

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 3rd April 2018

**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

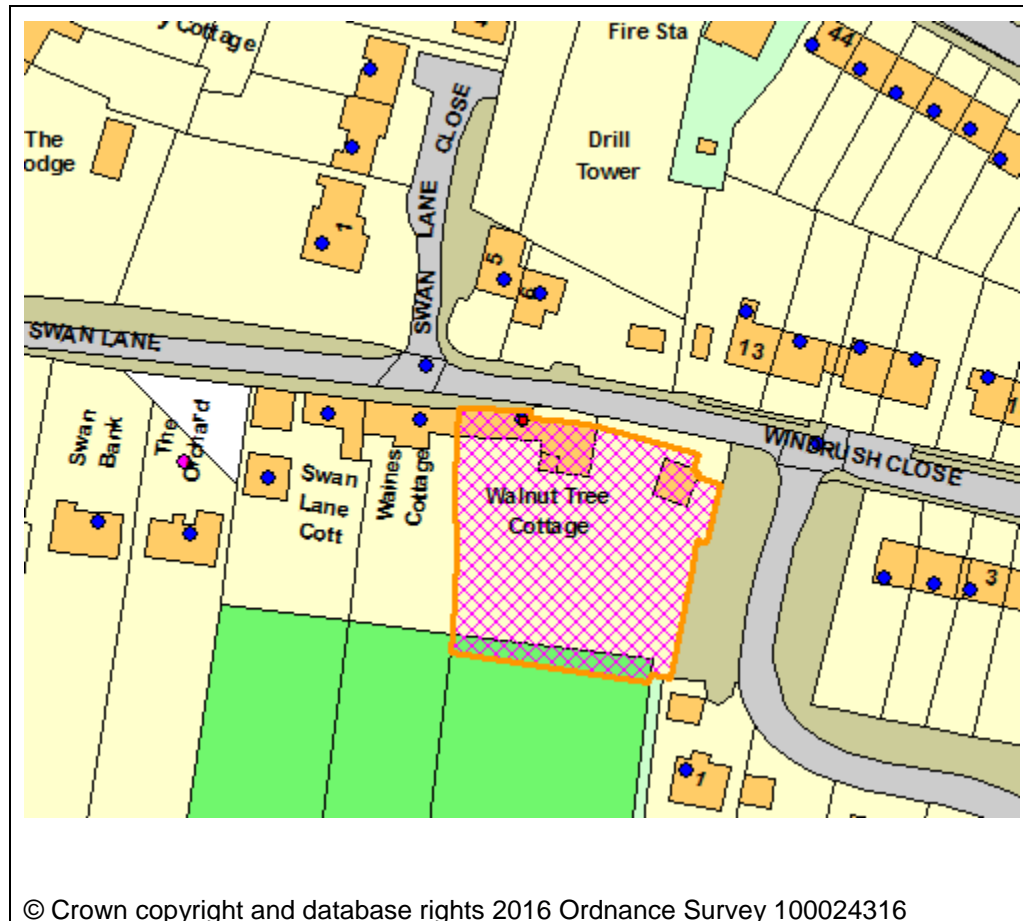
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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	17/03151/FUL
Site Address	Walnut Tree Cottage Swan Lane Burford Oxfordshire OX18 4SH
Date	20th March 2018
Officer	Joanna Lishman
Officer Recommendations	Provisional Approval
Parish	Burford Town Council
Grid Reference	425339 E 212022 N
Committee Date	3rd April 2018

Location Map



Application Details:

Subdivision and erection of two storey extensions to create two dwellings.

Applicant Details:
Mrs Nicola Ledingham
Walnut Tree Cottage
Swan Lane
Burford
Oxfordshire
OX18 4SH

I CONSULTATIONS

- I.1 WODC Landscape And Forestry Officer Details will be required showing how the proposed access is to be constructed without affecting existing trees to be retained. I think this information was submitted with the application for development at the rear of the property but it will need to be tied to this one and implementation will need to be in accordance with the report and conditioned accordingly should pp be granted.
- Similarly, the current proposals for additional parking should be informed by the tree report accompanying the previous application. This identified certain trees to be of higher value (such as the larch 27) and the aim should be to retain these and design a layout to avoid harm and future management and maintenance problems. Cars parked beneath larch trees can be particularly messy.
- Root protection zones can be calculated from the data in the tree report and this information should be shown on the drawings, together with measures for protection during the course of works.
- I.2 ERS Env Health - Uplands No objections and no conditions for this application.
- I.3 OCC Highways No objection subject to condition.
- I.4 Town Council Burford Town Council
1. There are objections to the clearing of so many trees.
2. Velux window to the front of the property is unnecessary.
3. Since this application is only the first stage of a much larger project the application should be considered in that context.
4. We request and advise a site visit.
5. The building to the rear of two houses - we are opposed to. It is overdevelopment of this piece of land and this infilling should be prevented before all our green spaces disappear. Parking will without doubt be an issue on this narrow lane, despite plans to address this.
- I.5 Biodiversity Officer Awaiting the submission of further information.

2 REPRESENTATIONS

- 2.1 One neighbour objection has been received on the following grounds:

1. Limited parking and would result in further restrictions for vehicular access along the road.
2. Further extensions would affect the character and appearance, resulting in a cramped development in the Conservation Area.
3. Includes further tree loss of the natural boundary between the site and Orchard Rise. Further tree loss in the town is to be avoided as they help to reduce the spillage of pollution from the A40 and High Street.

3 APPLICANT'S CASE

- 3.1 A Design and Access Statement and Tree Report were submitted in support of the application and are available to view online.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
NE6 Retention of Trees, Woodlands and Hedgerows
T1 Traffic Generation
T2 Pedestrian and Cycle Facilities
H2 General residential development standards
H7 Service centres
H8 Sub-division of existing dwellings
NE4 Cotswolds Area of Outstanding Natural Beauty
OS2NEW Locating development in the right places
OS4NEW High quality design
EH1NEW Landscape character
EH7NEW Historic Environment
T4NEW Parking provision
H6NEW Existing housing
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for the subdivision and erection of two storey extensions to create two dwellings.

Background Information

- 5.2 This application is to be heard before the Uplands Committee as the Town Council objects to the proposed development. It is noted that the Town Council refers to the infilling of the site with the development of 2 dwellings to the rear. The comments infer that the plans may not have been correctly interpreted prior to the consultation response.
- 5.3 The application site consists of an unlisted terraced cottage residential dwelling located within a large plot of land to the south of Swan Lane and to the west of Orchard Close in Burford. It is within the Conservation Area and Cotswold AONB.
- 5.4 An application for the erection of a four bed dwelling with associated works on land to the rear has been approved in July 2016 (ref: 16/01948/FUL).

- 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:

Principle of development
Impact on the AONB
Siting Design and Form
Heritage
Residential Amenities
Highways
Drainage
Trees
Ecology

Principle of development

- 5.6 In terms of five-year housing land supply, the Council's most recent position statement (May 2017) suggests the Council is able to demonstrate a five-year housing land supply with anticipated delivery of 5,258 new homes in the 5-year period 1st April 2017 - 31st March 2022.
- 5.7 The issue of five-year housing land supply was debated at length through the Local Plan examination hearings in 2017 and on 16 January 2018 the Local Plan Inspector wrote to the Council setting out his thoughts on the Local Plan. Importantly there is nothing in his letter to suggest that the Council is unable to demonstrate a five-year housing land supply. This is a key component of 'soundness' and if the Inspector had any concerns in this regard it is reasonable to suggest that he would have set those out.
- 5.8 On this basis it is considered that the Council is able to demonstrate a five year housing land supply albeit this cannot be confirmed with absolute certainty until the Local Plan Inspector's Final Report is received and the draft Local Plan 2031 is adopted.
- 5.9 Given the current position it is considered appropriate to continue to adopt a precautionary approach in relation to residential proposals and apply the 'tilted balance' set out in paragraph 14 of the NPPF whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in this Framework indicate development should be restricted (SSSI, AONB etc.).
- 5.10 Depending on the timing of any application submission it may well be that the Council is more able to definitively demonstrate a five year supply at the point of determination and as such paragraph 14 of the NPPF would no longer be engaged.
- 5.11 Burford is classed a service centre for the purposes of the housing policies of the adopted and emerging Local Plan. Subdivision of existing dwellings within service centres are generally considered acceptable providing the resulting development will respect the character of the surrounding area and will not unacceptably affect the environment of people living in or visiting that area.

