additional disruption to the ability of flat 1 to enjoy their property is negligible due to the layout of the building.

4 PLANNING POLICIES

BE2 General Development Standards

BE5 Conservation Areas

NE4 Cotswolds Area of Outstanding Natural Beauty

H2 General residential development standards

OS4NEW High quality design

EH1NEW Landscape character

EH7NEW Historic Environment

H6NEW Existing housing

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application relates to Flat 8, Sanders House, Stonesfield. The area is residential and characterised by a variety of dwelling styles and ages. The building is set back from the road frontage and benefits from a large communal area to the rear. This application is being brought to Committee as the applicant is a member of staff.
 - 5.2 The application site is within the Cotswold AONB and the Stonesfield Conservation Area.
 - 5.3 The applicant seeks planning permission for the insertion of a Cabrio style Velux window in the north west roofslope.
 - 5.3 In 2005, planning permission was granted for a mezzanine floor to Flat 8 to form the current lounge area (ref: 05/0723/P/FP).
 - 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, Design and Form
Impact on the character and appearance of the Conservation Area
Residential Amenity Impact
- Principle
- 5.5 Officers consider that the principle of a new window opening is acceptable in this location.

Siting, Design and Form

- 5.6 The property is within the Conservation Area wherein the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.7 The proposed window would be a Cabrio style rooflight to be installed into existing roofslope of Flat 8. The window would measure 1.14m in width and 2.5m in length. The window would be larger than the other rooflights on the building, which are all of the smaller Velux rooflight design, however given the design of the building, and variety and style of window and rooflight openings, it is not considered that this addition would be harmful to the character and appearance of the building or the wider Conservation Area. No objections have been received from the Parish Council.

Impact on the AONB landscape

- 5.8 The property is within the Cotswold AONB. Paragraph 115 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance the proposal is a modest addition to the residential building in a residential area and therefore it is not considered it would be harmful to the AONB.

Residential Amenities

- 5.9 The occupant of the flat below has submitted concerns regarding the window. The issues are primarily overlooking and noise emission from the window. The proposed window has been assessed on site from existing vantage points inside the property and from the garden of Flat no.1. It is noted that the garden is entirely overlooked from the staircase to Flats 7 and 8.
- 5.10 The proposed north west facing window would enable the occupants to stand on a small balcony when the window is open (the window is flush with the roofslope when closed). The presence of a flat roof with parapet wall beyond will mean that there would be no significant harm caused by overlooking of the garden associated with Flat 1, over and above the existing intervisibility.
- 5.11 In terms of noise emission, the window is located sufficient distance above the garden area to not cause significant harm to the occupants of Flat 1. A bedroom window serving no.8 also sits directly above the garden area. Given the nature of the flatted development and the presence of the existing bedroom window directly above the garden area, it is not considered that noise from the window would cause significant harm to the occupants of Flat 1.
- 5.12 On balance, officers are satisfied that the insertion of a window in this location would not be unduly harmful to the occupants of Flat 1.

Conclusion

- 5.13 In view of the above, officers are of the opinion that the proposed development is acceptable and would not cause significant harm to the character or appearance of the building, the Conservation Area or residential amenity, subject to appropriate conditions to ensure a

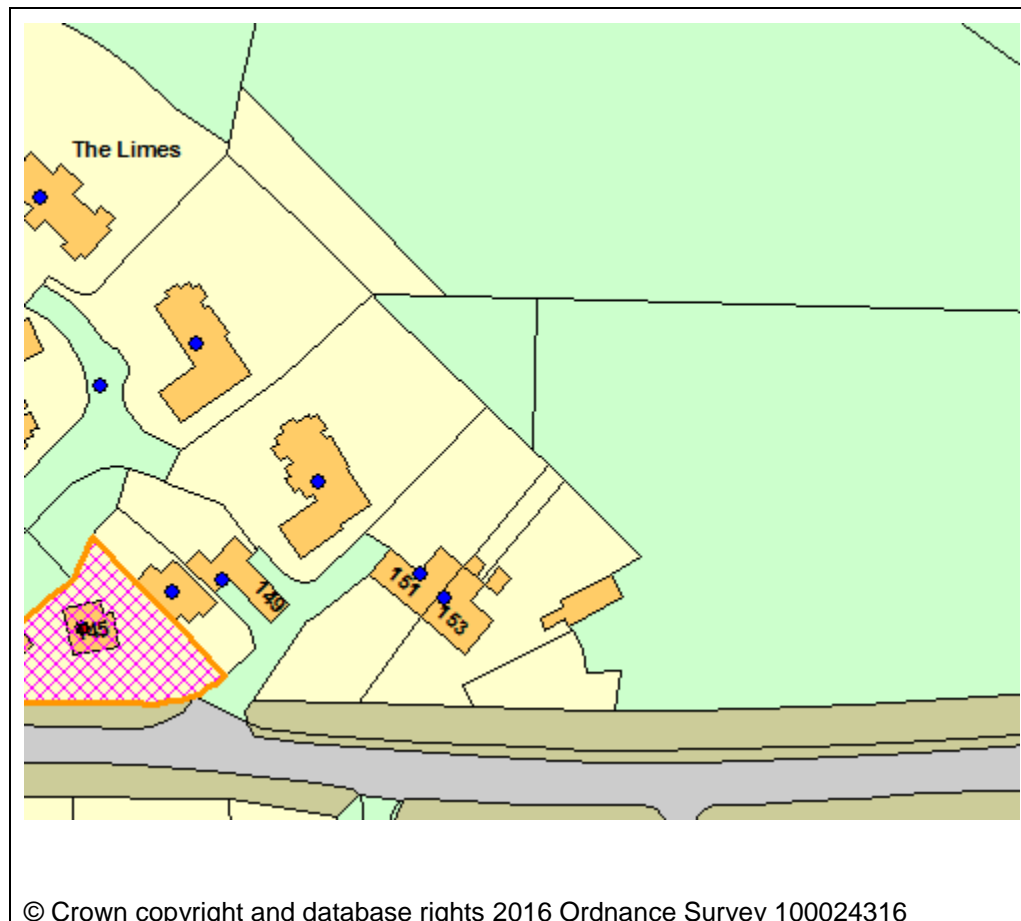
satisfactory appearance to the development and a maintained level of privacy to the garden area of Flat no. 1.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of 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 development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The roof area adjacent to the proposed rooflight shall not be used as a balcony, roof garden or similar amenity area.
REASON: To protect the reasonable privacy of the occupants of adjoining properties.

Application Number	17/01607/HHD
Site Address	145 Main Road Long Hanborough Witney Oxfordshire OX29 8JZ
Date	26th July 2017
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	442794 E 214328 N
Committee Date	7th August 2017

Location Map



Application Details:

Erection of single storey side extension. (Retrospective)

Applicant Details:

Mr And Mrs A Edwards
145 Main Road
Long Hanborough
Witney
Oxfordshire
OX29 8JZ

1 CONSULTATIONS

- 1.1 Parish Council Hanborough Parish Council have no objections to this application.

2 REPRESENTATIONS

- 2.1 Three letters of objection have been received in respect of this application from Mr and Mrs Man at 147 Main Road, Mr Sailsbury on behalf of Mr and Mrs Man, and A. Stevenson at 149 Main Road. Full versions of their representations with photographs can be viewed on the Council's website. Below is a summary of the points made:

- Issues raised over the inaccuracies shown on the plans submitted for application 16/01440/HHD, in particular the incorrect siting of No.147 shown on the site plan.
- The extension results in a loss of light to the detriment of no.147 and the occupants main living space.
- The extension is grossly intrusive and more overbearing.
- New design fails to meet the 45 degree rule requirement.
- Results in overshadowing due to the increase in height.
- Visually not in keeping with the vernacular architecture of its surroundings - similar design to commercial buildings.

3 APPLICANT'S CASE

- 3.1 A full version of the Planning Statement submitted can be viewed on the Council's website. It is concluded as follows:

We believe that the as built extension is appropriate for the site and location, has due regard to the amenity of neighbouring properties and does not have an undue visual impact in relation to its surroundings.

4 PLANNING POLICIES

BE2 General Development Standards
H2 General residential development standards
OS2NEW Locating development in the right places
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application seeks retrospective consent for 'as built' modifications made to previously approved application 16/01440/HHD for the erection of single storey side extension at 145 Main

Road. The site is not within any special designated areas of control. The submitted drawings show an increase in the height of the extension from 2.6m as approved to 2.8m as built. The height to eaves has not increased and has been built in accordance with the approved plans to 2.15m. The increase in 20cm is on the roof 'hat' due to the required roof insulation. Application 16/01440/HHD was approved by officers under the scheme of delegation and it has come to light post the decision that the property next door, No. 147 Main Road, was shown incorrectly on the submitted site plans. However, an on-site assessment was made by the officer at the time which enabled them to gain an accurate understanding of the actual relationship between the two properties before making a full assessment and making the decision to approve the application. It appears that No. 147 Main Road is shown correctly on the plans submitted for this application. This application has been brought to members for consideration at the request of Councillor Reynolds.

