

Jim Clemence, Friends of Evenlode Valley and West Oxfordshire Cotswolds
Land South of Forest Road 15/03099/FUL

Today our charity is speaking on behalf of hundreds of supporters in Charlbury and across our district to ask Committee to properly apply planning policy and law to conserve a protected landscape and heritage setting.

Charlbury has sat on the east of the Evenlode Valley since its Saxon founding. Today you're being asked to rewrite this, not to extend a boundary but to create a new residential area on the west.

You will hear that there are only good intentions behind this scheme and that there will be no follow-on development. But we have already seen the landowner's planned Enterprise Village. He knows, as do officers, that the so-called "cordon sanitaire" is just landscaping.

Previously this application appeared to be approved with a largesse contrary to the important planning principle that applicants' financial circumstances are not a consideration. You will hear again that this was the only site applicants could afford. It's cheap *because* it's not suitable for development and opens up huge potential for the landowner.

The withdrawal of the charity, the loss of commitment to dementia care, and a flawed 106 agreement should also all make you reconsider.

The agreed section 106 will allow works to start with no binding obligation on Cottsway to build out this care scheme. The isolation of this site would make independence impossible for supported living residents and create risk for any with dementia. Committee must not grant an exceptional consent to support something that is not suitable in the location and may not be delivered.

This site does not comply with emerging policy. It does not meet general development principles and blatantly does not adjoin the built-up area. The Local Plan description of Charlbury, context for that policy, is clear: this employment area is outside the built up area. This is a statement of the obvious. Your policy team claims that you *could* argue against the obvious and your plan. We challenge that but anyway committee should make a rational judgement *and* respect the plan's consultation and status. This application would be non-compliant anywhere, let alone in the AONB and setting of a Conservation Area.

Officers' failure to even represent to you the objections of the Cotswolds Conservation Board is equally indefensible and contrary to the statutory duty. Your plan says the Board's advice is invaluable. The Board has consistently objected to this application and has told you it breaches its statutory management plan which you endorsed and which is a material consideration. It is completely opposed to AONB policy to develop open countryside to meet a specialist need mainly outside the AONB.

The Council must be aware that failure to apply policy properly here will spur similar speculative applications across the district. The impact of this scheme cannot be overstated and we remain committed to opposing it.

Please consider the provided visuals alongside the officer's presentation.

Appendix B

Ms Leffman acknowledged that her comments would disappoint some local residents but, having met with the Council's Housing Officers she was aware that there was a significant shortage of affordable housing in the town. There were some 178 families on the housing waiting list who wished to be considered for properties in Charlbury and no plans to deliver affordable housing elsewhere in the town.

Whilst those currently living in the town were privileged to do so, Ms Leffman suggested that they were also under a responsibility not to preserve that privilege for themselves alone.

Ms Leffman expressed her support for the application which provided a good mix of housing and an innovative approach to meeting the needs of young dementia sufferers. As a former trustee of Youngdementia UK, she was acutely aware that there was a real need for the facilities proposed.

Ms Leffman was confident that the facility would not just become another general care home but a unique mix that could become a blueprint for similar schemes.

It was incumbent upon residents to take care of the diversity within the community. Ms Leffman indicated that she believed that the previous resolution to grant consent had been correct and requested Members to reaffirm that decision.

The Rushy Bank families have dedicated more than five years to the search for a site, and we were delighted that the area south of Forest Road emerged.

Adjoining a semi-industrial site on the town's edge, yet no further from the centre than other new developments, within reach of the school and other amenities for our kids, inconspicuous even to those few properties with line of sight and on land that has no other practical purpose, it is ideal.

It's the opportunity we've searched for to provide a settled home for our families in the town we love, and to establish a base to which a generation born and raised in the town can return.

At its best, Charlbury is a collaborative, inclusive and active community. That's no accident. It's a result of the commitment and generosity, in terms of creativity and effort as well as money, of its people. The Rushy Bank families and the project itself are perfect examples of this spirit.

In a town which has seen its share of quick buck developments, aimed to take advantage of the high prices the area attracts at the lowest cost to the developer and with no consideration for the real needs of its inhabitants, Rushy Bank is unique. It is conceived by local people, and it has the specific interests of local people in mind—and not just those who will live in it, but those who will live with it too.

It is affordable, sustainable, self-contained and unobtrusive, and will help guarantee Charlbury's future as a vibrant and diverse community for the next generation.