- 5.12 Based on both the adopted Local Plan Policy H8 and emerging Local Plan Policy H6, the principle of subdividing the existing dwelling in the location proposed is considered acceptable.

Impact on the AONB

- 5.13 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 comprises two relatively modest extensions and a driveway to the rear of the properties. Officers are of the view that the proposal would not be harmful to the wider AONB when seen in the context of the existing residential area.

Siting, Design and Form

- 5.14 Both properties are proposed to have three bedrooms. The proposed pitch roof extensions to the rear of each of the dwellings are both two storey with materials to match. For cottage 1, the extension forms a dining room and staircase with the landing and bedroom 2 above. For Cottage 2, the extension forms a study with bedroom 3 above. In terms of scale, form and siting, whilst the original dwelling will increase significantly, the rear elements remain subservient and would not be harmful to the character and appearance of the original cottage in the formation of two separate dwellings.
- 5.15 The Town Council has objected to the proposal on the grounds of the conservation rooflight on the front elevation. The property is not listed and there are other examples in the streetscene of rooflights on front roof slopes. Officers do not consider that this feature would warrant refusal of the application.

Heritage

- 5.16 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. Further the paragraphs of section 12 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this regard the proposed extensions to the rear of the property would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. As with the approved application, the Conservation Officer considers the driveway would not cause detrimental harm to the settlement pattern and character and appearance of the Conservation Area when seen in the context of the existing residential area. The proposals are therefore considered to preserve the character of the the local area and the development would comply with policies BE2 and BE5 of the adopted Local Plan and EH7 and OS4 of the emerging Local Plan and relevant paragraphs of the NPPF.

Residential Amenities

- 5.17 The rear extension of Cottage 1 is located 5.8m from the neighbouring boundary at its closest point. There are no proposed windows facing the adjoining cottage. With a south facing rear elevation, officers consider that the proposed extensions would not be detrimental to the residential amenity of the neighbouring occupants by way of loss of light, overlooking or appearing overbearing.

- 5.18 Each dwelling has sufficient provision of private amenity space. The proposals are therefore considered to comply with policies BE2 and H2 of the adopted plan and OS4 and H6 of the emerging plan.

Highways

- 5.19 The access to the rear parking area for two cars for each property, uses the access approved under the dwelling scheme permitted in July 2016. No further trees are required for removal along the access and car parking arrangement over and above those already approved for removal.
- 5.20 The Highway Officer is satisfied with the details proposed and would not be harmful to highway safety. Car parking for the site is in accordance with the maximum car parking standards and a number of conditions relating to the access are proposed. For the most part these replicate the conditions on the 2016 consent ref: 16/01948/FUL.

Trees

- 5.21 The Town Council expressed concerns regarding the removal of so many trees. The application has been amended and the car parking relocated to the southern side of the driveway to avoid removal of the larch and pine. In terms of trees to be removed, particularly along the eastern side of the access, these are predominantly Leylandii Cypress and three other trees which are of low quality and value, one moderate quality Norway Maple and a poor quality Sycamore. These trees were approved for removal as part of the July 2016 application. A Cherry tree and Japanese Maple are proposed to be removed in the vicinity of the extensions. Given their location close to the existing dwelling, they do not offer significant landscape value in the wider Conservation Area or AONB. The proposals are therefore considered to be in accordance with policies NE6 and EH1 of the adopted and emerging local plans.

Ecology

- 5.22 The Ecology survey carried out for the approved scheme incorporating the driveway has been requested and it is likely that the Ecologist will recommend a condition along the same lines as Condition 3 of the approved application ref: 16/01948/FUL. The recommendation is for provisional approval subject to this matter being resolved.

Conclusion

- 5.23 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits, subject to the outstanding ecology matters being resolved and therefore recommend provisional approval, or in the event the matter is not resolved prior to committee request delegated authority to approve.

6 CONDITIONS

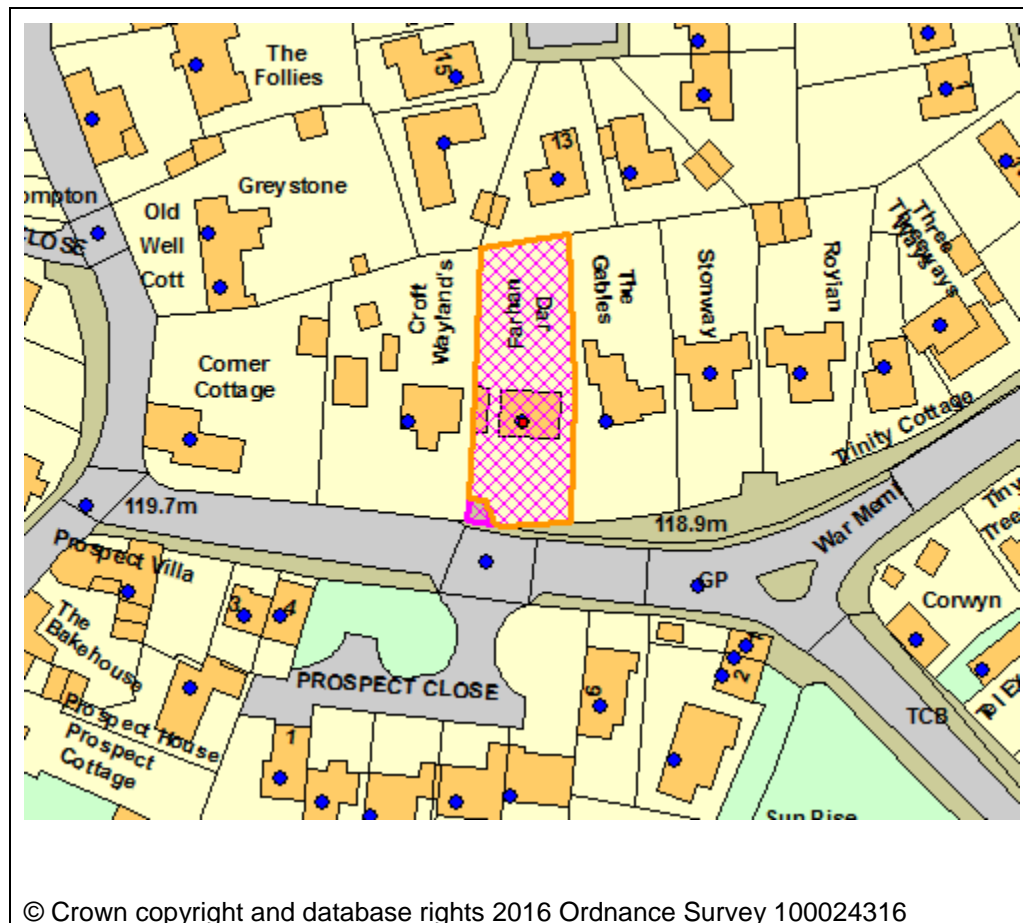
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That 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 All of the development works must be carried out as per the recommendations in Section 9 of the Preliminary Ecological Appraisal (Landscape Planning Ltd July 15). All mitigation and enhancement works must be completed before the new dwelling and driveway are first brought into use and all enhancements must be permanently maintained thereafter.
REASON: To ensure that birds & bats and their roosts are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, in line with the National Planning Policy Framework (in particular section 11), West Oxfordshire District Local Plan Policies including EH2 and saved policy NE13 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 4 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.
- 5 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained, with vision splays of 2.0 x 43m, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 6 No dwelling shall be occupied until the parking area and driveways have been 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 highway to the detriment of road safety.
- 7 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan 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. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 30% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

- 8 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.
- 9 Unless the Local Planning Authority gives written authority to any variation, all trees on the land not shown to be affected by building operations, shall be retained and any trees which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species.
REASON: To ensure the retention of existing trees on the site which contribute to the amenities of the locality.
- 10 All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of the building or completion of the development, whichever is the sooner; and any trees or plants, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: To ensure that the approved landscaping features are properly implemented.
- 11 No development, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV The erection and maintenance of security hoarding including decorative displays
 - V Wheel washing facilities
 - VI Measures to control the emission of dust and dirt during construction
 - VII A scheme for recycling/disposing of waste resulting from demolition and construction works.
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.
- 12 The development shall be carried out in accordance with the Arboricultural Impact Assessment dated 17th July 2016 by Landscape Planning Ltd, including all recommended tree protection measures. The tree protection fencing shall be erected prior to the commencement of development and retained until the completion of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: To safeguard features that contribute to the character and appearance of the area.