5.2 The application was deferred at the July Sub Committee meeting so that Members could make an on site assessment. Since this meeting, in light of the concerns from the neighbour that inaccurate plans have been submitted, Officers have re-visited the site and measured the 'as built' extension with the Architect and consider the plans to accurately reflect what has been built on site.

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

Principle;
Siting, Design and Form;
Residential Amenities.

Principle

5.4 The principle of the erection of a single storey side extension to the property has already been approved through planning permission 16/01440/HHD. Officers now have to assess the additional impact of the increase in height of 25cm in comparison to the previously approved scheme with regard to the below considerations.

Siting, Design and Form

5.5 Officers do not consider that the increase in height results in any significant or harmful change to the approved design, form or siting of the extension. As such, the application is considered to be acceptable in these terms.

Residential Amenities

5.6 In this regard, officers note the objections raised to the retrospective development by the occupants of neighbouring property, No. 147. However, following a site visit to no. 147 officers are of the opinion that the increase in the height of the extension does not result in any significant, additional harm. By virtue of the orientation of the dwellings, whilst the extension may result in the loss of some evening light to the front garden and potentially the front living area, officers consider that the increase in the height of the extension of 25cm would not have a significantly greater impact than that already approved. Further, by reason of its siting at an angle travelling away from the neighbour, its single storey form, and the existing 2m high fence which

sits along the boundary, the as built development is not considered to be overbearing or result in a loss of privacy to the detriment of No. 147.

Conclusion

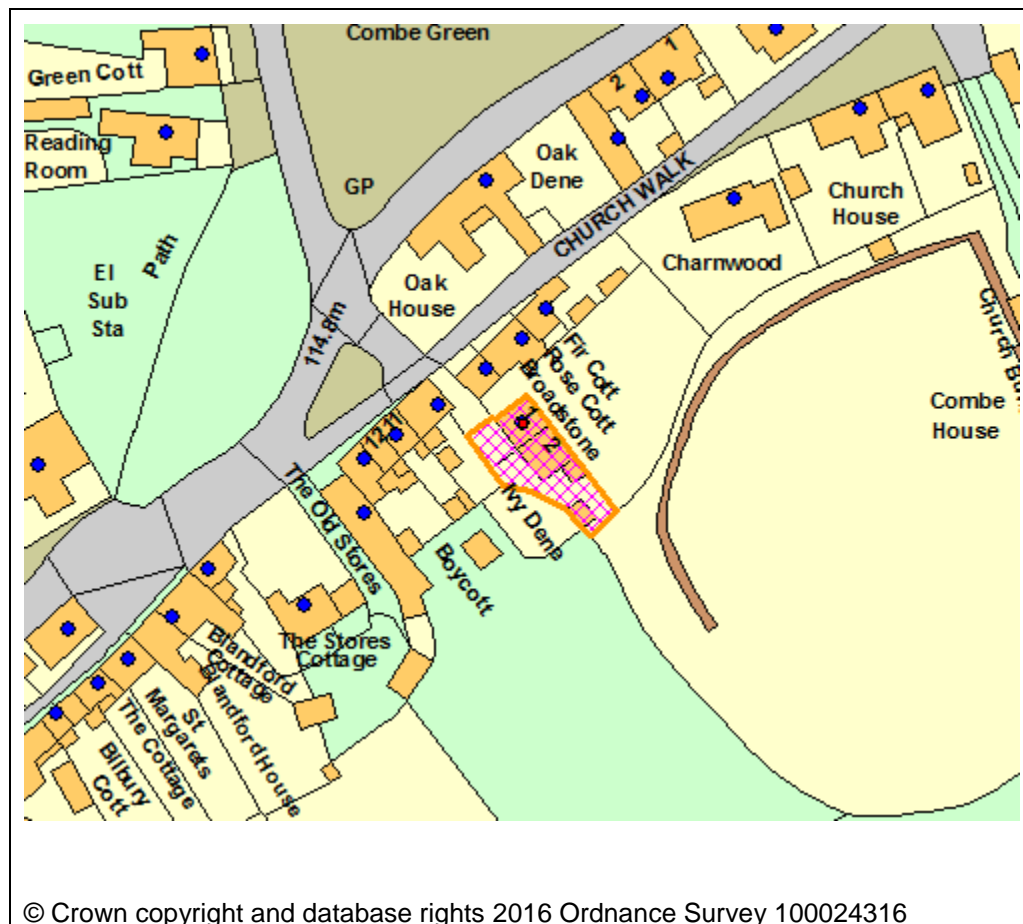
- 5.7 In light of the above, the application is considered to be acceptable and compliant with policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011, OS2 and H6 of the adopted West Oxfordshire Local Plan 2031, and relevant paragraphs of the NPPF.

6 CONDITION

- 1 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.

Application Number	17/01465/HHD
Site Address	Broadstone 1 Church Walk Combe Witney Oxfordshire OX29 8NQ
Date	26th July 2017
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Combe Parish Council
Grid Reference	441249 E 215838 N
Committee Date	7th August 2017

Location Map



Application Details:

Replace existing lean-to structure with Orangery style extension to side elevation. (Part retrospective).

Applicant Details:

Mr Oddy
Broadstone
1 Church Walk
Combe
Oxon OX29 8NQ

1 CONSULTATIONS

- 1.1 Parish Council The Parish Council has considered this application and have no comments or objections.

2 REPRESENTATIONS

- 2.1 Letters of representation have been submitted by Mrs O'Hagan of Vine Cottage and S. Goodman of Rose Cottage. Full versions of these letters can be viewed on the Council's website. The issues which have been raised are as follows:

- Concerns over ownership of land and boundaries
- Alterations should be sympathetic to the nearby listed buildings
- Fuel storage not shown on the plans
- Concerned about fumes and protection from fire
- Insufficient information provided

3 APPLICANT'S CASE

- 3.1 A full version of the Design and Access statement is available on the Council's website but it concludes as follows:

The application is to build an orangery style room with the same footprint as the previous building. Natural stone, which has been removed from the cottages during the refurbishment, will be used to construct the new extension. The proposed building will have a flat roof with lead type covering and a glass lantern. An oak framed log store will be built against the new south west wall. The building will have bi-folding doors leading to the south facing walled garden.

4 PLANNING POLICIES

BE2 General Development Standards
BE5 Conservation Areas
BE7 Alterations and Extensions to Listed Buildings
H2 General residential development standards
OS2NEW Locating development in the right places
EH7NEW Historic Environment
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application seeks part retrospective consent for the removal of an existing lean-to structure and erection of a single storey side extension with log store at Broadstones in Combe.

Broadstones was originally a row of three traditional 19th century stone cottages which were converted into two dwellings in the 1960's. The current owners are now undertaking refurbishment works which do not require planning permission. The lean-to structure has already been removed and the foundations for a new single storey side extension, the subject of this application, have already been completed. The site falls within the Combe Conservation area and sits within relatively close proximity to nearby Grade II listed properties End Cottage, Rose Cottage, Fir Cottage and Timms Cottage. The applicant is a member of staff which is why the application has been brought to Members of the Planning Sub Committee for consideration.

- 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;
Impact on the Character and Appearance of the Conservation Area;
Impact on the Setting of nearby Listed Buildings;
Residential Amenity.

Principle

- 5.3 Given the residential context of the site, and the existing lean-to structure which has now been removed, officers consider that the erection of a single storey extension in this location is acceptable subject to the below considerations.

Impact on the Character and Appearance of the Conservation Area

- 5.4 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The proposed extension will sit on the south eastern side elevation which sits far back within the plot so there will be no public views of the development. The general siting, form and scale of the extension proposed is considered to be acceptable and form an appropriate relationship with the existing dwelling. Further, the use of natural stone salvaged from the original cottage and oak for the log store are considered to be appropriate materials. However, the drawings submitted are not considered by officers to be detailed or accurate enough to approve at this stage. Therefore, officers have requested that amended drawings are provided before the committee meeting so that officers can present these to Members for consideration. Officers will present the plans and give a verbal assessment of the detailed proposals and the impact this will have on the character and appearance of the conservation area at the Sub Committee meeting.

Impact on the Setting of nearby Listed Buildings

- 5.5 In principle Officers do not consider that a single storey side extension of this general scale and form in the proposed location will have any significant or detrimental impact on the setting of the neighbouring Grade II listed properties mentioned above given their distance away and the nature of what is proposed. However, this is subject to the detail to be submitted on the requested amended plans so Officers will confirm this to Members verbally at the committee meeting once the plans have been submitted.

Residential Amenities

- 5.6 By virtue of the proposed siting, scale and form of the extension, the proposed development is not considered to result in the loss of amenity to the detriment of any neighbours. Whilst the proposed extension would sit along the boundary with Rose Cottage, given its single storey form and that it will sit around 15/16m away from Rose Cottage itself, it's not considered to have any significant or harmful impact on the occupants living conditions. However, Officers will confirm this to Members verbally at the committee meeting when the amended plans are submitted.