Presentation to Uplands Planning Committee WODC on 4 December 2017

- **YoungDementia UK Homes was set up in 2009 as the sister charity to YoungDementia UK , a Witney based charity, which delivers services to people living with young onset dementia.**
- **Our mission is to create a unique new home in Oxfordshire for 12 people with young onset dementia providing high quality, affordable, long term accommodation with the availability of 24/7 domiciliary care and support services tailored to individual needs.**
- **This will fill a gap in current service provision in Oxfordshire, creating a blueprint for assisted living within a wider community.**
- **In 2011 there were 610 people in Oxfordshire with young onset dementia, of which 157 required specialist residential placements, mostly going into older people's care homes, which are not designed to meet the specific needs of younger people with dementia.**
- **We have worked hard over 8 years to design the scheme, commissioning Oxford Architects to turn our ideas into a viable project.**
- **Our scheme has committed funding from Housing England, Oxfordshire County Council, West Oxfordshire District Council and extensive public donations.**
- **We have looked at many sites in Oxfordshire, but the generous offer of a site by the Cornbury Estate and the potential with Cottsway Housing Association to be an integral part of the Rushy Bank Partnership is the ideal opportunity to develop and realise this important project.**

230 words

HANBOROUGH PARISH COUNCIL'S SPOKEN COMMENTS ON APPLICATION No. 17/00309/FUL (OLIVERS GARAGE)

HPC considers that this brownfield site will be highly suitable for 20-25 dwellings, once it has been reclaimed from use as a garage. It is in a prominent position off Main Road and, with good building design and landscaping, has the potential to enhance the centre of Long Hanborough. It is close to our primary school, the post office, a dental surgery and bus stops.

Clearance of the site will be costly, as one would expect where concrete inspection pits, buried fuel tanks etc. are involved. That has been allowed for in the financial viability appraisal process. What has not been allowed for, because it is not a normal planning consideration, is a further cost to the land owners which arises from their having to demolish and replace three existing family homes on the site as well as the business premises. The market value of those three homes, in their present context, is low compared to prospective replacement costs.

Hence, when the planning officer consulted an independent assessor on how much of the development cost could be offset by a reduction in the amount of affordable housing WODC's formula requires, the result was worse than disappointing for the applicant. Neither the land-owning family nor their would-be builder felt able to proceed on the suggested basis of 32% being affordable homes. Further talks, which have explored the valuations in play and other factors which might extricate the parties from an impasse, have not resolved the situation.

HPC understands the predicament of both sides: an applicant perceiving the financial demands to be unviable (or at least unprofitable) and a local planning authority wary of letting exceptional treatment of this case set a precedent for others. We are not qualified to suggest a compromise on which agreement could be reached, but we are convinced that a compromise is necessary, assuming that the on-site garage business is set to end.

No village in West Oxfordshire wants a deserted garage as its centre-piece and no planning authority in the country wants to waste a brownfield site that features in its local plan, so HPC respectfully asks for a way forward that does not depend upon the vagaries that might be unleashed by refusal and appeal.

Niels Chapman (on behalf of Hanborough Parish Council)
4th December 2017

Good afternoon. My name is David Ullathorne. I am a Director of Rectory Homes. Our application proposes the redevelopment of Olivers Garage with 25 new homes. The site is allocated for housing in the emerging Local Plan but is currently in active commercial use and also has 3 houses at the rear which are not visible from the road.

The scheme offers a number of benefits to the local area in addition to improving the street scene. These include additional much needed new housing in a highly sustainable location, re-use of a brown field site, supporting the vitality of local facilities as well as a financial contribution towards affordable housing.

In summary, there are no technical objections to the scheme, it accords with local and national planning policy and has support from the Parish Council. The sole reason for the Officer's recommendation is the scheme's lack of on site affordable housing provision. If I could make it clear, that we are not anti-affordable homes and provide them on many of our other sites, as we recognise the importance of them. In this instance the only way we could provide affordable units on site, would be if the owners agreed to sell for less the existing use value or we build at a loss. Both of which are of course unfeasible. Andy will now explain the viability issues in further detail.

Oliver's Garage, Long Hanborough

Statement for Planning Committee – 4 December 2017

Our assessment of scheme viability concluded that due to the strong value of the site in its current use, the costs of remediating the site for development and the prevailing local sales values, the Proposed Scheme is not capable of delivering any affordable housing.

The Council engaged Aspinall Verdi, a firm of consultants based in Leeds, to review our analysis.

AV's report concluded that a contribution of eight affordable units, or 32% of the total on the scheme, would be viable.

Given the time available to me, I do not propose to discuss AV's analysis in detail, but comment that in my view they have not considered properly the evidence available to them, including significant local sales evidence and estate agent opinion of achievable sales values, and as a result have overstated the viability of the Proposed Scheme by around £1.5 million pounds, a considerable sum.