Application Number	I7/03191/FUL
Site Address	Old Orchard Woodstock Road Stonesfield Witney Oxfordshire OX29 8QA
Date	20th March 2018
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Stonesfield Parish Council
Grid Reference	439512 E 217210 N
Committee Date	3rd April 2018

Location Map



Application Details:

Demolition of existing dormer bungalow and replace with new zero energy dwelling.

Applicant Details:

Mr David Rollinson
Old Orchard
Woodstock Road
STONESFIELD
OX29 8QA

I CONSULTATIONS

- I.1 Parish Council No Objection.
- I.2 ERS Env. Consultation Sites
There are a number of historical mine shafts in the vicinity of the development site, but none appear to be within the site boundaries. They are seen on the historical map dating from 1875 - 1887 but are not shown on the 1899 - 1905 map and may have been in filled at this time. There is potential for spoil material to be present on the development site and the documents submitted with the application suggest there is currently a heating oil tank present on site, as such please consider adding the following condition to any grant of permission.

I. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary, a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure any contamination of the site is identified and appropriately remediated.
Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF.
- I.3 ERS Env Health - Uplands I have no objections and no conditions for this application.
- I.4 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.

We would like to see the form of soakaway proposed as either cellular or perforated manhole chambers, as appose to rubble filled. This is for the long term efficiency of the soakaway and ease of maintenance as of when 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.

- 1.5 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.

2 REPRESENTATIONS

- 2.1 Mr McShane commented that he supported the proposed development but raised concerns about how long the demolition would take and how much dust would be created.
- 2.2 Mrs Dixon commented with regard to the amended plans received 30/01/2018, the comments are summarised below:
- The amended plans show an extension which extends significantly beyond the existing building line.
 - The extension would overshadow a significant area and would block out existing sunshine. The extension will dominate the rear garden in the way that the current dwelling or previous proposals would not.
 - It may be possible that the applicants would add roof lights to the side elevation of the extension which would result in overlooking.
 - A flat roofed extension would be preferable.

3 APPLICANT'S CASE

- 3.1 The new house design looks to reduce all areas of the ecological footprint of the occupiers by providing convenient and amenable energy efficient facilities for living, working, growing and storing food, and avoiding the need for travel. The plan of the new house has two distinct areas linked by a small external courtyard. The front single storey part of the house contains the entrance hall, bicycle store and two home work studios for the occupants. It also provides a location for home batteries, electric car charging and access to log storage. The rear two storey part of the house provides a large open plan kitchen/dining/day living room that links both to a South facing sunspace and courtyard, and the rear garden. Additionally there is a more intimate sitting room that can be closed off from the main space via two pocket sliding doors.
- 3.2 The new house will be a highly sustainable exemplary design.
- The visual impact will be an improvement, as the design will use local and natural materials.
 - It will be of a suitable scale and appearance, designed for 21st Century living.
 - The house will be more suitable in scale for the size of the plot.
 - Access to the road already exists.
 - Sustainable rural economic activity will be maintained/improved as the house will include home offices for working from home, reducing car miles.
 - Vitality of the village maintained by the potential for home working.

- The house will be designed following Passivhaus principles, with the aim of being Zero Carbon (EPC >92/CO₂>100).
- The new roof will have integrated solar panels whereas the existing is not optimal for renewables due to dormers.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

BE5 Conservation Areas

H2 General residential development standards

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning approval for the demolition of an existing 1.5 storey property and the erection of a two storey replacement dwelling. The existing property is a dormer bungalow located close to the centre of Stonesfield. The property is located within the Conservation Area, although the adjacent properties and properties in the immediate area comprise mainly of 20th Century non-vernacular rendered dwellings.
- 5.2 The application proposes a two storey dwelling, which would be contemporary in its form and design characteristics, although the building would be constructed from coursed natural stone with a replica Cotswold stone slate roof. It is proposed that the replacement dwelling would be built to a zero-energy standard.
- 5.3 This application was deferred from the planning committee meeting held in January 2018 to enable members to carry out a site visit, prior to the committee meeting held on 5th February a set of amended plans were received (dated 30th January). The amended plans included significant amendments to the design of the proposed dwelling, including amendments to the design of the front single storey projection and the form of this element. To mitigate for the loss of floor space, by reason of the reduction in the scale of the single storey projection, the amended plans included the addition of a rear single storey projecting element close to the boundary of the adjacent property to the east known as The Gables.
- 5.4 At the committee meeting held on 5th February members resolved to grant planning approval for the amended plans, subject to re-consultation being carried out and subject to no significant concerns being raised following re-consultation. Following the re-consultation, concerns were raised by occupants of the adjacent property “The Gables” with regards to the impact of the rear projection on the residential amenity of this property. Taking this into account, the proposed plans have been further amended, with a reduction proposed in the height of the rear single storey element. The proposed block plan has also been amended, which now depicts accurately the footprint of the proposed dwelling and its relationship with the adjacent property

The Gables. The impact on the neighbouring property is assessed in the later sections of this report.

- 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:

Principle of Development

Design, scale, siting and Impact on Conservation Area setting
Residential Amenity

Principle

- 5.6 Policy H2 of the Existing Local Plan and Policies H2 and H6 of the Emerging Local Plan are permissive in principle of the development of replacement dwellings on a one for one basis, including within the open countryside, where the existing property is of no architectural merit and where the replacement dwelling would not impact adversely on the character of the immediate area or the quality of the environment.
- 5.7 The existing property, although relatively low key in design terms and would not be deemed to be incongruous within the street scene and is of no particular architectural merit. The removal of the building and its replacement with a new dwelling would generally be considered acceptable in principle, subject to the design of the replacement dwelling be deemed appropriate and subject to the development having no adverse implications with regards to the amenity of existing land uses or to highway amenity.

Siting, Design, Form and Impact on Conservation Area setting

- 5.8 The design of the proposed dwelling has not been significantly altered within the most recently amended plans, given that the proposed amendments relate only to a reduction in the height of the single storey rear projecting gable. Members resolved to grant planning approval on the basis of the present design. The proposed design approach is contemporary, though the building would be constructed principally from traditional materials, namely coursed local stone. The application site lies between 20th Century non-vernacular properties and officers consider that the proposed dwelling would not appear incongruous within the street scene.
- 5.9 The site is within the Stonesfield 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.
- 5.10 Owing to the appropriateness of the design of the proposed dwelling and when considering the context of the application site which lies between two modern non-vernacular properties, officers consider that the proposed development would preserve the setting of the Stonesfield Conservation Area.

Highways

- 5.11 The replacement dwelling would be utilised by the existing means of access serving the existing property and officers consider that the proposed development would not have an adverse impact on highway safety or amenity. In response to concerns raised by members with regards to the extent of parking space and space for manoeuvring, the area of associated hardstanding has since been increased within the amended plans.

Residential Amenities

- 5.12 Officers note the objections raised by the occupants of the adjacent property “The Gables”. Following receipt of the objection letter from the adjacent occupants, the applicants have accepted that there were inaccuracies in terms of the amended location plan and floor plans with regards to the positioning of the proposed dwelling and its depicted location in relation to “The Gables”, the proposed block plan has since been amended within the most recent revisions dated 5th March 2018.
- 5.13 The concerns raised by the adjacent occupants relate principally to issues of overshadowing, loss of light and the overbearingness of the scale of the proposed rear projection, though it is noted that these objections are made within the context of the previous plans dated 30th January 2018.
- 5.14 The latest drawings dated 5th March indicate that the proposed single storey element of the replacement dwelling would extend only a very minor degree beyond the rear elevation of “The Gables”. There is only a single window at ground floor level on the rear elevation of the adjacent property in a position close to the boundary of “Old Orchard”, which serves a non-habitable (utility) room and it is unlikely given the position of the rear projection that there would be any light loss to this window. There are no side elevation windows at ground floor level which would be overshadowed as a result of the proposed development.
- 5.15 No comments have been received from the occupants of the adjacent property to the west (Waylands Croft). Officers consider that the scale and siting of the proposed development would not have a significant detrimental impact on the amenity of this property, with regards to overlooking, overshadowing or the overbearingness of the built form.