Conclusion

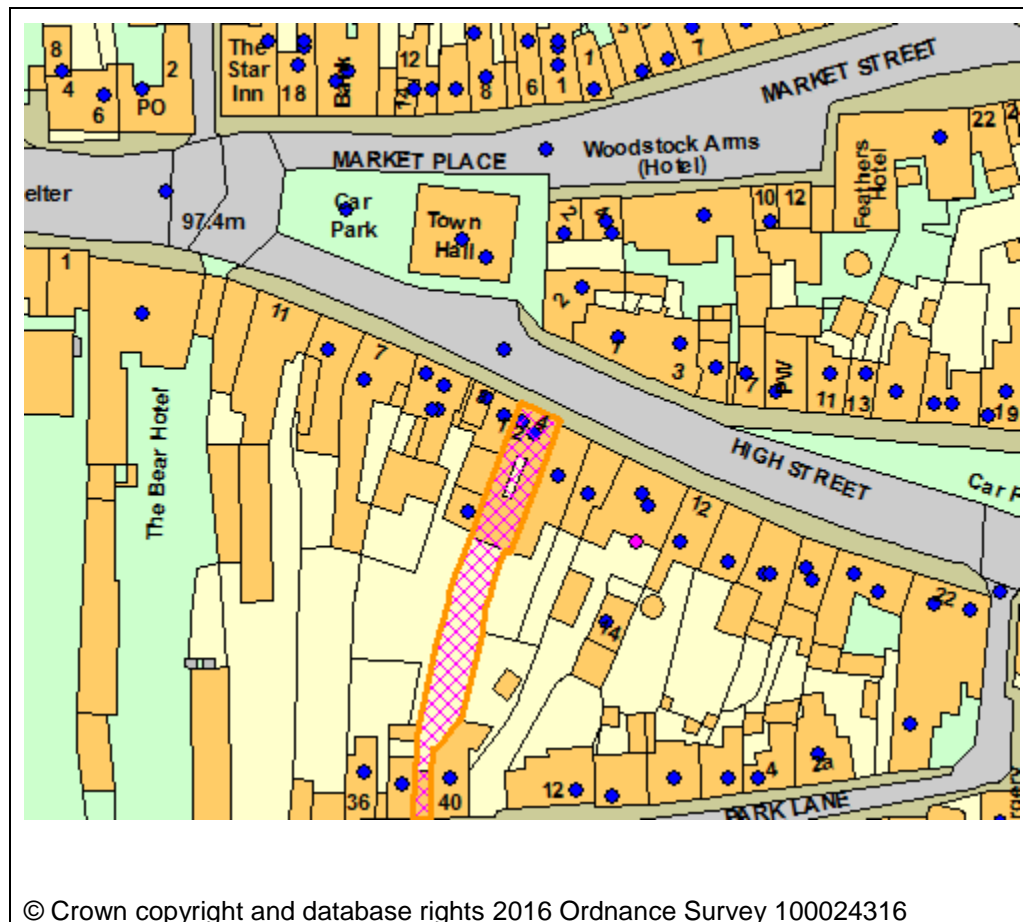
- 5.7 Officers consider that the general siting, scale and form of the proposed extension is acceptable but have requested detailed drawings in order to complete a full assessment. Detailed drawings will be presented to Members for consideration at the meeting and a verbal update and recommendation will be given by Officers. Subject to the details being acceptable Officers would recommend the following conditions.

6 CONDITIONS

- 1 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.
- 2 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 3 The roof of the extension 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.
- 4 The log store frame shall be constructed with timber, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any construction of the log store commences.
REASON: To safeguard the character and appearance of the area.
- 5 Notwithstanding details contained in the application, detailed specifications and drawings of the proposed roof lantern to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, 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.

Application Number	17/01551/FUL
Site Address	2 High Street Woodstock Oxfordshire OX20 1TF
Date	26th July 2017
Officer	Hannah Wiseman
Officer Recommendations	Approve
Parish	Woodstock Town Council
Grid Reference	444481 E 216709 N
Committee Date	7th August 2017

Location Map



Application Details:

Conversion of part of shop to residential to serve existing dwelling, erection of rear extension and alterations to garage.

Applicant Details:

Mr & Mrs N Rumsey
Somerton Farm
Forest Road
Winkfield Row
Bracknell
RG42 7NJ

1 CONSULTATIONS

- | | | |
|------|----------------------------|--|
| 1.1 | Town Council | The Council wishes to make no comment to this application. |
| 1.2 | OCC Highways
Drainage | No Comment Received. |
| 1.3E | RS Env Health -
Uplands | No objections |

2 REPRESENTATIONS

- 2.1 There has been an objection received from the neighbouring property to the east of the site at no 6 High Street Woodstock. The neighbours have appeared to give considerable time to preparing a detailed submission which sets out their concerns regarding the proposal along with copies of the previous responses sent in relation to the previous applications on this site.
- 2.2 The objections relate to Heritage Asset impacts, amenity impacts, structural impact, loss of light and design (apex is at odds with the rest of the properties in the area). Within the submission are suggested conditions which consider details of adjoining/party walls, indemnity issues, time of working, no trespassing and window/roof cleaning to number 6 through duration of the works. The full detailed submission may be read on the Councils website.

3 APPLICANT'S CASE

- 3.1 The applicant has submitted a Design and Access statement in support of the application. That report can be read in full on the Councils website, however the summary is copied below:

This relatively modest extension will provide an enhanced family dwelling in the centre of Woodstock without affecting the amenities of the neighbours or the character of the Conservation Area or nearby Listed Buildings.

This application follows pre-application advice from the local authority and consultation with neighbours and we believe that there are no material considerations of sufficient weight, or contraventions of local, regional or national policy which would prevent planning permission being granted.

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
H6NEW Existing housing
H2NEW Delivery of new homes
EH7NEW Historic Environment
T4NEW Parking provision
BE8 Development affecting the Setting of a Listed Building
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the erection of extensions to the existing dwelling and conversion of part of the existing shop to form part of the residential dwelling. The application relates to a three storey building with retail uses at ground floor and residential accommodation and first and second floor. The front of the property is rendered, however, the rear is constructed of red brick under a blue slate roof. The site is in the Conservation Area and is adjacent to two Listed Buildings.

Background Information

- 5.2 The application is a repeat application of a previous approval ref. 11/1294/P/FP, by the Uplands Planning sub committee in August 2011 and then a further application 14/0877/P/FP approved under delegated powers in August 2014. The consent has never been implemented to date, this application seeks to renew the previous consents. As such Officers have to determine whether any material changes in the circumstances or policy framework has occurred in the meantime to alter the previous recommendations. The application has been called in by Councillor Dr Poskitt in order that the objections are fully assessed.
- 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

Design and Impact on the Conservation Area and setting of adjacent listed buildings
Residential Amenities

Principle

- 5.4 The principle of the change of use of part of the existing shop is considered to be in compliance with Policy SH3 of the West Oxfordshire Local Plan 2011. The policy seeks to retain a mix of uses within the primary shopping frontage. Also the extension of the residential accommodation is considered acceptable in principle. The main consideration for this application is whether there have been any material submissions made in the intervening period between the applications.

Design and Impact on the conservation area and setting of adjacent listed buildings

- 5.5 The property is within Woodstock Conservation Area wherein the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. It is also necessary to have regard to Section 66 of the Act as regards the setting of nearby listed buildings. Further, Section 12 'Conserving and enhancing the historic environment ' of the NPPF is relevant to consideration of the application.
- 5.6 The application proposes a single storey rear, and two first floor extensions (one single storey and one two storey) and external alterations to the garage to the rear. The proposed extensions are located to the rear of the property and would not be readily visible in the wider Conservation Area because of the enclosure created by neighbouring properties in High Street and Park Lane. The proposed single storey ground floor extension and the two storey first floor extension are simply designed to read as secondary and subservient elements to the existing building. The existing properties in High Street, including those that are listed, have been subject to a range of extensions and alterations, such that the rear elevations form an incoherent assemblage of additions. As such, it is argued that the proposed extensions simply continue the story of the evolution of the buildings here, introducing relatively modest change, and would have no material harmful effect upon either the character and appearance of the Conservation Area or the setting of the adjacent Listed Buildings.
- 5.7 Whilst the proposed single storey extension (to provide the mezzanine) does not follow the traditional vernacular form Officers do not consider that this element would be materially harmful to the character and appearance of the Conservation Area or the setting of the adjacent Listed Building. The external works to the garage to the rear to introduce a stone frontage to Park Lane and a change to the design of the doorway opening would have a neutral effect compared to the current use of materials and design. There would therefore be no material impact upon the character and appearance of the Conservation Area or the setting of nearby Listed Buildings.
- 5.8 Accordingly, overall, the harm to heritage assets is judged at the lower end of "less than substantial" in terms of paragraph 134 of the NPPF. Although the private benefit of the works to the applicant is not a factor, there is some economic benefit derived from the employment of tradesmen, purchase of materials and other associated spend. This outweighs the small amount of harm identified.
- 5.9 The submitted comments regarding the protection of the boundary wall to No.6 during the works are noted. Such matters would be private matters between the parties involved and may require notice being served under the Party Wall Act. Planning permission assesses the acceptability of a proposal in planning terms, not necessarily the details of whether a proposal can physically be carried out. It should also be noted that the granting of planning permission does not override any third party rights. Structural matters would be assessed by building regulations, under different legislation. Should any structural alterations be required to the wall this would need to be the subject of a listed building consent in any event.