We cannot agree with AV's figures and should the application be refused today we would proceed to Appeal with confidence.

In an attempt to avoid Appeal, my client has offered a without prejudice sum of £150,000 towards off-site affordable provision.

The Committee report says that this would not appropriately address the matter and the sum offered would make only a "*very modest*" contribution to meeting affordable housing needs. No evidence has been provided to support this statement.

Having conducted our own research of grant funding to schemes in West Oxfordshire, an average grant rate of around £30,000 per unit has been awarded. A contribution of £150,000 would therefore be capable of funding five affordable rented units elsewhere in the District, a far from insignificant contribution.

The Proposed Scheme is of good quality, in a sustainable settlement and has the support of local people. It is deliverable.

Appendix F

Thank you for giving me the opportunity to address the Committee;

This application was deferred by the Committee in August.

At this meeting your officer had decided, on the basis of our revised plans, to support our application.

Members however resolved to defer consideration of the application pending "receipt of the heritage assessment on the adjoining site allocated in the emerging Local Plan and to enable consideration to be given to the revised plans"

Since then, 1 thing has changed, the heritage assessment has been published and contrary to your officers opinion, we feel that it adds strength to our case.

We now know that the Landscape and Heritage Assessment has endorsed the draft allocations for 570 new homes in Woodstock.

The

- 270 homes at East Woodstock
- 180 homes to the north of Banbury Road

and

- 120 homes to the north and east of Hill Rise

are considered acceptable in terms of landscape impact;

- **In respect of Hill Rise, it is important to note that access to the proposed 120 homes will be taken directly from the A44 to the north of Hill Rise;**

and

- **as acknowledged by your officer, the associated engineering works, signage and lighting will have a significant urbanising impact;**

Our proposed small 2 dwelling development:

- Is already set back from the A44 behind a substantial landscape buffer;

and

- Forms the logical compliment to the existing pattern of development.

The Heritage Statement submitted in support of this application concludes that:

- "the development does not have any impact on the significance of designated heritage assets"

and that

- "The proposed scheme replicates the land use and physical form of the existing urban setting."

Our Landscape Appraisal concludes that:

the development:

- is situated in a well concealed plot,
- will not significantly impact the local area,
- is experienced in the context of the existing modern streetscape,

and

- represents **at most** a small change to the landscape and character

Policy H2 of the emerging West Oxfordshire Local Plan states that new dwellings will be permitted at the main service centres on undeveloped land **adjoining** the built-up area where the proposed development will **help** to meet identified housing needs

and

Policy OS2 identifies that as a general principle all development should form a logical compliment to the existing scale and pattern of development and character of the area.

I would suggest that the proposed development clearly reinforces the linear form of development, replicating the existing character, and is therefore in accordance with the emerging Plan.

In conclusion

Given:

- 1) The scale of the allocations for development adjacent to this application and elsewhere in Woodstock
- 2) The fact that 2 dwellings are surely acceptable in terms of landscape impact in the context of these allocations

and

- 3) The significant urbanising impact of the access required to the Hill Rise development

it is respectfully suggested that the proposed development **will not** result in significant and demonstrable harm

and in fact will

provide an opportunity to address the local requirement for sustainable development;

As such I would respectfully suggest that planning permission should be granted.

SINGLE STOREY ANNEXE & CARPORT

The sketch drawing could be one of many suggested options.

The design is not intended to replace the submitted scheme, merely to show one example of how to accommodate the applicant's needs for a staff annexe in a less impacting way. This can easily be done without it being two storey or jammed up close to the neighbour's boundary, as there is at least 28 metres between the very end of the utility attached to the Retreat and the boundary with Court Cottage West, within which to accommodate an annexe.

KEY POINTS:

1. Similar footprint to 2 storey annexe.
2. Reduced impact in the AONB.
3. Reduced impact in the street scene.
4. Reduced impact upon neighbours.

OPTIONS SUGGESTED IN ACCOMPANYING NOTES INCLUDE:

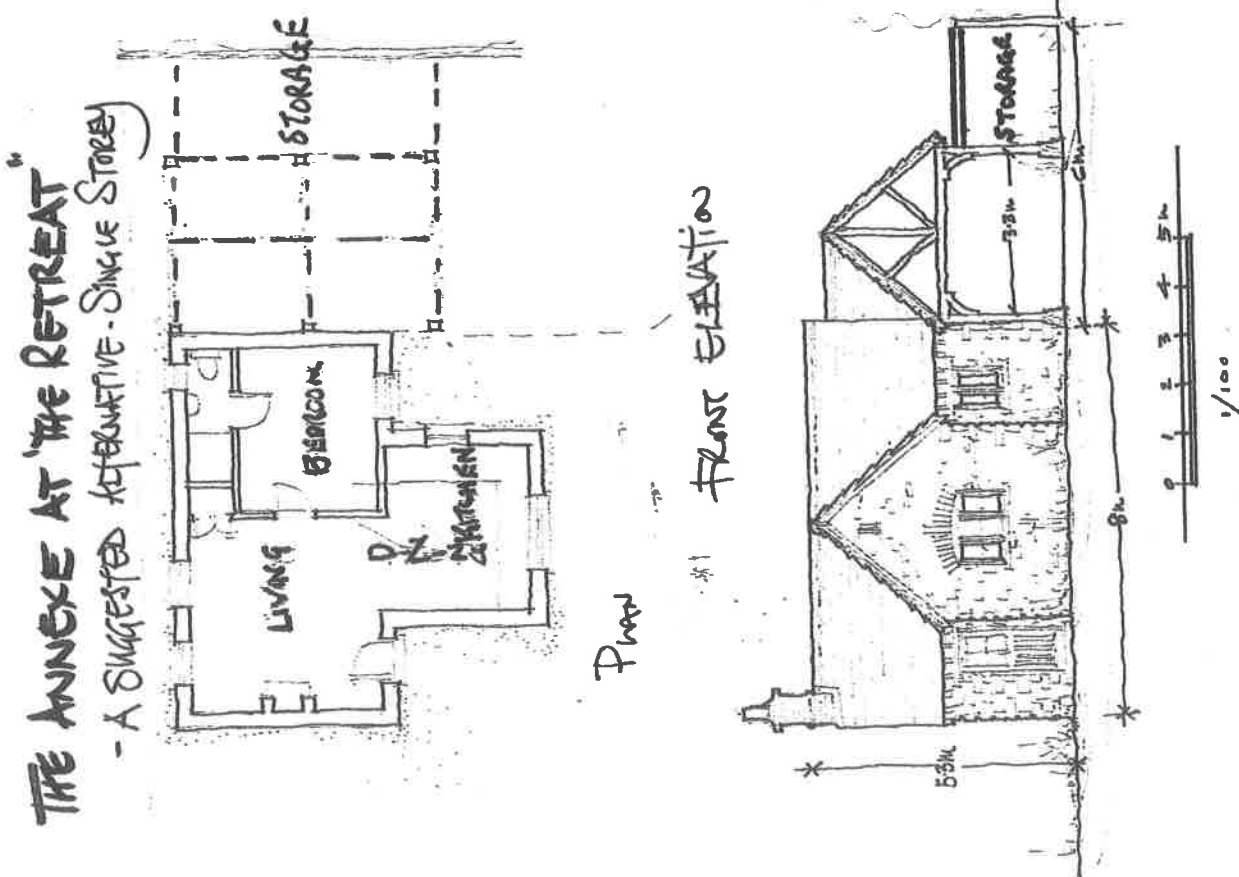
1. Attached annexe next to Utility room of The Retreat.
2. Separate Annexe in proximity to The Retreat.
3. Single storey annexe as shown.

KEY ISSUES:

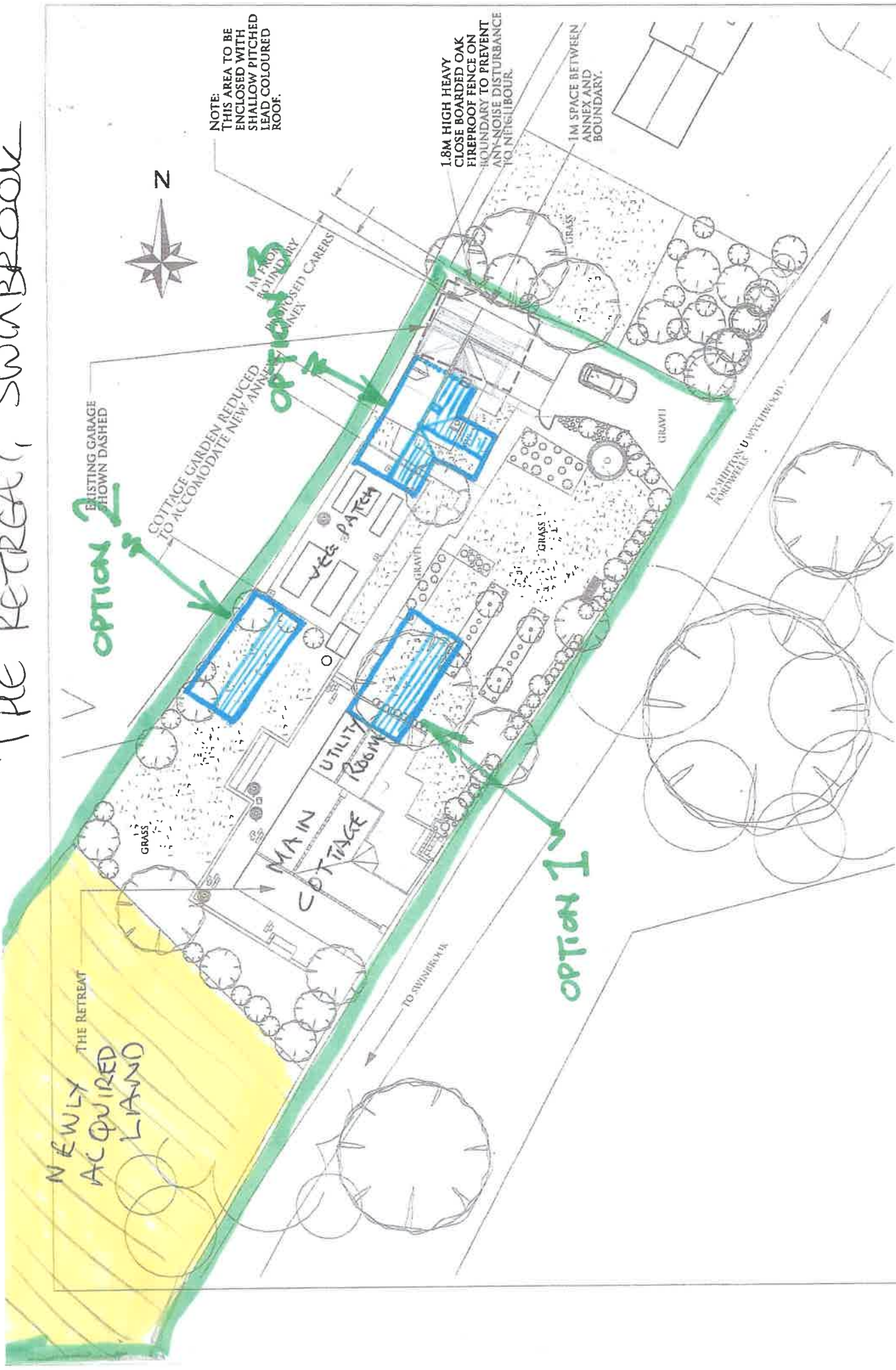
1. Planning policy requires attached annexe to be first option, unless it can be demonstrated that it cannot be provided (no proof has been forthcoming regarding this essential criteria).
2. If an attached annexe is proven to be unfeasible, then an annexe close by is the accepted alternative under current planning policy.
3. Siting the annexe some 22 metres from the dwelling house itself, in a sensitive AONB setting, is a serious planning matter, liable to cause a dangerous precedent.
4. Mitigating that impact by reducing its height from two to one storey, and siting further from the boundary, is suggested by the neighbour as a "last resort" attempt to offer a solution - this reduces impact on the AONB and the street also, without losing the applicant what he broadly wants to achieve - an annexe set away from the main house to reduce impact upon his residential amenities.

THESE DRAWINGS AND NOTES ARE PREPARED BY GRAHAM SOAME ON BEHALF OF TIM AND EILEEN GRAHAM, OWNERS AND OCCUPIERS OF THE ADJACENT DWELLING, KNOWN AS COURT COTTAGE WEST. THE INFORMATION IS INTENDED TO OFFER POSITIVE ALTERNATIVES THAT LESSEN IMPACT, WHILE ACHIEVING WHAT THE APPLICANT SEEKS.

29/11/2017



THE RETREAT, SWANBROOK



NOTE: THIS AREA TO BE ENCLOSED WITH SHALLOW PITCHED LEAD COLOURED ROOF.

1.8M HIGH HEAVY CLOSE BOARDED OAK FIREPROOF FENCE ON BOUNDARY TO PREVENT ANY-NOISE DISTURBANCE TO NEIGHBOUR.

1M SPACE BETWEEN ANNEX AND BOUNDARY.