Conclusion

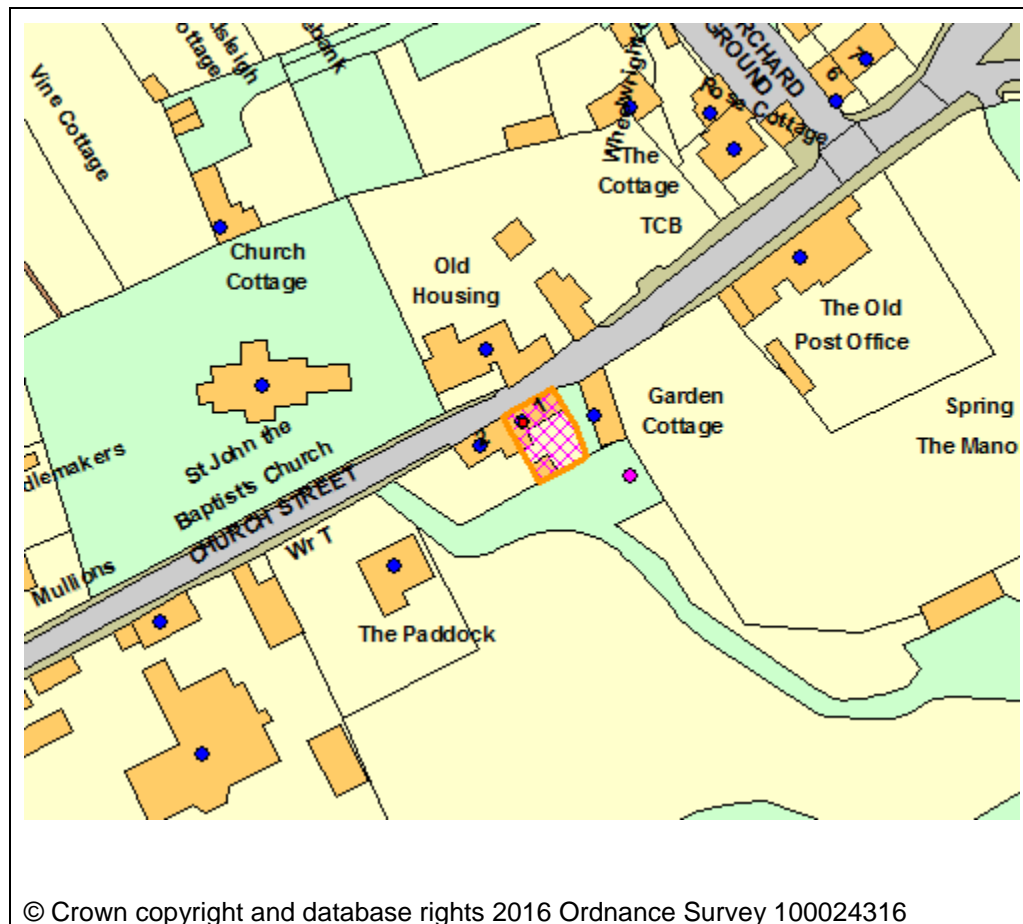
- 5.16 Members resolved to grant approval for the erection of a replacement dwelling in February subject to re-consultation and no further issues being raised. Following re-consultation concerns have been raised by the adjacent occupier. The receipt of further amended plans has addressed inaccuracies which have arisen in respect of the applicants proposed site plan and floor plans. The latest plans indicate that the siting of the proposed dwelling is unlikely to have a significant impact on the residential amenity of “The Gables”.
- 5.17 Officers consider that the development as proposed would be acceptable and compliant with the relevant policies of the Existing and Emerging Local Plans; in addition to the provisions of the NPPF.

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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 05/03/2018.
REASON: The application details have been amended by the submission of revised details.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 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.
- 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 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 shall be carried out other than that expressly authorised by this permission.
REASON: In the interests of residential and visual amenity.
- 7 That, prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan 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. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

Application Number	17/03775/HHD
Site Address	2 Church Street Fifield Chipping Norton Oxfordshire OX7 6HF
Date	20th March 2018
Officer	Joanna Lishman
Officer Recommendations	Provisional Approval
Parish	Fifield Parish Council
Grid Reference	423992 E 218748 N
Committee Date	3rd April 2018

Location Map



Application Details:

Internal and external alterations and erection of single and two storey rear extension.

Applicant Details:

Miss Ana Morales
2, Church Street
FIFIELD
OX7 6HF

1 CONSULTATIONS

- | | | |
|-----|-------------------------|--|
| 1.1 | WODC Drainage Engineers | Request existing and proposed foul and surface water details prior to determination. |
| 1.2 | Parish Council | No Comment Received. |

2 REPRESENTATIONS

Five third party representations summarised as follows:

1. Overshadowing of dwelling opposite due to raised ridge height.
2. Overlooking to garden and door of Flora's Cottage outbuilding, used as a study, from the kitchen extension and first floor window.
3. Wider casement window to front elevation - loss of privacy.
4. Loss of light to kitchen and bedroom of dwelling opposite as a result of the two storey extension. Loss of light to adjacent Garden Cottage.
5. Impact on the AONB.
6. Impact on the setting of the Listed Buildings.
7. Impact on sewage pipes to Flora's Cottage and may upset springs underground.
8. Impact of extension on adjoining dwelling, Flora's Cottage.
9. Noise, dust and traffic congestion during construction.
10. Raising the roof will ruin the layout of Church Street as all the roofs are in line going down the hill.
11. Extension will destroy the historic fabric of the 17th century cottage.
12. Plans show destruction of land not in applicant's ownership (part of oil tank outbuilding).
13. Overdevelopment of the property.

3 APPLICANT'S CASE

As this is a householder application there are no supporting documents.

4 PLANNING POLICIES

BE2 General Development Standards
BE8 Development affecting the Setting of a Listed Building
NE4 Cotswolds Area of Outstanding Natural Beauty
H2 General residential development standards
DESGUI West Oxfordshire Design Guide
H6NEW Existing housing
OS2NEW Locating development in the right places
OS4NEW High quality design
EH1NEW Landscape character
EH7NEW Historic Environment

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 single and two storey rear extensions and two pitch roof dormer windows to the rear elevation of the existing dwelling. The basement has been removed from the application in amended plans by the Local Planning Authority on 21st February 2018.

Background Information

- 5.2 This application is to be heard before the Uplands Committee as Cllr Haine has requested it to come before Members due to potential neighbour impact issues.
- 5.3 The existing dwelling comprises an unlisted 17th Century semi-detached cottage. It is not located within a Conservation Area.
- 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:

Impact on the AONB
Siting Design and Form
Heritage
Residential Amenities
Highways
Drainage

Impact on the AONB

- 5.5 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 a dwelling within a residential area and therefore it is not considered it would be harmful to the wider AONB.

Siting, Design and Form

- 5.6 The application site is located adjacent to the highway on Church Street and is therefore highly visible in the street scene. The proposal seeks to enlarge the property with additional extensions to the rear.
- 5.7 The proposal comprises a traditional pitch roof design and materials to match the existing dwelling. The initial plans submitted were considered to have some design issues and there were a number of concerns raised by officers, neighbouring properties and the Parish Council with regard to the scale of the development and raising the eaves and ridge of the existing roof. In order to address some of the concerns amended plans were provided. The applicant proposes no alterations to the front elevation other than a replacement three light window inwardly opening.

- 5.8 In terms of the overall scale, whilst the dwelling will increase significantly due to the addition of the first floor and rear extensions. The rear elements have been designed to be subservient to the main house with the extensions being set in at first floor level and down from the main ridge to ensure that the massing is appropriate. Consideration is also given to the scale of the neighbouring properties and officers are of the opinion that the scale as shown on the amended plans is now acceptable and in accordance with policies BE2 and H2 of the Adopted Local Plan and OS4 and H6 of the Emerging Plan.

Heritage

- 5.9 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Due to the design, scale and siting, located at the rear of the property with minimal visibility in the streetscene, the amended design would not impact on the setting of the Church or Old Housing opposite and is judged to have no harm in terms of paragraph 132 of the NPPF, thereby maintaining an appropriate relationship with the site and street scene.

