

Appendix A

My name is Richard Holmes and I act for the Midcounties Co-operative.

Midcounties operates the main supermarket and anchor store in Chipping Norton. It has invested a significant sum in the town centre in accordance with planning policy and is one of the major employers. In 2011 NEMS conducted an exit survey and established that 50% of people shopping at the Co-op usually visited the town centre and a further 20% frequently did so.

I stress the name Midcounties because your officers and the applicant are under a misapprehension that the store is operated by the Co-operative Group which is a completely separate entity. We have made this clear in correspondence but erroneously benchmark trading figures relating to the Co-op Group have been used in the applicants' calculations. This is wrong and misleading and should not be relied upon but apparently it underpins the change of recommendation made by the Council's independent consultants.

My clients have requested that the application is deferred for the following reasons:

1. Despite asking for an independent retail assessment in February, we did not see the results of this until it was published on the website on the 14th September.
2. Earlier relevant letters from the independent consultant dating from 19th June and 24th July were not uploaded until the 14th September.
3. Relevant information referred to in the consultants' correspondence was not available and we had to ask for this.
4. We could find no documentation to substantiate the change of recommendation from your expert from the opinion expressed on the 24th July and that in their letter of the 13th September.

We have been left with little time to comment on the application nor to understand what has led the Council's consultant to have a complete change of mind on their opinion regarding impact on the town centre as we can trace no documentary evidence which substantiates the change. Consequently, my clients have made a Freedom of Information request to help us more fully understand how they have arrived at their present position.

The 2012 Retail Study confirmed that the Co-op and Sainsburys were the town's key anchors generating linked trips to the other shops. The Retail Study recommended the small additional capacity for convenience goods was best delivered in the town centre.

Subsequently, the Co-op has carried out its extension and the Aldi has been developed.

It is important that members have the correct information available to enable them to make a decision. It is also important that there is consistency in decision making. I refer to the opinion of Peter Shearman, your independent expert on the Aldi development who stressed that granting consent to Aldi would help to fend off further out of town food retail applications. This same point was also made to the Committee by Mr Shaw.

I would ask you to defer to enable all the correct facts and information to be available to the Committee before a decision is made.

2nd October 2017

Appendix B

Thank you for allowing me the opportunity to speak in support of this application.

I am Paul Brailsford, Partner at Freeths Solicitors and I act on behalf of Simons Developments. Those long serving Members will remember that it was Simons who delivered the extremely successful Marriotts Walk development in Witney - which is anchored by M&S - and which has been a success for the town.

The scheme before you today represents a £6 million investment that will bring M&S and 3 other new retailers to the town. It will create between 60 and 70 new jobs.

The application site has been vacant for over 10 years and Members have recently granted permission to McCarthy and Stone for redevelopment of land to the south.

Local people are keen to see an M&S in Chipping Norton. At the public exhibition last year 209 people commented on the proposals and 81% were in support. A further 68 people have also written direct to your Officers in support. By comparison only 6 members of the public have written to object.

Mr Holmes has spoken for the Co-Op. Their position is understandable as no retailer likes competition however it is not the role of the planning system to prevent competition. Rather the role of the planning system is to protect the vitality and viability of the town centre from significant adverse impact. Competition between retailers however is good for shoppers.

The assessment of impact is complex and it is for this reason that Officers - rather than accept our analysis - sought independent advice from Dr Stephen Norris at Carter Jonas. He is a widely respected expert who regularly advises local planning authorities on retail planning matters.

Carter Jonas have been extremely thorough in their work and requested that we complete a household telephone interview survey of 600 residents to provide detailed information about shopping patterns following the extension of the Co-Op and the opening of the Aldi. Put simply the survey identified that the food stores in the town trade very well and this perhaps also explains why the Co-Op have objected in order to protect their dominant position.

The independent advice from Carter Jonas concludes that a new M&S in Chipping Norton will not have a significant adverse impact on the town centre. Whilst the Co-Op dispute this and have raised numerous points their view is far from impartial. The reality is that the M&S will improve choice for shoppers in Chipping Norton, will clawback trade lost to other centres and result in shoppers new to the town making linked trips with the town centre.

This proposal of course also sits against the backdrop of significant residential growth in Chipping Norton with over 1,000 new homes already approved as part of 2,400 over the plan period. These new residents will support both existing shops and the new M&S.

The Officers Report presents a strong recommendation that planning permission should be granted and that is supported by impartial independent advice from Carter Jonas. There are no outstanding objections and I hope that Members will support their Officer's recommendation and resolve to grant planning permission.

Thank you for your time.