Residential Amenities

- 5.10 The proposed application proposes the first floor extension to the opposite side of No.6 and adjacent to the back wall of the property to the West. This means there will be a separation

distance of 4 metres between the proposed extension and the roof lantern of No.6
Furthermore, the proposed ground floor extension will be served by a roof lantern adjacent to the boundary which would limit the access to that part of the roof immediately adjacent to No.6. There is a parapet wall between the two properties and the level of the roof terrace is some way below that of the roof lantern adjacent that it is unlikely to result in any harmful direct overlooking. As such, Officers consider that the proposal would not result in an overbearing impact upon the residential amenity of No.6 High Street.

- 5.11 The proposed development would have no further impact upon the residential amenity of other neighbouring properties (apart from those identified above) when compared to the schemes previously approved. The submissions made by No.6 were noted and addressed at that time, and are also again now. It is noted that the outlook from first floor windows towards the rear would be altered to some extent by the roof form of the extension, however this is set back sufficiently as to not have any unacceptable overbearing or dominant appearance. The submitted light assessment indicates that the proposal would not have any adverse effect on the amount of daylight and sunlight availability to the adjacent property. Given the south facing rear elevation and garden orientation, Officers would agree with the assessment.
- 5.12 The comments submitted suggesting conditions regarding hours of working and window cleaning/ protection during the works are noted, however a certain amount of disturbance is likely to be had in any development project. Imposing planning conditions such as this would not meet the tests as set out as they are not reasonable, or enforceable. Anti social working hours or noise/dust issues would be covered by environmental protection legislation. However officers will suggest imposing an informative to remind the applicants of third party rights.
- 5.13 As such, taking in to account the above matters, the proposed development would not allow for any significant overlooking, loss of light or overbearing impact for any other neighbouring properties. Adequate amenity space is also retained for the enlarged residential accommodation for future occupiers.

Conclusion

- 5.14 Taking into account the submitted details and the representations made throughout the consultation period, Officers consider that the scheme does not give rise to any new and substantive issues which would render the scheme unacceptable, compared to previous consents. The very limited harm to heritage assets is outweighed by public benefits in this case. As such Officers recommend the application for approval subject to the conditions below.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Notwithstanding details contained in the application, detailed specifications and drawings of all external joinery 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 development commences. 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. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

- 4 The residential accommodation hereby permitted shall be used as ancillary to the main dwelling on the site and shall not be occupied separately.

REASON: In the interest of residential amenity and highway safety.

- 5 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of 2-4 High Street and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area. (Policies BE2 and BE3 of the adopted West Oxfordshire Local Plan 2011)

- 6 The external walls of the extensions shall be constructed in red brick and slate, samples of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The south elevation of the garage shall be constructed in natural Cotswold stone and no more than four courses of the walling shall be constructed, inspected, and approved in writing by the Local Planning Authority before the remainder of the wall is completed.

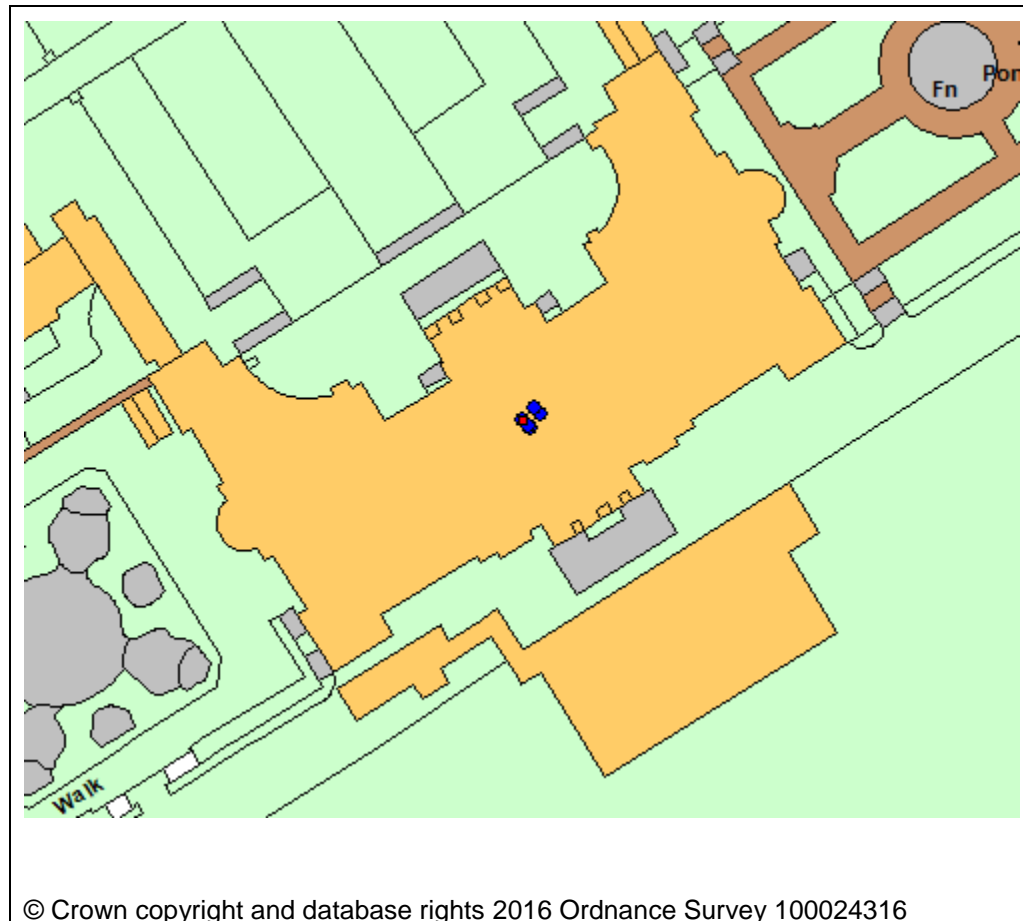
REASON: To safeguard the character and appearance of the area. (Policy BE2 of the adopted West Oxfordshire Local Plan 2011)

NOTE TO APPLICANT

The grant of planning permission does not override the personal property rights of neighbours, landowners and other interested parties.

Application Number	17/01565/FUL
Site Address	Blenheim Palace Blenheim Park Woodstock Oxfordshire OX20 1PX
Date	26th July 2017
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Blenheim Parish Council
Grid Reference	444122 E 216054 N
Committee Date	7th August 2017

Location Map



Application Details:

Alterations to provide hard standing to parking area.

Applicant Details:

Mr Richard Bowden
The Estate Office
Blenheim Palace
WOODSTOCK
OX20 1PP

I CONSULTATIONS**I.1 WODC Architect**

Were there not already a car park here, this current proposal would be unacceptable. The avenue approach from Hensington Gate to the palace forms a highly significant axis, and it is a crucial part of the historical composition - where the presence of parked cars immediately adjacent, together with the vehicular comings and goings, represents a distracting and unwelcome intrusion.

However, the principle has already been conceded, and this latest proposal represents a relatively modest increase to the existing car park, with the southernmost new spaces set a little further away from the avenue, and with the majority of the new spaces set to the north of the existing spaces, and partly tucked behind the re-entrant boundary wall. Nonetheless, it will certainly worsen the impact on the route travelling west from Hensington Gate - although the impact on views east from the palace will be rather less, at least at ground level.

To set against the harm, we are aware that this much-visited site does have genuine and highly challenging parking issues, and hopefully this proposal will reduce the pressure to park near to the east façade of the palace, or in other more prominent locations.

This proposal will also buy time to develop a longer term, more sustainable solution to parking at this site. So, I am inclined to think that grudging support is probably appropriate from our point of view - although I think that this needs to be given with the following advice: 1) we are extremely unlikely to support the formation of further car parking in this vicinity; 2) we would wish to see them begin to develop a longer term solution to parking, that would obviate the need for parking near the avenue, and that would obviate (or at least drastically reduce) the need for parking near the east façade of the palace - and from our point of view it seems that off-site parking, with shuttles, is at least worthy of consideration.

Recommendations: Give consents.

Reasons: Appears compliant with policies BE2, BE7 and BE1 I.

I.2 Historic England

The current proposal results from pre-application discussions held with Blenheim Palace, West Oxfordshire District Council and ourselves. We understand the pressure for parking at the Palace need for additional car parking spaces and those proposed in the north-

western part of the site would have little impact on a visitor's experience of the Palace or the grade I registered park in which it sits. The eastern spaces would cause a degree of harm to both as the expanse of cars would grow and have a greater impact on the experience of passing along Hensington Drive than is currently the case. This is supposed to be a grand tree lined avenue passing through parkland. The more cars parked to the side of it the less grand it looks. However, we accept that this harm is justified in the context of allowing the Palace to continue to function as a successful visitor attraction, which is necessary in order to ensure that the site as a whole has a sustainable future. Having looked at alternatives during pre-application discussions we are also content that this is the least harmful way of meeting this need. It is worth noting that the current application probably represents the limit to which this car park can grow without more seriously harming the significance of the park and Palace.