Residential Amenities

- 5.10 As well as the first floor rear extension there is the rear single storey projecting elements proposed to the dwelling. The dwelling is set on higher land than the neighbouring bungalow, Garden Cottage. The rear extensions have been set in from the side elevations reducing the massing and it is noted that Garden Cottage's primary frontage is on the opposite side. The two storey element also remains subservient to the main ridge. Officers therefore consider that the proposed extension would not be detrimental to the residential amenity of the occupants of Garden Cottage.
- 5.11 The proposed extension will be set away from the boundary with the adjoining property. However, whilst the extension will be highly visible from the neighbouring properties, officers are of the opinion that given the combination of the separation distances, the single storey height of the majority of the extension, the proposal is not considered to be overbearing or cause unacceptable overshadowing. The adjoining neighbour has objected to the side facing windows at ground floor which would overlook the door to an outbuilding in which the occupant uses as a home office. It should be noted that the applicant could build a freestanding outbuilding under permitted development rights with windows in the same position. Moreover, the ground floor windows do not increase overlooking to the adjacent garden over and above the occupants standing in the existing private amenity space. Officers are therefore of the opinion that the proposal would not give rise to unacceptable levels of overlooking.
- 5.12 The rear dormer windows require planning permission, however, the window openings are already in situ and therefore no increase in overlooking would result.
- 5.13 Officers are of the opinion that sufficient private amenity space would remain for the occupants of the dwelling.

Highways

- 5.14 The proposal does not impact on the existing parking arrangement.

- 5.15 Objectors have referred to the narrowness of the road at the application site and it is recommended that a condition of the application be that the applicant provide a Construction Method Statement prior to commencement of works on site so that the details of deliveries and parking of construction vehicles can be approved.

Drainage

- 5.16 An objection has been received from the neighbouring property with regard to the impact of the works to create the basement on neighbouring amenity in terms of drainage and sewerage. This element has been removed from the application however, the Drainage Officer has requested submission of existing and proposed foul and surface water drainage prior to determination due to the age of the building, the siting of the extension and foundations and the possibility that the existing foul and surface water drainage will require diversion.

Conclusion

- 5.17 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that, subject to drainage details being submitted and approved, the proposed development is acceptable on its planning merits and therefore should be approved.

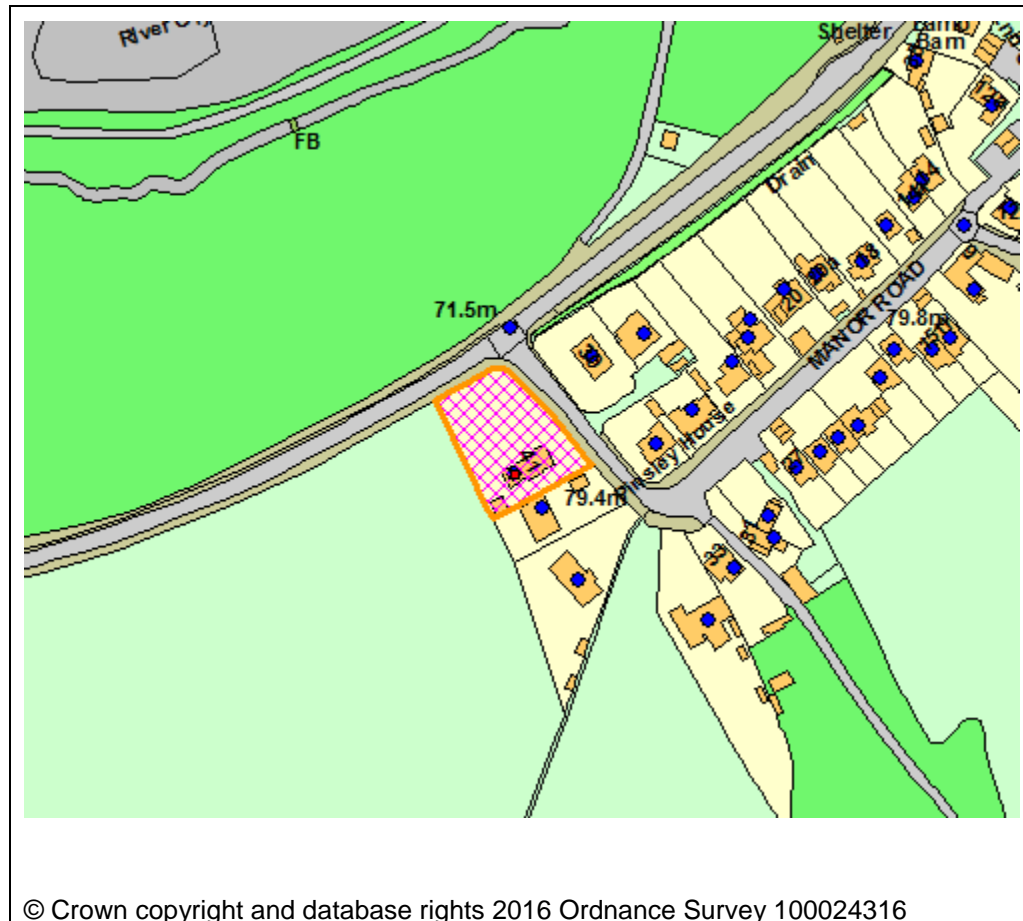
6 CONDITIONS

- 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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 01.02.2018.
REASON: The application details have been amended by the submission of revised details.
- 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 external walls shall be constructed of natural stone of the same type, colour and texture and laid in the same manner as the stone used in the existing building.
REASON: To safeguard the character and appearance of the area.
- 5 The window and door frames shall be recessed from the face of the building to match windows and doors on the existing building.
REASON: To ensure the architectural detailing of the building reflects the established character of the existing building.

- 6 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
- I The parking of vehicles for site operatives and visitors
 - II The loading and unloading of plant and materials
 - III The storage of plant and materials used in constructing the development
 - IV Measures to control the emission of dust and dirt during construction
- REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

Application Number	17/04127/FUL
Site Address	41 Manor Road Bladon Woodstock Oxfordshire OX20 1RY
Date	20th March 2018
Officer	Michael Kemp
Officer Recommendations	Approve
Parish	Bladon Parish Council
Grid Reference	444646 E 214516 N
Committee Date	3rd April 2018

Location Map



Application Details:

Demolition of existing dwelling and erection of three detached dwellings with associated works.

Applicant Details:
Mr David Dunphy
122, Woodstock Road
Witney
Oxon
OX28 1DY

I CONSULTATIONS

- I.1 OCC Highways Reviewing the submitted documents in support of this application, OCC (as Highway Authority) do not wish to object to the proposals subject to the below conditions. It is observed that the development if permitted, would not have a significant detrimental impact on highway safety and/or traffic movement.
- Conditions
-G28 parking as plan
-G11 access specification - to include vision splays 2.4 x 17m to the south and 2.4 x 14m to the north
-G25 drive etc specification
-G35 SUDS sustainable surface water drainage details - no surface water to discharge to the public highway
-Maximum gradient of drive not to exceed 8%
-Cycle parking in accordance with a scheme to be submitted and approved
-No occupation until the provision of the footway as shown in accordance with a scheme to be submitted and approved
- I.2 WODC Drainage Engineers No objection subject to conditions
- I.3 Conservation Officer No Comment Received.
- I.4 Biodiversity Officer The Ecological Assessment and Bat Mitigation Strategy report dated 25th September 2017 prepared by Windrush Ecology is the main report to be considered with this application, as it effectively updates and replaces the Preliminary Ecological Appraisal dated 28th July 2017. The recommendations in Section 5 of the September 2017 report must be implemented as a condition of planning consent to ensure that all the ecological mitigation measures are secured, including the replacement bat roosts (full details of which are still required).

Ideally, the replacement bat roost details should be submitted for approval before determination of the application, but I would be willing to accept a pre-commencement condition in this instance if necessary.

A bat low impact class licence will be required from Natural England once planning consent is granted before the demolition of the existing

dwelling can proceed. I recommend an informative that highlights this requirement should be attached to planning consent.

A landscaping scheme should also be submitted for approval, as this would need to incorporate some of the recommendations from the ecological assessment report, including hedgerow enhancement on the western and southern boundaries, grassland turf translocation (e.g. the most species-rich areas and pyramidal orchids), pond creation and wildlife-friendly garden planting (where appropriate).