Appendix C

Regarding the the extension from my neighbours are 145, my intention would be for my neighbors application refused on the basis that the eaves do not put me back into the same position as if they had build the extension to the approved plans. I was pleased with the outcome from the last committee meeting on August but am unhappy that given the clear instructions of the the outcome from the last meeting that the planner officers has allowed them to put forward an application for consideration when what they have proposed does not meet the criteria. The fact that theybhave proposed something like this i feel the planning officer should have refused outright without the sub committee having to debate it.

I know they keep talking about how building control required more insulation by 10cm as an excuse but that is no explanation as to why they raised the height by 40cm. I think i copied you into the email I wrote to Stephanie about me remeasured the height again and i measure 3metres height vs Stephanies height)of 2.8m vs the approved height of 2.6metres. I have asked a number of time for her to attend a height measurement in order to clarify this but my emails and requests are either ignored or blown off with the explanation of the height being immaterial.

If my neighbors cannot find a way to compromise by putting me back in the same position as if they had built the extension to the approved plans (which i feel this applications does not do) then I would want to push for a refusal of this most recent application to only amend the eaves. Then later they can apply it to appeal on a planning inspectorate to justify why they did what they did with no respect for planning consent or their neighbors.

I see now on the most recent report for the meeting on the 2nd Ocotober that they have now amended the height numbers from 25cm increase down to 15 cm now (i imagine to show the immateriality). I have no idea who is checking the work of the planning officer responsible for this case but am deeply concerned on why the numbers keep lowering from the height of 3metres measured by Jane Fray (and what i confirmed yet again a few weeks ago). Stephanie has now managed to quote 3 different measurements on 3 different meetings now with thr first meeting being 25cm increase, 2nd meeting 20cm increase and the most recent report showing 15cm increase.

Also on paragraph 5.1 on page 59 that i see she has not listed out the requirements from the last meetings corrects and ommitted certain parts of the resolution from the previous minutes. Clearly that the requirement of the adjustment on the height has not been covered in this report.

I have lost faith in the planning department to carried out their roles diligently. They omit key details and requirements so that they can push their own recommendations forward. This to me is by no means an objective recommendation based on local or national planning policy by an officer.

Appendix D

The situation that we find ourselves in is not as a result of greed or trying to flout the rules in any way.

We appointed well respected local architects and builders.

Our old neighbour, who sold the house because she was downsizing following the death of her husband, often complained that because of it's orientation her house was very dark in the front rooms.

We discussed the plans with our then neighbour before they were submitted to WODC. There were no objections when the original plans were submitted.

Prior to Mr Man moving in we had cleared the site ready for the build. This included evergreens that were taller than the extension.

Mr Man purchased the property with the planning permission in place, so we would please ask that you consider whether the differences between the original plans and the extension as built fall within usual tolerances.

There appear to be three main objections to our extension as built:

1. The Ordnance Survey maps on which the original plans were based placed number 147 about 1 meter further forward than it actually is. This obviously means that the extension as built is in a slightly different position in relation to next door.

We contacted the Planning Inspectors as soon as the problem was identified. They visited the site, carefully measured the extension and assured us that it was being built within usual tolerances. We actually asked the planning officer if we should stop the build whilst the matter was dealt with but were told to continue.

2. Mr Man feels that the eaves are too large. This retrospective application attempts to address this problem by reducing the size of the eaves closest to Mr Man's property. The reduction proposed will, we believe, mean that the eaves are actually further away from the boundary than the original plans showed. We have made this offer as a gesture of goodwill as the actions of good neighbours.
3. Mr Man claims that the extension has been built 400mm higher than the original plans. However, according to the planning officers the extension is actually only 150mm (or 6 inches) higher.

In looking at all of these concerns we would emphasise that the original plans were clearly marked "Do Not Scale". Our understanding is that this is a fairly standard disclaimer on plans. If any measurements are critical to planning permission being granted they will be set out in the conditions of approval. No such conditions were imposed when our application was granted.

To put this in perspective the difference in height represents 1.5mm on the scale drawings originally submitted (at a scale of 1:100), just over a single pencil line thickness.

Appendix E

Mrs Graham outlined her opposition to the application. She suggested that the proposed annex was tantamount to the construction of a new infill dwelling in a settlement in which such development was contrary to Local Plan Policy and contended that this would set a precedent for further such development in the village.

Mrs Graham expressed concern over the potential impact of the development on the neighbouring properties and indicated that the Parish Council had raised objections to the application. She advised that she would have preferred to see an extension to the existing dwelling rather than the construction of a stand-alone dwelling and believed that it would be possible to extend the existing listed building.

Mrs Graham suggested that the annex could be used for bed and breakfast accommodation and stated that the impact of the development would continue forever.