Historic England has no objection to the applications on heritage grounds.

We consider that the applications meet the requirements of the NPPF, in particular paragraph numbers 132 and 134. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

- | | | |
|-----|-------------------------------------|---|
| I.3 | The Gardens Trust | No reply at the time of writing |
| I.4 | Parish Council | No reply at the time of writing. |
| I.5 | WODC Landscape And Forestry Officer | I entirely agree with Bryan's comments about the inappropriate siting of further large scale car parking within the Park. At least it would be reasonably reversible if a more sensible solution to the parking /visitor issue is eventually found. |

Species and disposition of tree species is ok, reinforcing existing tree belts around the perimeter.

It is a shame that the design of the parking has not fully taking into

account the position of existing trees and the minimum root protection zones identified in the tree report. Note that the layout the tree report refers to is different to the larger scale site plan. With some adaptations it should be feasible to re-design parts of the layout to at least meet these minimum recommended standards - if there is an appetite to do so at this stage.

- 1.6 Adjacent Parish Council No reply at the time of writing.

2 REPRESENTATIONS

- 2.1 No representations received at the time of writing.

3 APPLICANT'S CASE

- 3.1 The Design and Access Statement submitted with the application advises as follows:
- 3.2 The creation of a hardstanding car parking area adjacent to Hensington Drive within the Grade I listed park (application 14/0381/P/FP) has been a great success, both enhancing visitor experience and in the way, it blends sensitively into the existing landscape. However, it has become evident that the capacity is inadequate to meet the needs of visitors, particularly during the winter months when the grass in the park is too soft to accommodate vehicle parking without significant risk of damage to the parkland.
- 3.3 This proposal is aimed at extending the existing surfaced car parking area in a sensitive manner whilst minimising intrusion into the landscape, reducing pressure to park in the wider grassed parkland (especially when the ground is wet) and adjacent to the Palace at Flagstaff, whilst further enhancing the experience of visitors to the World Heritage site.
- 3.4 The proposal is for an additional 95 hard surfaced car spaces following the same pallet of materials and design strategy as the existing carpark. The capacity will be reduced from the irregular parking areas from circ 110+ cars.
- 3.5 The application area is currently to grass, it is regularly used as overflow parking and is located on the north-eastern boundary of the existing hard surfaced car parking area. The application area has had to be utilised extensively in recent years demonstrating that the need is firmly established.
- 3.6 We have looked at other locations within the park to provide surfaced parking and in discussions with WODC and Historic England, concluded that this location is the least intrusive in the context of the wider landscape. The extension to the car park utilises the topography, as with the existing parking spaces, enabling the unoccupied carpark to 'disappear' from the view from the Palace toward Woodstock.
- 3.7 The provision of the 95 additional spaces as identified on the site and location plan follows the format and material pallet used in the existing surfaced car park.
- 3.8 Access will be from the existing car park so no new roadways are required to link through to the main Palace approach known as Hensington Drive.

- 3.9 The surface water treatment will be addressed through the use of swales which have proven very effective within the adjacent parking area.
- 3.10 The tree lined Hensington Drive will remain separated with the parking off set from the trees, in line with the existing car park to minimise the impact of the parking line when viewed from either end of Hensington Drive. Along the northern boundary the planting will be added too to enhance the setting for the future. The proposal includes measures to ensure that adjacent mature trees will not be negatively impacted, details of which are in the attached arboricultural report.
- 3.11 The addition of 95 hardstanding car spaces are sympathetically set into the landscape while having regard to both the wider parkland context and arboriculture requirements. This proposal will further enhance the visitor experience by ensuring the visitors in the wetter months that on arrival can safely park on hard standing and avoiding the risk of damage to the grassed areas of the park.

4 PLANNING POLICIES

BE5 Conservation Areas

EW1NEW Blenheim World Heritage Site

BE11 Historic Parks and Gardens

BE8 Development affecting the Setting of a Listed Building

EH7NEW Historic Environment

BE2 General Development Standards

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

5 PLANNING ASSESSMENT

Background Information

Planning History

- 5.1 The two following permissions set the context for the consideration of this application:

07/1036/P/CLE- A lawful development certificate confirming a lawful use of the land within the Grade I Historic Parkland for amongst many other uses, visitor attraction and public recreation and entertainment, rallies and competitive events.

14/0381/P/FP- Conditional planning permission granted to resurface an existing car park and realign parking areas.

- 5.2 This proposal is to extend an area of hard surface to the east of the existing car park which abuts Hensington Drive to provide an additional 95 car parking spaces. The hard surface materials and the use of swales for drainage purposes mirrors that of the existing car park construction. An arboricultural report submitted with the application states that no trees will be lost as a result of the proposed development but proposes some minor tree surgery involving the removal of dead wood from several trees. Additional tree planting and understorey planting is proposed to the north of the existing and proposed car park providing screening to the houses and the parkland to the north.

- 5.3 The site is within the World Heritage Site, a Grade I Historic Park and Garden and there are a number of Listed Buildings in the vicinity including the Grade I Listed Palace 270 metres to the south west, Grade II Listed China Corner 60 metres to the north and Grade II Listed Hensington Gate located 160 metres to the east. A Grade II listed park wall and Conservation Area boundary are located to the north.
- 5.4 Councillor Cooper has requested that this application be called in for consideration by the Sub Committee by reason of the impact of the development on the entrance to a World Heritage site.
- 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:
- 5.6 Impact on the significance of the World Heritage Site, by way of the impact of the development on the setting of the Grade I listed park and upon the character, appearance and setting of the Listed Buildings noted above and on the setting of the Conservation Area.
- 5.7 In respect of this proposal the District Council has carried out the statutory requirement for consultation with both Historic England and The Gardens Trust. In light of the fact that Historic England has raised no objections to the proposal there is no requirement for further consultation to be carried out in terms of the impact of the development on the World Heritage site.

Impact on the significance of the World Heritage Site, the Grade I Listed Parkland and the setting of nearby listed buildings including Blenheim Palace and the setting of the Conservation Area

- 5.8 Given the close proximity of a number of listed buildings to the development proposal the LPA is required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended when considering development. This states that special regard should be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition paragraphs 131, 132 and 134 of the NPPF are of relevance which all relate to conserving and enhancing the historic environment. The key adopted and emerging Local Plan policies are BE5, BE8, BE11, EW1 and EH7.
- 5.9 The extended hard surfaced car parking area is located within heritage assets of the highest significance (World Heritage Site and a Grade I registered park and garden) and in relatively close proximity to Blenheim Palace, a Grade I listed building. A Grade II listed park wall and the Conservation Area is located to the north. In accordance with paragraph 132 of the NPPF great weight should be given to the conservation of these assets.
- 5.10 In considering the level of harm that results to the significance of the heritage assets in this instance your officers have had regard to the fact that the site the subject of this application could be used without the need for planning permission for all of the uses to which the Lawful Development Certificate 07/1036/P/CLE allows, which include the use of the land for ancillary parking to service those uses together with the temporary siting of marquees, tents and portacabins etc to service events held within the palace grounds.

- 5.11 In addition to the above the land to the west of the application site area is already approved for visitor parking which is visible from Hensington Drive. Whilst Officers recognise that the additional hard standing for additional car parking as proposed will result in an increased visual impact on the route travelling west from Hensington Gate, the impact on views from the palace will be rather less, at least at ground level as the parking of vehicles itself will be transient and thus the immediate setting of the Grade I listed building will not be substantially harmed.
- 5.12 Given the above and that the hard surfacing works are potentially reversible at some point in the future if alternative visitor car parking arrangements can be found, Officers consider that the proposal for the extended car park will lead to less than substantial harm to the to the significance of the heritage assets and thus, in accordance with paragraph 134 of the NPPF, the harm should be weighed against the public benefits of the proposal.
- 5.13 In terms of public benefits the Palace and the grounds are a much visited site (the visitor income supports maintenance and conservation of the heritage assets) with genuine and highly challenging visitor parking issues and if allowed this development could potentially reduce the pressure to park in an ad hoc fashion in more prominent locations and in addition reduce the pressure to park near to the east facade of the palace itself. These public benefits are considered on balance to outweigh the less than substantial harm to the significance of the heritage assets in this instance.
- 5.14 In light of the above assessment, having considered the relevant planning policies and all other material considerations, your Officers are recommending the application for conditional approval and an informative on the decision letter. This would formally advise the applicants of the Council's concerns about the impact of further formal parking areas within the Palace grounds and encourage the applicants to develop a longer term more sustainable strategy in terms of how to accommodate visitor parking to the palace and its grounds which may be better provided for offsite.
- 5.15 The above recommendation accords with the views of both Historic England and the Council's architect.