Details of external lighting will also be required to be submitted for approval to ensure that the western boundary remains as dark as possible for commuting and roosting bats.

Details of bird and bat boxes to be integrated into the new dwellings, as biodiversity enhancements should also be submitted for approval.

1.5 Parish Council

1. We refer to our previous letter of 26th September 2017 (copy attached) setting out our objections to the first application for planning permission to build four houses to replace the current one at the above location. Our concerns therein remain in respect of the current application; in particular as to the density of the proposed development which is not ameliorated by the reduction to three new houses given the spacing of units 1, 2 and 3 (which appear from the site layout plan to be situated in exactly the same places and with the same distances between them as previously); the resultant overlooking and loss of privacy of numbers 39 (the proposed neighbouring property would be significantly closer to it than the existing one and rear upstairs windows would look directly into its back garden) and 40 Manor Road; and as to the failure of the proposed development to protect or enhance the conservation area in which it sits. Our original concerns regarding traffic management and parking are not assuaged by the reduction of dwellings planned by one, the increase from one to three dwellings still presenting the same problems and risks caused by additional cars belonging to the property owners, their visitors, refuse collectors, delivery vans etc as in the previous application. The site is still too cramped to allow for proper turning circles.

2. We have additional concerns as to the open space which now appears to the right of unit 3 running down to the main road. We would like clarification of the proposed use of this land, nothing being indicated on the site layout plan. Why have the three new houses proposed not been spread evenly over the whole site? Why are the existing trees in that area not shown on the plan? We are concerned that this area may yet form the subject of a future planning application for the erection of a further building.

3. We still have serious concerns about the extent of tree removal overall in a conservation area which appears inappropriately

harsh and poses a significant risk to the wildlife habitat. Furthermore it is by no means clear that the existing bank fronting Manor Road would in fact remain intact; the existing entrance to the site is very narrow and the site layout plan shows a bicycle rack which may require the removal of a section of the bank. This would adversely affect the area; the bank is covered all over in primroses each spring and in wild flowers at other times. Clarification of this is needed. Additionally, we understand that the banking may not in fact form part of the land owned by the Applicant, but, as with the remaining verges of Manor Road, be owned by OCC. Again clarification is required, including as to whether (if applicable) OCC has given permission for the removal of all or any part of it?

4. The boundary hedging and trees between numbers 39 and 41 appear at risk of being adversely affected and we would again seek clarification of that.

5. Neither the Ecological Appraisal of July 2017 nor the Tree Survey Report of September 2017 have been updated since the last application was made and the outstanding issues raised by the Parish Council are not therefore addressed. Indeed since they were both based on the assumption of four not three houses it is not possible to refer meaningfully to them in the current application. A new tree report is required.

6. A new Design and Access Statement has been submitted. We would make the following observations on this following the numbering therein:

1.2 The site lies within, not at the edge of, the conservation area. The description of the scheme as "making the most of the landscape" is disputed; simply renovating the existing house without erecting more would be more likely to achieve this. The description "removing one house and adding two giving a total of three" which runs through this document is misleading. The proposal would be more accurately described as "for the existing house to be demolished and replaced with three new houses".

2.2 The site is not located "on the edge" of the conservation area. The Applicant has an obligation to preserve and enhance the area, not simply "to minimise the impact".

2.3 Hanborough railway station does not link to Oxford Parkway.

2.4 There is no village shop in Bladon. There is one public house.

3.0 The Parish Council does not agree that the scheme makes the most of the landscape. On the contrary it is overcrowded and will destroy much of the existing garden. Figure 2 does not show the front view; this is the rear, approaching from Long Hanborough. It

confusingly includes a drawing of no 39 Manor Road.

3.2 There is no supporting information regarding the construction implications of the proposed lower sitting of the houses; we have concerns as to potential piling, drainage and flooding problems, and the lack of any plans showing the levels.

3.3 We disagree; with three houses on a small site, in very close proximity to each other safety issues remain of concern.

3.4 We do not understand why a new footpath is necessary? Vehicular access to the properties from Manor Road would be necessary in any event unless all parking was on Manor Road!

3.5 We are not persuaded that the scheme has taken into account "the many sensitivities in the area" (which are not described more particularly); we do not understand the relevance of the "type" of property developer to an application, nor can we comment on the self-description given by the Applicant.

Such limited up to date documentation as is filed with this application does not support the statement that "the scheme is keeping the majority of trees and hedges on the site" nor that the bank will be "untouched". Apart from this, on a purely practical basis the existing entrance appears too narrow to allow some of the construction vehicles likely to be required to access the site without either widening or damaging the bank.

No updated environmental report having been filed we cannot comment meaningfully on the bat suggestion.

We are pleased to note current building regulations will be met.

4.0 The materials proposed may look attractive but the Parish Council's primary concern remains the overbearing aspect of the proposals; the dwellings are too big, there are too many and they are too close together to blend in to the local area, and would neither preserve nor enhance it.

4.2 The proposal fails to respect the neighbouring properties' siting or massing scale. It does not respect their privacy. The statements made under "Delivering housing" are irrelevant self-descriptions and matters of opinion which the Parish Council does not share. The development would add to traffic in the area.

5.0 The Planning Policy Framework and Planning Practice Guidance are matters within the Planning Officer's expertise and we do not comment in detail thereon. We would note however that we see no evidence to substantiate the claim that this proposal would "contribute to conserving or enhancing the natural environment and

reducing pollution", or result in "the fullest possible use of public transport, walking and cycling", it being equally arguable that public transport is as likely accessed via car as on foot or bicycle. (5.6). We do not accept that the proposal would contribute positively to the natural environment as required by the PPF (5.14). Similarly we do not accept the criterion set out in the PPG (5.16) would be met; particularly as to the requirement for adjacent buildings to relate to each other and for spaces to complement each other.

6.2 We fundamentally disagree that the proposed development would achieve any of the outcomes claimed in this paragraph.

7.1 We disagree that the evidence supports this.

7.2 & 7.3 As the Tree Survey Report relates to the previous application for four houses it is impossible to assess the validity of the statement regarding the impact on the environment of the "minimal loss of trees". Similarly there is insufficient evidence to support the claim that "the" (unspecified) "main areas which provide biodiversity opportunities will be retained and enhanced". We wish to see further concrete evidence on both fronts.

7.5 We disagree that the three proposed new buildings would provide "visual improvements" as suggested; and would question for whose benefit the alleged "better use" is made of the plot.

Many of these objections may be more readily appreciated on site and we would therefore urge the Planning Officer to make a site visit before reaching any decision on the application.

7. There is still no affordable housing shown on the application.

8. There is no additional report dealing with the potential flooding risk inherent in the proposal and the Parish Council would wish to see one prior to any permission being given. There is no drainage plan as called for in the report by Leigh Travers dated 15 September 2017. There is insufficient information provided as to the levels which vary hugely over the site which is on a steep slope; there are none shown on the plans. We would wish to see detailed information on this; will piling be required? There is no construction management plan with the application.

9. There is no reference in the plans to the presence of the power, lighting and telegraph pole approximately five metres from the site entrance. Clarification is requested as to the impact of that on the proposed works.

10. The new footpath leading to the A4095 remains pointless; it leads only to the banked verge of the main road along which there is no existing (or feasible) footpath. We would like to see

documentation regarding "OCC's requirement" for this.

11. The applicant states that he has sought pre-application advice from "Hanna (sic) Wiseman" on 30/03/2017, but he has apparently not sought any for the current application. He has also given the site address details as 112 Woodstock Road Witney which is given as his contact address at the start of the application.

In summary, the Parish Council remains of the view that the current proposed development would remain overbearing, result in a loss of privacy to other residences, is out of keeping with the character of the immediate area, would not preserve or enhance the conservation area in which it falls, would create significant adverse traffic risks and parking difficulties, fails to address the potential difficulties caused by the topography of the area, poses a flood risk, ignores the environmental issues, and fails to provide any affordable housing. We therefore strongly oppose the granting of any permission for the proposed development.

We have now had the opportunity to consider the Construction Management Plan published on 1st February 2018. There is nothing in it which addresses the various concerns set out in our response of 30th January.

However we do have a number of observations.

1. Under point 6 (Site) the development proposals for which the CMP applies are described as the full modernisation of the current property throughout, offering great scope to renovate or extend; in contrast to that in the following point 7 (Construction works) as the demolition of it and the construction of three new houses.