NEWLY ACQUIRED LAND

OPTION 2

OPTION 3

OPTION 1

A3 SHEET	Scale Bar 0m 2 4 6 8 10m	CARERS ANNEX THE RETREAT SWANBROOK 0X18 4EE	MICHAEL BLOOR	PROPOSED SITE PLAN 1:200	OLIVER & RODERICK BRIDGE ARCHITECTS 01 2088
	<small> CONSULTING ARCHITECTS 100, SOUTHAMPTON ROAD, SOUTHAMPTON, SO9 4NU TEL: 01703 593939 FAX: 01703 593940 WWW.OLIVERANDRODERICKBRIDGEARCHITECTS.CO.UK </small>				

Committee Speech Notes for 17/01939/FUL – 4 December Committee

- My name is Dawn Brodie and I act as planning consultant for the applicants at The Retreat Swinbrook. My client has made two previous presentations to Members in relation to this scheme and Members have undertaken a site visit to consider the development on site.
- The provision of an annexe for occupation as ancillary to a residential property is allowed by policy where it is demonstrated that the accommodation cannot be provided in any other way. This matter has been discussed with your officers and this is the only suitable way of providing the accommodation required.
- It has further been demonstrated that there is a need for this accommodation. As clarified by my client in an earlier meeting ongoing care and assistance can be required for periods of around five weeks at any one time.
- The proposed annexe has been amended in various ways in which to help address the concerns of the neighbouring property. The windows facing the neighbouring property have been omitted and the rear storage area has been enclosed in direct response to their comments.
- In addition, the height of the building was reduced with the main building now sitting at 5.8 Metres in height and the car port sitting at 5.1 metres in height.
- The building has also been moved away from the boundary. At its closest point the building will now sit 1 metre away however, due to the nature of the boundary, at points the building will sit around 1.4 metres away. This means that the ridge height of 5.8 metres will now sit around 17 metres away from the side elevation of the neighbouring property.
- The building will be visible to the neighbours however being visible does not equate to harm and, taking even the simple 45 degree rule for overshadowing demonstrates that the scheme would not result in a harmful loss of light. There is also hedging a trees between the application site and the neighbouring properties.
- I re-iterate that this scheme is not proposed as a new dwelling but as an annexe to the existing dwelling to enable my client's illness to be treated at home. We therefore accept the planning conditions proposed by the Case Officer, particularly that which restricts the occupancy to ancillary to the main dwelling.
- I hope that you will see that we have explored all options available and proposed a building which endeavours to address the concerns of neighbours.
- I hope that you will now be able to offer support to the application.

Good afternoon

My name is Andrew Smith and I'm the planning consultant for Mactaggart and Mickel Homes England.

M&M are a family owned housebuilding company, formed in Scotland in 1925. The company has been building houses for over 90 years.

The Milton Under Wychwood site will be a significant milestone for the company, because it is its first time will M&M build houses in England.

The company holds the prestigious 5-star Customer Service accolade awarded by the Home Builders Federation and was a founding partner in the delivery of athlete's village for the Glasgow Commonwealth Games.

Turning to the site itself..... The proposals before you today are the result of a significant and genuine process which takes the parameters set by the outline planning permission granted at appeal in 2016.

A key component of this was a public presentation in August which was well attended by approximately 100 people. Topics included:

- Drainage – the original scheme proposed an infiltration solution. Onsite testing revealed the underlying soil to be unsuitable for this, so a balancing pond has been incorporated into the design.
- Ecology – the badger setts are being retained within green areas, predominantly perimeter landscaping. The scheme also includes the provision of an off-site ecology area of 3.3 acres.
- Chimneys – every house proposed includes a chimney.
- Construction traffic – there wasn't a condition requiring the submission of a construction traffic management plan attached to the outline, so M&M welcome the condition proposed regarding this.
- Affordable Housing – 50% of units (31) are to be affordable. These are spread across the site and in design terms, are indistinguishable from the

private units. There is a good mix of affordable units:

8	2 Bed Apartment
13	2 Bed Houses
10	3 Bed Houses

- Pedestrian Access – the pedestrian access in the North East corner includes a dropped kerb, tactile paving and a pedestrian barrier to enable pedestrians to safely cross the High Street.
- Boundary treatments - the site is within the Cotswolds AONB and the proposals for perimeter tree belts and landscaping will screen the new homes from the wider AONB and provide an attractive setting within the site itself.
- Frontage onto High Street – the houses facing the High Street are set back by over 15 metres. The existing dry-stone wall is to be refurbished as part of the scheme.
- Materials – The proposals are a mix of reconstituted stone, render and buff brick. M&M are keen to ensure that the design is not compromised by the excessive use of one single material, which can be quite stark and prevents the creation of different places within the overall scheme.
- The thatched cottage at the entrance. M&M recognise that Milton Under Wychwood doesn't contain thatch, but remain keen to create a feature which positively enhances the area's character. This has been done in accordance with West Oxfordshire's Design Guide which acknowledges thatch as being a suitable material in limestone wold villages and further states that:

Larger developments offer far greater potential for the creation of distinctive and characterful new places – rather than simply additions to existing places...