Conclusion

- 5.16 Based on the above assessment the application is recommended for conditional approval based on the following conditions:
- Time for implementation;
 - Approved drawings;
 - Detail of hard surfaces and drainage;
 - Proposed landscaping scheme and maintenance;
 - Tree protection;
- 5.17 An informative is also proposed which advises that it is unlikely that any further car park extensions will be considered favourably along Hensington Drive as the public benefits would no longer outweigh harms from further car park extensions. Further that the applicants should now evolve a sustainable car parking strategy to serve visitor parking requirements which may need to be provided off site.

6 CONDITIONS

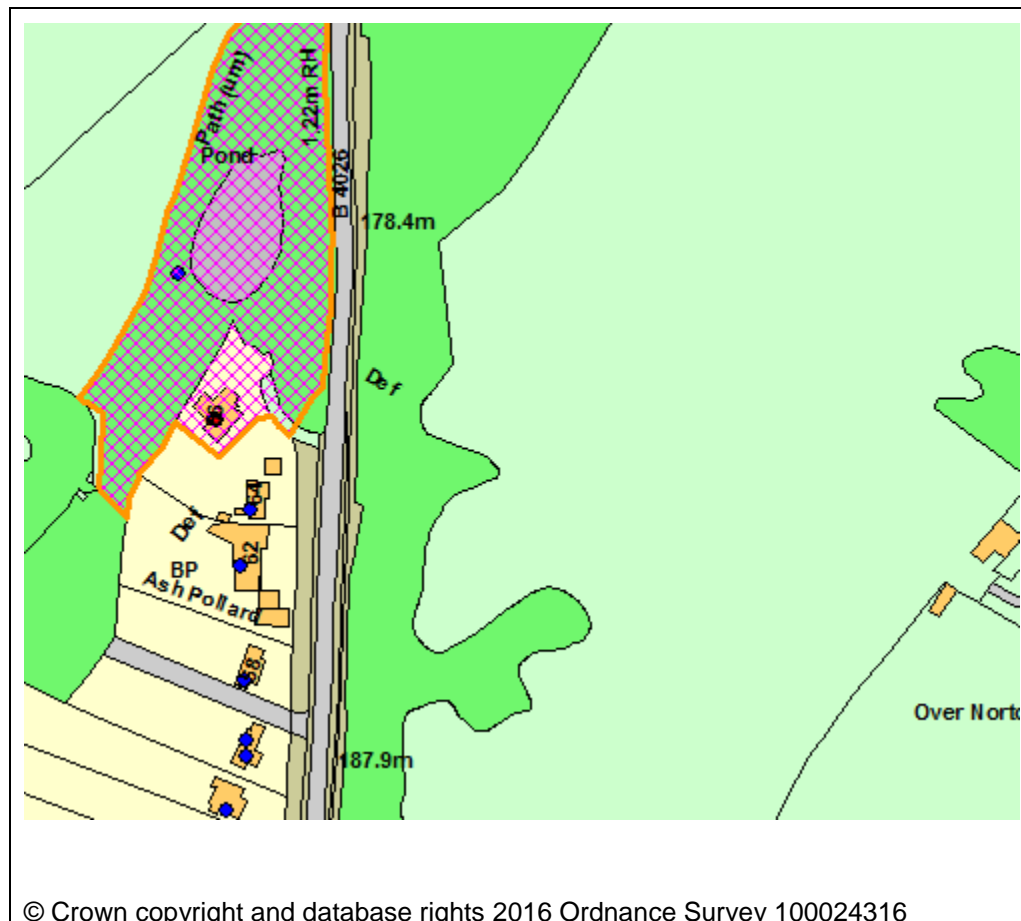
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That 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 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" and 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 safeguard features that contribute to the character and landscape of the World Heritage Site and wider area.
- 4 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials including samples, shall be submitted to and approved in writing by the Local Planning Authority before building work commences within these areas. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.
REASON: To safeguard features that contribute to the character and landscape of the World Heritage Site and wider area.
- 5 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 in the first planting season following the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with a maintenance scheme which shall be submitted to and approved in writing by the Local Planning Authority. 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 features that contribute to the character and landscape of the World Heritage Site and wider area.
- 6 The parking area shall be 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 roadway to the detriment of road safety.

NOTE TO APPLICANT

It is unlikely that any further car park extensions will be considered favourably along Hensington Drive as the public benefits are unlikely to outweigh harms from further car park extensions. In order to evolve a sustainable long term car parking strategy to serve visitor parking requirements it may be that off site provision could be assessed/evaluated in the interests of the heritage assets at Blenheim which are of the highest significance in planning policy terms.

Application Number	17/01651/FUL
Site Address	Westwick 66 Over Norton Road Chipping Norton Oxfordshire OX7 5NR
Date	26th July 2017
Officer	Kim Smith
Officer Recommendations	Refuse
Parish	Over Norton Parish Council
Grid Reference	431473 E 227932 N
Committee Date	7th August 2017

Location Map



Application Details:

Erection of 1.4 metre high close-boarded fence. (Part Retrospective).

Applicant Details:

Mr Richard Yapp
Westwick
66 Over Norton Road
Chipping Norton
Oxon OX7 5NR

I CONSULTATIONS

- I.1 OCC Highways No reply at the time of writing
- I.2 Adjacent Parish Council 'The Town Council object to this planning application and request that the officers insist on moving the fence by one metre away from the highways, reduce the fence down to 1.4 metre high and have some screening (plants) in front of the fence'.
- I.3 Parish Council I write in respect of the above planning application on behalf of Over Norton Parish Council. I can confirm that Over Norton Parish Council strongly object to this planning application.

The application site is located in the Cotswolds AONB.

Para 115 of the NPPF identifies that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty.

Arguably, the application site also contributes to the setting of the Over Norton Conservation Area.

Para 129 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset).

Para 133 of the NPPF identifies that where a proposed development will lead to substantial harm, planning permission should be refused.

Para 134 of the NPPF identifies that where a proposed development will lead to less than substantial harm, the harm should be weighed against the public benefits.

The above guidance is reflected in the policies of the adopted West Oxfordshire Local Plan 2011 and the emerging Local Plan 2031.

The existing fence is an alien and incongruous feature within the streetscene. Prior to the erection of the fence, this part of Over Norton Road formed an important landscape buffer between Chipping Norton and Over Norton, characterised by its rural character and sense of openness.

The existing fence has a significant urbanising impact upon this part of the Over Norton Road. The existing fence is an alien and incongruous feature that is not seen elsewhere along the key approaches to Chipping Norton or Over Norton. Boundary treatments generally comprise native hedgerows, with hedgerow trees, or natural stone walls.

Where there are examples of fences, these generally comprise either timber or metal post and rail fences.

Whilst the applicants offer to reduce the fence to 1.4 metres is noted, this will not address the significant harm caused to the character of this part of the Cotswolds AONB. The fence will still be an alien and incongruous feature, that erodes the sense of openness and introduces an urbanising feature into this part of the rural landscape.

It is noted that the applicants have provided some justification in support of the application including:

1) To provide some security for the residents of 66 Over Norton Road; and

2) Provide safety for people walking along the verge on the western side of Over Norton Road.

Whilst there may be a need to provide security, this could be provided in other ways. Indeed, it could be argued that the fence limits natural surveillance.

The benefit associated with pedestrian safety are not understood. There is a footpath on the eastern side of Over Norton Road and as such there is never any need to walk along the western verge. If there is a need to provide a 'firm and safe barrier' in respect of public liability, this could be provided in a more sensitive manner. Arguably the fence has a detrimental impact upon highway safety, creating the perception that the carriageway has narrowed, thus forcing vehicles into the centre of the road.

The fence does not conserve the landscape and scenic beauty of this part of the Cotswolds AONB and is therefore contrary to para 115 of the NPPF and policies NE4 of the adopted West Oxfordshire Local Plan 2011 and policy EH1 of the emerging Local Plan 2031.

The fence results in substantial harm to the setting of the Over Norton Conservation Area and as such is contrary to para 133 of the NPPF and policies BE2, BE4 and BE5 of the adopted West Oxfordshire Local Plan 2011 and policy EH7 of the emerging West Oxfordshire Local Plan 2031.

Having regard to the above, the Parish Council strongly object to this application and request that the District Council pursues formal

enforcement action seeking the removal of the fence as a priority.

Over Norton Parish Council are of the view that if this was not a retrospective planning application, there is no question that planning permission would have been refused.

The applicants should not be rewarded for their blatant disregard of the planning system.