2. The plan showing the nearest potential receptors highlights just how close no 39 Manor Road is to the site; the impact of the works, which are later given as lasting for 18 months, is readily appreciated. However the impact on the other nearby residences - 30 and 28 Manor Road - appears diminished by virtue of their barely featuring on the plan. In fact they would be considerably affected since as well as number 30 directly overlooking the grounds, the drive to both is almost opposite the existing site entrance. If as is said at the end of the CMP the site entrance is extended to accommodate access by larger construction vehicles it would be directly opposite it. The disturbance would be even greater. Noise, dust, fumes, lighting etc would also impact the other houses shown on the plan and those on the bend of Manor Road which are not shown. Working hours are given as 8am to 5pm Monday to Friday and 8.30am to 1pm on Saturdays affording little respite to all especially given the confines of the location.

3. The Traffic Routing provisions are inadequate. The site

delivery times/school drop off point is irrelevant given the location of the School. All the vehicles are to go up/down Manor Road by the site itself from/to the A4095. This is narrow at that point, and on a steep incline. There will be a significant impact on the traffic travelling in both directions on the A4095 as well as into Manor Road particularly during rush hours. The 18 month duration is relevant. Further, the site plans do not show sufficient space for vehicles to turn on site, raising the risk of their reversing onto Manor Road. The site entrance is narrow; even if they were able to turn first vehicles would have to cross to the opposite side of the road to travel down to the main road. The scenario poses clear dangers to pedestrians, cyclists and children as well as cars on both roads. On-site parking of all contractors' vehicles appears unrealistic given the size of the plot. Cleaning soil from Manor Road could be required daily especially during the winter months, when the road becomes notoriously icy and slippery. The Applicant appears to have underestimated the practical issues presented.

4. There is no mention of how the Applicant proposes to deal with the extensive soil removal arising from the levelling required.

5. The CMP jumps from point 2 to point 6: is it complete?

2 REPRESENTATIONS

A total of 14 letters of objection have been received in relation to this application, the main point of objections are summarised below:

- The scale of development would be overbearing.
- The development ignores the importance of views from the Conservation Area. The views into and out of the Conservation Area would be blocked.
- The development would have an adverse impact on local landscape character.
- The proposed type, density and scale of development would neither preserve or enhance the character of the area.
- The site is an important open space within the Conservation Area.
- The proposals would see the removal of the bank, which forms a distinctive and characterful feature of the area.
- The bank adjacent to the site is not under the ownership of the applicant.
- The proposed density and layout allows insufficient room for vehicles to turn.
- The development would result in an increase in parking on an already crowded road.
- The development would lead to an increase in vehicular use of Manor Road, which would be detrimental to highway safety and amenity.
- The proposals would be an overdevelopment of the site.
- Criticism is made of aspects of the construction traffic management plan.
- It is suggested that the existing house could be modernised or extended, which would protect the ecology of the site and would not impact on the village.
- Access to the site would be unsafe.
- The bedrooms to proposed plots 2 and 3 would create unacceptable overlooking issues with 30 Manor Road.

- There are privacy issues with respect to overlooking of No.30 Manor Road.
- The tree survey report was prepared for the previous application and its recommendations are no longer appropriate.
- Visitors, delivery and emergency vehicles would end up parking on what is a narrow road.
- There would be a mutual loss of privacy between 39 and building 1 of the proposed development.
- The proposals would not be consistent with the existing pattern of development.

3 APPLICANT'S CASE

- 3.1 The scheme proposal is for a 'scheme that makes the most of the landscape removing one house and adding two giving a total of three' on the land at 41 Manor road, Bladon.
- 3.2 The report considers the proposed development against its context and highlights that the scheme provides an appropriate density, design and form and scale of development, which sits comfortably in relation to the immediate context of the site. The proposed development would not be prominent in wider views and would preserve the character and appearance of the area.
- 3.3 The scheme is served by adequate access with appropriate vision. The scheme has adequate opportunities for turning in the site and each property is served by adequate off-street parking.
- 3.4 There will be minimal trees lost as part of the development to minimise the impact of the environment as much as possible.
- 3.5 In terms of ecology, the main areas which provide biodiversity opportunities will be retained and enhanced. The existing properties will remain unaffected by development protecting the roosting opportunities. Any additional planting and bat boxes recommended for the site will ensure that the offer of the site is enhanced when compared to the existing lawn garden areas
- 3.6 Taking into consideration the specific site and its location, best use has been made of the dwelling designs with views across open agricultural land to the south of the site.
- 3.7 It is suggested that the proposed units, will clearly demonstrate how the completed scheme will relate satisfactorily to the neighbouring surroundings providing visual improvements and also making better use of the existing plot.

4 PLANNING POLICIES

EW1NEW Blenheim World Heritage Site
 BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE4 Open space within and adjoining settlements
 BE5 Conservation Areas
 NE1 Safeguarding the Countryside
 H2 General residential development standards
 H5 Villages
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 H2NEW Delivery of new homes
 EH1NEW Landscape character

EH7NEW Historic Environment

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning approval for the demolition of an existing 1.5 storey dwelling and the erection of three detached dwellings. The application site comprises of the existing residential property and an undeveloped area of domestic garden curtilage, which lies to the side (west) elevation of the property. The properties would front Manor Road, with a single means of access proposed onto Manor Road in a position to the north east of the three dwellings. The application site is located within the Bladon Conservation Area and lies within the setting of the Blenheim World Heritage Site. The site, along with the wider settlement of Bladon is located within the Oxford Green Belt.
- 5.2 A planning application made in 2017 for four dwellings on the site (17/02753/FUL) was withdrawn.
- 5.3 This application was brought before committee members on 5th March 2018, where members resolved to defer making a decision on the planning application to allow members to visit the site.
- 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 Residential Amenity

Impact on Conservation Area Setting

Impact on Blenheim World Heritage Site

Highways and Access

Impact on Oxford Green Belt

Principle

- 5.5 In terms of five-year housing land supply, the Council's most recent position statement (May 2017) suggests the Council is able to demonstrate a five-year housing land supply with anticipated delivery of 5,258 new homes in the 5-year period 1st April 2017 - 31st March 2022.
- 5.6 The issue of five-year housing land supply was debated at length through the Local Plan examination hearings in 2017 and on 16 January 2018 the Local Plan Inspector wrote to the Council setting out his thoughts on the Local Plan. Importantly there is nothing in his letter to suggest that the Council is unable to demonstrate a five-year housing land supply. This is a key component of 'soundness' and if the Inspector had any concerns in this regard it is reasonable to suggest that he would have set those out.
- 5.7 On this basis it is considered that the Council is able to demonstrate a five year housing land supply albeit this cannot be confirmed with absolute certainty until the Local Plan Inspector's Final Report is received and the draft Local Plan 2031 is adopted.

- 5.8 Given the current position it is considered appropriate to continue to adopt a precautionary approach in relation to residential proposals and apply the 'tilted balance' set out in paragraph 14 of the NPPF whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in this Framework indicate development should be restricted (SSSI, AONB etc.).
- 5.9 The application site is located on the edge of Bladon, which is listed as a village under the provisions of Policy H5 of the Existing Local Plan 2011 and Policy H2 of the Emerging Local Plan 2031. Policy H2 of the Emerging Local Plan is permissive in principle of the residential development of undeveloped sites within an existing settlement or within land adjoining the settlement area, where this is necessary to meet an identified need and where the development is considered to be compliant with the general provisions of Policy OS2 of the Emerging Local Plan.
- 5.10 In this instance an expected requirement would be that the development should form a logical complement to the existing pattern of development in terms of its siting. In terms of its locational siting, the proposals would see the removal of an existing dwelling, which is located in a linear position in relation to the two adjacent properties located to the south east of the site. The development proposes the erection of three dwellings in a similarly linear position, running parallel to Manor Road. In terms of locational siting officers consider that the development would broadly form a logical complement to the existing pattern of development and would be compliant in principle with the provisions of Policies H2 and OS2 of the Emerging Local Plan. Officers consider that the site would represent a reasonably sustainable location for residential development in terms of its proximity to existing services and facilities in Bladon.