In summary, the proposals before you for determination today are for a high-quality scheme which has been refined through the course of this application and meets the requirements of *all* regulatory bodies.

M&M's ambition is for the scheme to provide a genuine positive legacy to Milton Under Wychwood, in terms of the quality of design, specification and construction of 62 new homes.

Approval of this reserved matters application today would see construction commence during 2018 and enables the new homes to be delivered by M&M within the next two years.

Thankyou

Thank you Chairman and Members of the Committee for allowing me to speak in support of this application.

My name is Aiden Murray – and I represent JLL – agents to the applicant and I speak in support of the application.

The site has an extant consent for 7x 2 bed flats (approved in August 2017). The application before you proposes minor amendments to improve the design. The proposal allows for changes to openings, materials, bike store and the internal layout of the scheme. The list of amendments are listed within the application pack at paragraph 5.8.

The proposed design amendments have been assessed by officers and are considered acceptable.

The main issue on this application related to the loss of the communal amenity space to the rear of the proposed development. Following discussions with planning officers, an amended ground floor plan was submitted which showed retained the communal area to the rear, as per the extant permission. This was welcomed by officers and duly addressed their concerns and resulted in the refusal reason to be removed and for the scheme to be recommended for approval.

The proposed changes therefore are deemed to comply with policies BE2, BE5 and BE8 of the local plan and should therefore be recommended for approval.

Thank you Chairman, Members of the Committee for allowing me to speak in support of this application.

I represent JLL – agents to the applicant and I speak in support of the application.

The application before you is for a variation of the approved plans of planning application 16/04255/FUL to facilitate the approved minor amendments, the installation of projecting balconies to provide useable private amenity space for future residents, and an improved fenestration strategy to the front elevation.

As members will note, the site has a long planning history. An application for 4 dwellings was refused on this site with officers citing a lack of amenity space as one of the refusal reasons. A revised application for 7x 2 bed apartments was approved in August 2017 with the pre-commencement conditions currently being discharged. It is envisaged that works will commence on site in January 2018.

The application has been the subject of considerable discussions with planning officers. The main issues concerned are the installation of projecting balconies which seeks to provide some private amenity space and the fenestration strategy on the front elevation.

As members will note from the plans, flats 6&7 will benefit from an inset balcony which will provide 8.5sqm of additional amenity space. The inset nature of the balconies means that the flat will not result in an increase footprint.

Flats 3&5 will be served with an additional 4sqm of amenity space. These inclusion of the balconies reflect market trends and ensures that the flats have some form of private amenity space.

It is considered that the proposed balconies help to ensure that the future residents of this development will have additional amenity space, something which the approved application lacked.

The remaining flats all have the benefit of the communal space located to the rear of the development.

The applicant has also taken the comments received from officers regarding the fenestration of the front elevation and has revised the application to reduce the quantum of glazing. This has resulted in a simplified fenestration strategy which respects the conservation area while creating a contemporary feel, while ensuring the interior of the flats benefit from natural light.

It is noted that the use of glazing within conservation areas is a common approach being used throughout the county to respect and enhance conservation areas and the Cotswold AONB. Examples include The Crescent – Banbury Road, North Oxford, Warwick Hall Community Centre,

which is also located within Burford Conservation Area and the Pegaus Life Development in Steepleton.

Members will note that the applicants have worked hard over the past 12 months to create a sustainable development within Burford which will provide 7 additional dwellings within the district. The proposed changes seek to create a contemporary styled development which respects and enhances the conservation area, while adding personal amenity space for the future residents to enjoy.

The proposed changes therefore are deemed to comply with policies BE2, BE5 and H3 of the adopted local plan and should therefore be recommended for approval.

Committee Speech notes – Gas Lane, Shipton under Wychwood (17/03507/FUL) – 04/12/2017

- My name is Dawn Brodie and I act as the planning consultant for this application. I thank Members for the opportunity to address you at today's meeting.
- We hope that the site visit and the marking out of the proposed properties was useful.
- The application seeks planning permission for the erection of two small dwellings.
- The site has previously been granted planning permission for the erection of a single dwelling.
- The scheme before you was submitted following pre-application discussions with Council Officers and the scheme has been adapted and amended in line with their comments.
- The proposed development provides the opportunity to provide an additional dwelling in a sustainable location.
- We support the conclusions drawn in the officer's report in relation to the principle and impact of the development.
- The comments of neighbouring properties in relation to the design and form of the buildings are noted however, the scheme has been developed to align with the comments of the Local Planning Authority.
- The comments regarding the outlook from neighbouring properties is also noted however, it is not the purpose of the planning system to protect private views over third part land.
- No additional trees are proposed to be lost over and above those already consented for removal.
- The Council has identified the area of land to the rear of the site and has requested that the applicant enter into a Unilateral Undertaking for the future management of this land. It is suggested that this could reasonably be dealt with by planning condition however, on the basis that the Council are requesting a UU to deal with the matter I can confirm that the applicant would be happy to enter into such an agreement.
- We hope that, on the basis of the UU, Members are able to support the officer's recommendation of approval.