2 REPRESENTATIONS

2.1 At the time of writing representations have been received from Jill and Roger Harden, Mark Tailby, Jon Westerman, Mark Woodgate, Professor Douglas Clelland, Kate and Mike Kilburn and Jan Cliffe. Their comments are briefly summarised as follows:

- The close boarded fence has a devastating negative impact upon the setting of the Conservation Area and completely urbanises the previously rural nature of the road between the town of Chipping Norton and the village of Over Norton;
- It raises the question of encroachment on highway land with an impact upon highway safety;
- It would seem more suitable to suggest a 1m high post and rail fence with indigenous hedge planting behind it;
- I would like to raise the suggestion of potential ecological harm to protected species by the alterations made to the existing pond on the land;
- It takes away from the integrity of Over Norton as a separate village;
- It is a dangerous distraction;
- It makes an impact on the Conservation, very old trees were removed;
- It has encroached on the highway causing drainage problems;
- It is detrimental to protected species;
- Why hasn't the Council done something about this sooner?
- Strongly object to the application it is flawed in principle;
- The existing fence is an alien and incongruous feature within the streetscene which has a significant urbanising impact on this part of the Over Norton Road. Boundary treatments generally comprise native hedgerows, with hedgerow trees, or natural stone walls and where there are fences these generally comprise either timber or metal post and rail fences;
- A reduction in height of the existing fence to 1.4m will not address the significant harm to the AONB;
- Paragraphs 115, 129, 133 and 134 of the NPPF are relevant in the consideration of this application;
- The security and safety justifications submitted in support of the application are either not understood or questioned;
- The fence does not conserve the landscape and scenic beauty of this part of the Cotswolds AONB and is therefore contrary to para 115 of the NPPF and relevant Local Plan policies;
- The fence results in substantial harm to the setting of the Over Norton Conservation Area and as such is contrary to Paragraph 133 of the NPPF and relevant Local Plan policies;
- The applicant has ignored planning rules and chopped down a large number of hardwood trees;
- The issue of insurance is a matter of private negotiation for the applicant to resolve;

- The site is an extremely attractive tree lined location between Chipping Norton and Over Norton;
- It is immediately adjacent to Over Norton Park and public footpaths;
- The existing close boarded fence is over 100m in length and 1.8m - 2m high and is visually damaging to the rural landscape;
- The proposed reduction in height and part setting back from the road will not reduce the suburbanising effect of the fence;
- The proposal is contrary to BE", NE1, NE3 and NE4 of the Local Plan.

3 APPLICANT'S CASE

3.1 A supporting letter submitted with the application advises as follows:

3.2 'This application is partly retrospective in that a 1.8 metre high close-boarded fence has been erected as the applicant was mistakenly informed that planning permission was not required. The proposal is to retain the fence but to reduce its height to 1.4 metres and to realign its northern-most 70 metre length following on-site discussions with Nick Blacow of Oxfordshire County Council who has concerns about possible encroachment onto highway land. Mr Blacow has confirmed that setting this part of the fence back by one metre, as now proposed, will overcome his concerns.

3.3 The purpose of the fence is to provide some security for 66 Over Norton Road and safety for people walking along the highway verge on the western side of Over Norton Road. The photograph (submitted with the letter) shows the steep slope down from Over Norton Road into the grounds of no. 66, and the fence is a barrier to prevent members of the public falling down the steep slope. Lloyds Insurers are insisting on a firm and safe barrier alongside the road for public liability cover and the fence needs to be at least 1.4 metres high to fulfil this purpose.

3.4 The fence is not proposed to zigzag around the trees, as that would look odd. Therefore, to address OCC's concerns about possible encroachment onto highway land, the whole of the northern-most 70 metre length of the fence will be set back a further one metre.

3.5 The fence does not raise any issues relating to highway safety, and its reduced height and minor realignment mean it will not harm the visual amenity of the area or the landscape and scenic beauty of this part of the Cotswolds Area of Outstanding Natural Beauty. It is hoped, therefore, that planning permission will be granted for the fence as proposed to be modified.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

NE4 Cotswolds Area of Outstanding Natural Beauty

BE5 Conservation Areas

EH7NEW Historic Environment

EH1NEW Landscape character

SH2 New Development in Town and Local Centres

OS4NEW High quality design

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 Councillor Beaney requested at the June Sub Committee meeting that this application be brought before the Uplands Area Planning Sub Committee for consideration.
- 5.2 This application has been submitted following a planning enforcement investigation regarding the erection of a 1.9m high fence adjacent to Over Norton Road. This fence by reason of its height, in excess of one metre, is a breach of planning control. The contravener has submitted this application for modifications to the existing unauthorised fence which include a reduction in height and re-alignment in order to seek to remedy the existing breach of planning control.
- 5.3 The site is located within the Cotswolds Area of Outstanding Natural Beauty and is considered to affect the setting of the Over Norton Conservation Area.
- 5.4 Prior to the erection of the fence the land adjacent to the highway was lined with mature deciduous trees and post and wire fencing.
- 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:

Impact on the Cotswolds Area of Outstanding Natural Beauty

- 5.6 In considering development proposals within the AONB the relevant policies for consideration are NE4 of the adopted Local Plan, EH1 of the emerging Local Plan and paragraph 115 of the NPPF. This policy context requires that development proposals within the Cotswolds Area of Outstanding Natural Beauty conserve and enhance the natural beauty and landscape of the countryside and that great weight should be given to these principles.
- 5.7 Prior to the construction of the fence this section of the Over Norton Road was lined with well-established mature deciduous trees and a post and wire enclosure. This provided a leafy green avenue on either side of the road between the edge of Chipping Norton and the village of Over Norton, rural in its character and appearance and forming an important landscape buffer between the two settlements.
- 5.8 The proposed close boarded fence by reason of its height (1.4m) and materials (close boarded fencing) and alignment along a significant length of the highway will appear as an alien and incongruous urbanising feature which fails to conserve and enhance the scenic beauty of this important leafy green open space between the two settlements and results in visual harm. Given that the Cotswolds Area of Outstanding Natural Beauty has the highest status of protection in relation to landscape and scenic beauty and the great weight afforded in policy terms to achieving conservation and enhancement, the proposal is considered contrary to NE4 of the adopted West Oxfordshire Local Plan, EH1 of the Emerging Local Plan and Paragraph 115 of the NPPF.

Impact on the setting of the Over Norton Conservation Areas

- 5.9 The rural tree lined corridor that forms an important open space between the town of Chipping and the village of Over Norton contributes significantly to the setting of the Over Norton Conservation Area. The policy test for development affecting the setting of any Conservation Area is that the character or appearance of the setting is not eroded by the introduction of unsympathetic development proposals. For the reasons cited above in respect of the Area of Outstanding Natural Beauty assessment, the proposed fence by reason of its adverse urbanising impact on the rural character and appearance of the important open space linking town and village will in your Officers opinion result in an unacceptable harmful erosion of the setting of the Conservation Area. Whilst this impact may be considered less than substantial there are in your Officers opinion no public benefits which outweigh this harm. Bearing in mind the above the development proposal is considered contrary to policies BE5 of the Adopted Local Plan, EH7 of the Emerging Local Plan and relevant paragraphs of the NPPF.

Impact on highway safety

- 5.10 No objections have been received from OCC Highways on highway safety grounds,

Conclusion

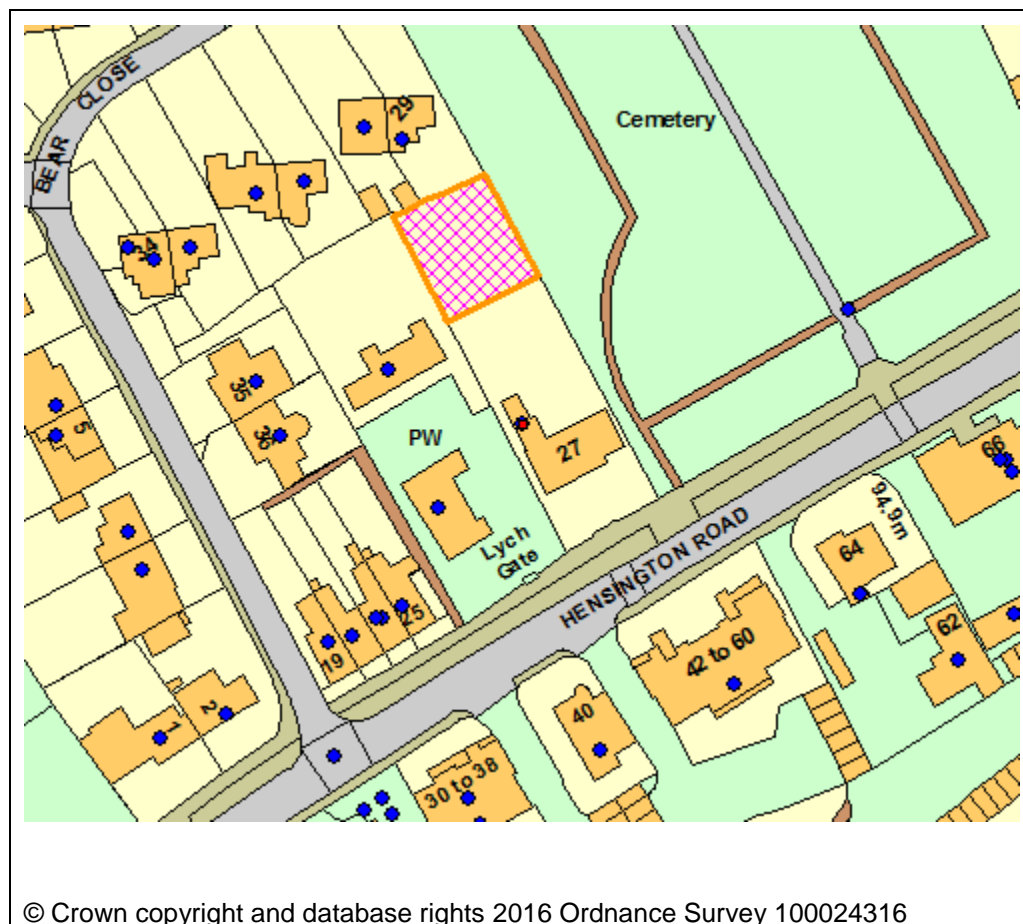
- 5.11 In light of the above planning assessment the proposed fence is considered contrary to policies NE4 and BE5 of the adopted West Oxfordshire Local Plan, EH1 and EH7 of the Emerging Local Plan and Paragraph 115 and relevant conserving and enhancing the historic environment paragraphs of the NPPF. The application is recommended for refusal accordingly.