In conclusion, Mrs Graham noted that the proposed annex was to be constructed close to the boundary and to her property and away from the applicant's home.

Committee Speech Notes for 17/01939/FUL: Monday 2/10/17

- My name is Michael Bloor, the applicant for the property, thank you for the opportunity to speak.
- I would also like to thank the case officer for the comprehensive report which fully addresses the key considerations of the application.
- I would like to outline the need for the proposal.
- As indicated in the report I have a health condition, resulting from a hospital acquired infection, which at times requires 24 hour care for short periods.
- The condition is progressive, in time the need and frequency for 24 hour care may increase.
- Our property is modest and does not have sufficient space for a 24 hour carer to live in when needed.
- We considered extending the property, however our architect advised this could not provide a practical solution without compromise to the privacy of myself or the carer.
- Extensions to the property itself would also compromise the simple vernacular form which is locally listed in the Conservation Area appraisal.
- The comments and concerns of the neighbours are noted and amendments have been made to address these comments, these include reducing the ridge height and omitting windows in the elevation closest to the neighbouring property.
- There are 2 neighbours to the North, one of these has no concerns at all about the application which they reconfirmed a few days ago.
- The proposed annexe is located about 0.6 metres from the boundary with the neighbours and about 14 metres away from the closest part of their property, which is a large modern extension.

- Between the site and the neighbours there is a high thick hedge with tall trees, and the neighbour's outbuilding ensuring that there will be no impact upon the amenity. This is also concluded by the Case Officer
- This scheme is not proposed as a new dwelling but as an annexe to our existing property to enable me to stay at home during episodes of ill health.
- On this basis, we accept the planning conditions proposed by the Case Officer, particularly that which restricts the occupancy to ancillary to the main dwelling.
- This is our only purpose for the building and such a condition causes us no concern
- I hope that you will see that we have explored all options available and proposed a building providing only the accommodation needed in a way which is both practical and appropriate to the location.

This is a small, simple, carefully designed annexe to be built of reclaimed traditional materials. It replaces a prefabricated concrete garage.

It is an attractive proposal which will complement its surroundings.

- I hope that you will be able to offer support to the application.
Thank You.

Appendix G

I am speaking today as a 25 year resident of Millwood End and on behalf of Mr & Mrs Felici and Mr & Mrs Mitchell as objectors to this application. Allow me give you some background and context.

Having acquired the land in question two years ago, last year the applicant applied for change of use from agricultural to residential on a portion of the land, specifically on the border of the Millwood End conservation area and the Cotswold AONB. This was subsequently withdrawn, as was a later application for a large 'agricultural building', presumably because the council felt unable to support these applications

This latest application is for a marginally smaller 'agricultural building' (length reduced from 60ft to 45 ft). The planning officer refers to it in her report as a 'small barn' but in my opinion and in the opinion of the parish council and other affected parties, it is an extremely large building to support around 25 sheep on a 1.8 hectare piece of land, measuring as it does **45ft long, 16.4 feet wide and 13 feet high** and situated **one metre** from the edge of the conservation area.

In addition, according to a report by Kernon's, agricultural consultants, used by WODC themselves, the building is totally unsuitable for the stated purpose of 'storing hay/straw, livestock, feed and machinery'. In Kernon's words:

'Agricultural buildings should not be allowed just because they are for agriculture. There still has to be a reasonable necessity for the building. No such argument or explanation is made in this case. There are two rooms, one at either end. Both are unusable for livestock as they have no ventilation and small doors. The southern room does have a window, but that would not provide sufficient ventilation for the housing of livestock. Accordingly whether the landowner was keeping sheep or cattle on the holding, the building could not meet any possible needs for housing such animals, even short term.'

This considered view from WODC's own agricultural experts seems to have been given no consideration at all by the planning officer and has not been commented on in the report.

Regarding the position of the building, it sits within the Cotswold AONB and **one metre** from the northern border of the Millwood End Conservation area. WODC's own 'Proposals for Preservation and Enhancement of the Conservation Area' state that '**Special care must be taken to ensure that views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed.**'

Indeed the area in question is specifically picked out on the map of the Conservation Area as having 'significant views'

I'm sure it doesn't take too much imagination to picture a building one metre from the edge of the conservation area, standing 13 feet high and 46 feet long

Thank you for your consideration in this matter. We would respectfully request that you refuse this application.

However, in the spirit of compromise and neighbourliness, we would like to say that, should the applicant apply for permission to erect a small building fit for purpose on the far side of the field, as originally advised by WODC, where it would have much less effect on the Conservation Area, we would have no objection.