Committee Speech notes – Highfields, Milton under Wychwood (17/03078/FUL) – 04/12/2017

- My name is Dawn Brodie and I act as the planning consultant for this application. I thank Members for the opportunity to address you at today's meeting.
- The application proposes five dwellings however, four of the dwellings have previously been approved by the District Council.
- The fifth dwelling is proposed on an area of previously developed land which sits to the north of the approved scheme. The land has a stable block on it and external storage has taken place on the land some time.
- The Council cannot demonstrate a five year land supply and as such the presumption in favour of sustainable development applies. Notwithstanding this the emerging policy supports the provision of dwellings on previously developed land adjoining the built up area provided it is not of high environmental quality.
- As noted the land is used as a storage area and currently has a single storey stable block on it. ^{as shown in the c} the land therefore does not have a 'rural' character as suggested ⁱⁿ by the planning officer's report.
- The Landscape and Visual Impact Assessment submitted with the scheme identifies only glimpsed views of the site can be achieved from public footpaths and that there are no longer distance views. This disproves the contention that the site is 'highly prominent' in the AONB.
- The provision of an appropriately designed dwelling on this land would provide the opportunity for containment of the land and would read as a dwelling in the context of a number of other dwellings which can also be seen in the 'glimpsed' views of the application site.
- We do not contest the Council Officers conclusion that the new dwelling will change the character of this land however, the impacts upon the wider AONB or views within it are limited as set out by the LVIA submitted in support of the application.
- The visibility of a scheme does not make it harmful and as such it is considered that the benefits which could be achieved through the provision of a carefully designed single store dwelling with associated, contained, curtilage would have the benefit of providing additional screening to the currently, largely open rear boundaries of the properties on Church Road.
- In all other regards, the conclusions of the officer are supported.

The neighbour's properties curtilage extends across the northern site

- Overall, it is considered that the proposal represents an opportunity to provide a new dwelling in an appropriate location which would not give rise to harm to the character or purpose of protecting the intrinsic qualities of the wider AONB.
- The scheme is supported by Local Residents and the Parish Council and as such, it is respectfully requested that Members offer their support to the proposed scheme.
- Thank you.

Subhash Chavda
Bay Tree House
Cleveley road
Enstone
Chipping Norton
OX7 4LW

1st December 2017

Dear Mr Chairman and Members of the Sub-Committee,

Re: Application number 17/03553/S73

My wife and I have applied for the removal of condition 8 of the planning permission 14/0686/P/FP. This was the planning application from the builder who built the house we subsequently bought and are the first owners of the property.

When we bought the house it was our intention to retain the trees, although we didn't at that point know of the restriction as the solicitor we used for the purchase failed to pick up that there was a condition requiring us to keep the trees.

Once we moved in, it became apparent that there was an issue with the amount of light falling into the garden due to the high wall/fence combination and the trees. Again with a view to trying to keep the trees we paid for some work to thin the trees to get more light into the garden which would enable us to plant shrubs and flowers which would thrive. The other reason for the thinning was that Sycamore trees 'rain' a sticky sap which was creating maintenance issues and meant we could not put washing out to dry.

When the thinning work was being carried out the split in the tree in the garden was noticed and at this point we became very concerned with the possibility of the tree falling on the house, especially as it is in line with our bedroom.

To mitigate the impact of the potential of the trees being removed, I have had a meeting with Mr Osenton and Mr Hemmings of the Highways department to gain permission to plant a tree on the grass verge outside our boundary. Due to their concerns on visibility, this was declined.

When the Arboricultural Report was prepared we were okay with the possibility of planting a tree in our garden. Subsequent to the report, we found our neighbour at the back had permission to erect a fence which from our garden level will be approximately 12 foot high which will place a lot of the garden in shadow and this is in the planting area.

So in summary, to the south-west of the garden we will have a 12 foot high fence, to the west we have a 10 foot wall/fence and to the east we have the house. With a small garden, the amount of light will be challenging to say the least for any gardener.

Below are photos to show and help explain the situation.