6 REASONS FOR REFUSAL

- 1 The proposed close boarded fence by reason of its height (1.4m) and materials (close boarded fencing) and alignment along a significant length of the highway will appear as an alien and incongruous urbanising feature which fails to conserve and enhance the scenic beauty of this important leafy green open space between the two settlements and results visual harm. Given that the Cotswolds Area of Outstanding Natural Beauty has the highest status of protection in relation to landscape and scenic beauty and the great weight afforded in policy terms to achieving conservation and enhancement, the proposal is considered contrary to NE4 of the adopted West Oxfordshire Local Plan, EH1 of the Emerging Local Plan and Paragraph 115 of the NPPF.
- 2 The rural tree lined corridor that forms an important open space between the town of Chipping and the village of Over Norton contributes significantly to the setting of the Over Norton Conservation Area. The policy test for development affecting the setting of any Conservation Area is that the character or appearance of the setting is not eroded by the introduction of unsympathetic development proposals. By reason of its height, solid close boarded construction, alignment and length, the proposed fence will appear as an alien and incongruous feature in the rural street scene and have an adverse urbanising impact on the rural character and appearance of the important open space linking town and village which will result in an unacceptable harmful erosion to the setting of the Over Norton Conservation Area. There are no public benefits which outweigh this harm and as such the development proposal is considered contrary to policies BE5 of the Adopted Local Plan, EH7 of the Emerging Local Plan and relevant paragraphs of the NPPF.

Application Number	17/01937/FUL
Site Address	27 Hensington Road Woodstock Oxfordshire OX20 1JH
Date	26th July 2017
Officer	Joanna Lishman
Officer Recommendations	Approve
Parish	Woodstock Town Council
Grid Reference	444833 E 216864 N
Committee Date	7th August 2017

Location Map



Application Details:

Change of use of use from domestic to car park associated with church meeting room (amended).

Applicant Details:

Archdiocese Of Birmingham
The Presbytery
142 Oxford Road
Kidlington
OX15 1DZ

1 CONSULTATIONS

- 1.1 Town Council Woodstock Town Council wishes to object to this application under BE2, as it will intrude on homes in Bear Close.
- 1.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- No objection subject to:
- Car park specification to be submitted and approved
- G35 SUDS sustainable surface water drainage details

2 REPRESENTATIONS

- 2.1 Three neighbour objections have been received, summarised as follows:
1. Security
 2. Noise
 3. Dust/Fumes - health impacts
 4. Privacy - contrary to Human Rights Act in particular Protocol 1, Article 1 in terms of a right to the quiet enjoyment of our property.
 5. Wildlife impact - Tree removal and gravel laying prior to planning permission.
 6. Area for car park is more than 30% of the domestic garden.
 7. There is car parking 2 minutes from the site at the library.
 8. For the current usage of the hall it was considered that no more car parking would be needed.

3 APPLICANT'S CASE

- 3.1 It is likely that additional parking arrangements need to be made and the Bishops garden, next door would fulfil this requirement.
- 3.2 This application is therefore for an overflow car park.
- 3.3 30% of the Bishops garden will be lost - of no detriment to the Bishop but an enormous advantage to the local community visiting the church.
- 3.4 The proposal would require a 20m length of hedge being removed on the western boundary. The existing trees and shrubs on the northern boundary will be retained but advice is being sought from Landscape Specialists about the suitability of Conifers and Sycamores in this area and as a result of this advice trees and shrubs will be thinned - out to benefit the domestic properties to the north.

- 3.5 To preserve the outlook from the Bishops rear elevation towards the north, an earth bund is to be formed along the line x - y approx. 1.3m high with a post and rail timber fence and the new planting on top as shown on section A-A of drawing SK24.
- 3.6 Being an overflow car park, its use would be limited to the same opening hours as that already approved next door.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE18 Pollution
BE19 Noise
T4NEW Parking provision
E5NEW Local services and community facilities
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application has been brought before Members of the Uplands Committee due to neighbour concerns over the proposed car park parking and for the reason that the redevelopment of the church meeting room was presented at Committee in August 2016.
- 5.2 The applicant seeks planning permission for change of use from domestic garden to a car park associated with the Church meeting room. The car parking area has been amended through the application process to reduce the number of spaces from 14 to 7 and distance the car parking from the properties to the rear.
- 5.3 The application site comprises the garden area of the Bishops house adjacent to St Hugh of Lincoln Catholic Church and the existing car park serving the redeveloped meeting hall.
- 5.4 The site is not within the Conservation Area.

Background Information

- 5.5 Planning permission was granted in August 2016 for the redevelopment of the church meeting hall to include 19 parking spaces (ref: 16/01870/FUL).
- 5.6 Taking into account planning policy, other material considerations and the representations of interested parties, your officers are of the opinion that the key considerations of the application are:

Principle
Siting, Design and Form
Highways
Residential Amenity

Principle

- 5.8 Objections have been made to the principle of requesting additional parking prior to use of the redeveloped hall and the availability of a car parking within walking distance at the library. Your officers have considered the benefit that additional car parking would offer in vicinity, particularly in light of restricted parking in Hensington Road and Bear Close. The principle of change of use of part of the domestic garden to car park to support the use of the church meeting hall is considered acceptable on the basis that a car park would be an acceptable use in this location subject to assessment against the remaining criteria discussed below.

Siting, Design and Form

- 5.9 The proposed car park has been amended to comprise an additional 7 spaces directly behind a bund. A 7m deep turning area is provided followed by an 8m landscaped screening belt. The latter is recommended to be condition to provide a detailed planting scheme and 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.

Highways

- 5.10 Access from the highway is existing with sufficient visibility splays along Hensington Road. The Highway Officer raises no objection to the additional car parking spaces as they would not be detrimental to highway safety subject to conditions regarding the car park specification and a surface water drainage scheme.

Residential Amenity

- 5.11 Prior to the reduction in the number of space, your officers expressed concern regarding the proximity of spaces to the properties in Bear Close. The 14 space overflow car parking scheme directly behind the rear boundaries of nos. 29 and 30 Bear Close would be harmful in terms intensification of use of the site and resulting noise and disturbance from vehicular movements and overlooking of the private amenity spaces which (prior to commencement of works) benefited from the enclosure of the domestic garden and screening from trees and shrubs. Having assessed the amended 7 space scheme, officers are satisfied with the separation distance of the screening belt and turning area (8m and 7m respectively), there would be no significant harm to residential amenity over and above the relationship with car parking spaces in the existing car park. In fact the 7 proposed spaces would be located further from the rear gardens of nos.29 and 30. An approved landscaping scheme is required prior to recommencement of development.
- 5.12 With regard to security of the properties at Bear Close, the siting of the 7 spaces and subsequent planted landscape belt would not introduce a use in such close proximity to the rear gardens that would warrant refusal of the application on security grounds. The occupants of Bear Close could increase the height of their boundary treatment without the need for planning permission.
- 5.13 Objections have referred to the size of the car parking and the amount of garden taken from the Bishops House. Your officers are satisfied that sufficient private amenity space remains for the existing dwelling.

Other matters

- 5.14 Objections have referred to commencement of development in terms of tree removal and laying of gravel. The applicant was advised to cease development as the laying of hardcore would be unlawful works. The application site is not within the Conservation Area and therefore the applicant was within their rights to remove shrubs and trees on their property without consent.

Conclusion

- 5.15 On the basis of the above assessment, the proposed 7 car parking spaces is considered acceptable and is recommended for approval, subject to conditions, in accordance with the policies listed.

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 Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of 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 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.
- 4 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 recommences. 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 and to protect residential amenities of the properties on Bear Close.
- 5 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 use 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.

- 6 The car park shall not be occupied until the parking and manoeuvring areas shown on amended plan 24A; have been drained, constructed and surfaced in accordance with a detailed plan and specification that has been first submitted to and approved in writing by the Local Planning Authority. Those areas shall be retained thereafter and shall not be used for any purposes other than for the parking and manoeuvring of vehicles.

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

- 7 No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

REASON: To safeguard the character and appearance of the area.