Green Belt

- 5.11 The application site, alongside the rest of Bladon is located within the Oxford Green Belt. Policy NE5 of the Existing Local Plan is however permissive in principle of limited infill residential development within the settlement of Bladon. This provision is considered to be in line with the provisions of Paragraph 89 of the NPPF, which allows for limited infilling in villages, including the redevelopment of previously developed land where development would not impact on the openness of the Green Belt. Officers consider that the development, as proposed would be in line with these provisions and would not, on balance adversely impact on the openness of the green belt and consequently the development is considered to be in accordance with the provisions of Policy NE5 of the Existing Local Plan and Paragraph 89 of the NPPF.

Siting, Design and Form

- 5.12 The proposed locational siting of the dwellings would replicate the linear form of the existing dwellings along Manor Road. The existing property on the site and the existing dwellings in the immediate area consist predominantly of 20th Century reconstituted stone properties. The proposed dwellings would be of a neo-vernacular appearance and would be constructed from natural stone. Officers consider that the design of the dwellings would be appropriate.

Impact on Conservation Area

- 5.13 Within a Conservation Area, decision makers 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. Further the paragraphs of section 12 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.
- 5.14 In accordance with the provisions of Paragraph 132 of the NPPF an assessment must be made as to the sites significance and specific contribution to the character and appearance of the Conservation Area. Officers consider that the sites specific contribution to the Conservation Area would be as an area of open space which provides an open aspect, particularly in views from the A4095. The existing property is considered to be of no architectural merit and the contribution of this building to the Conservation Area is considered to be at best neutral, officers consider that the removal of the building would not be detrimental to the Conservation Area.
- 5.15 The proposals would retain an area of open space fronting the A4095, which would be landscaped and a legal agreement would be sought to ensure that this space is retained as an undeveloped open, landscaped space. The three proposed dwellings would be set back from the main street scene in Manor Road and the siting of Plot 3 would also be set back from the A4095. Whilst the proposed dwellings would be visible in public views officers consider that the set-back position of the dwellings helps to retain a degree of openness as experienced within the context of the immediate area, which would assist to a degree in preserving the character of the Conservation Area.
- 5.16 There are important views of the site from the North West on approach to the village, though officers note that the three dwellings would be set against a backdrop of the existing dwellings on the settlement edge. There would also be the opportunity to provide landscaping along the north western boundary of the site, which would help to lessen the impact of the siting of the dwellings when viewed within the public realm.
- 5.17 Notwithstanding the provision of additional landscaping, the proposed dwellings would be visible in the public realm and the development would impact to a minor extent on the degree of openness experienced within the immediate street scene in Manor Road and from the A4095. Accounting for the proposed set-back position of the dwellings and the proposed positioning of the dwellings which would be set against a backdrop of the existing built form, officers consider that when assessing the proposals in line with the provisions of Paragraph 132 of the NPPF, the level of harm would be to the lower end of less than substantial.
- 5.18 In accordance with the provisions of Paragraph 134 of the NPPF and having special attention to the sites contribution to the character of the Conservation Area, giving great to the need to preserve the character of the Conservation Area. The level of harm must be assessed in relation to the public benefits of the proposed development, which in this instance would principally be the development of two additional dwellings, alongside the retention of a landscaped area to the front of the site, which would be achieved by way of a legal agreement. Whilst the Council are confident that they can demonstrate a five year supply of housing, this is not conclusive at the present time and even within a context where the Council can demonstrate a five year housing land supply there would still be a requirement for the provision of windfall housing development

on suitable sites. Officers consider that in this instance, on balance the public benefits of the proposed development, including the provision of a protected area of landscaping and the provision of two additional dwellings would outweigh the less than substantial harm to the Conservation Area.

Impact on Blenheim World Heritage Site and Historic Park and Garden

- 5.19 The boundary of the Blenheim World Heritage Site and Historic Park and Garden extends up to a position to the north of the site on the opposite side of the A4095. The application site would therefore be within the setting of the setting of the Blenheim World Heritage Site. When assessing the development in accordance with the provisions of Paragraph 132 of the NPPF, officers consider that the level of harm in relation to the World Heritage Site would be towards the lower end of less than substantial, which when assessed against the public benefits of the proposed development officers consider that the proposals would be acceptable on balance.

Highways

- 5.20 The proposed development would be served by a single means of access from Manor Road. Officers consider that the proposed positioning of the means of access would be appropriate and would not compromise highway safety or amenity. Officers note that no objections have been raised to the proposed development by OCC Highways Officers.

Residential Amenities

- 5.21 Proposed dwelling 1 would be located to the north west of an existing property 39 Manor Road and Plots 1-3 would be located to the west of No.30 Manor Road. In relation to the potential impact on No.39, officers note that the positioning of the dwelling would be located alongside No.39, with the majority of the building being in-line with the side elevation of No.39. Whilst the design of Plot 1 includes projecting front and rear gables, officers consider that the siting of the gables would not result in undue overshadowing or loss of light to the front or rear windows of No.39. Whilst the proposed dwelling would be larger in terms of height than the existing property, officers consider that the impact of the development on this property would not be overbearing. The proposed front and rear windows would not result in direct overlooking of this property, officers note that there would be two first floor side facing windows on the south east elevation of proposed dwelling 1, which serve bathrooms and could be conditioned as being obscure glazed. The proposed plans have been amended to exclude a previously proposed side facing window on dwelling 1, in favour of a roof light, in order to protect the privacy of the occupants of the adjacent property.
- 5.22 In relation to the existing property to the north east, No.30 Manor Road officers note that there would be a separation distance of between 27 and 20 metres between the front elevation windows of the proposed dwellings and the rear garden area of No.30 and approximately 27 metres between the front elevation windows of the proposed dwelling and the side facing windows of No.30 Manor Road. Officers consider that the proposed development would not therefore result in an undue loss of privacy to the occupants of this property.

Impact on Trees

- 5.23 The proposals would result in the removal of a number of trees on the site, which are of poor or moderate value, officers consider that the removal of the trees would not have a significant

adverse impact on the character of the area, providing an acceptable landscaping scheme is provided, which would be required by way of condition. The proposals include the retention of the existing boundary hedges, with the exception of where removal of the hedgerow would be required to necessitate means of access to the site. The retention of the boundary hedges would be controlled by way of planning condition.

Ecology

- 5.24 The application is accompanied by an ecological assessment and bat mitigation strategy. The proposals have been subject of consultation with the Councils Ecologist, who has raised no objections to the development, subject to conditions.

Conclusion

- 5.25 The proposed development would include the removal of an existing property, which is of no architectural merit and the provision of three dwellings which are considered to be of an appropriate design and scale. Officers acknowledge the sensitivities of the site and its overall contribution to the Conservation Area, principally as an area of open space. Officers consider that the scale of harm would be towards the lower end of less than substantial and officers consider that the public benefits of the proposed development would on balance outweigh this harm. Officers consider that the development would not have a significant adverse impact on the residential amenity of existing occupants or highway safety or amenity. On balance officers consider that the proposed development would be acceptable and compliant with the provisions of the Existing and Emerging Local Plan.

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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 20/02/2018.
REASON: The application details have been amended by the submission of revised details.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 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.
- 5 A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include and 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 safeguard the character and landscape of the area.

- 6 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.

- 7 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

- 8 No dwelling shall be occupied until the parking area and driveways have been 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 highway to the detriment of road safety.

- 9 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 occupation 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.

- 10 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

- 11 Prior to the first occupation of the dwellings hereby approved, details showing cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details.

REASON: In the interests of promoting sustainable means of transport.

- 12 The proposed pedestrian footpath shall be provided in accordance with the details submitted to the local planning authority prior to the commencement of development.
REASON: In the interests of pedestrian safety and amenity.
- 13 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, shall be carried out other than that expressly authorised by this permission.
REASON: In the interests of protecting the visual amenity of the area.
- 14 The maximum gradient of the driveway accesses should not exceed 8%
REASON: In the interests of highway amenity.
- 15 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.
- 16 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.
- 17 The development shall be completed in accordance with the recommendations in Section 5 of the Ecological Assessment and Bat Mitigation Strategy report dated 28th September 2017 prepared by Windrush Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, as modified by a relevant European Protected Species Licence, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.
REASON: To ensure that roosting brown long-eared bats, commuting/foraging bats, reptiles, nesting birds, hedgerows and trees are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13, NE14 and NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 18 No development shall take place until a landscaping scheme has been submitted and approved in writing by the Local Planning Authority, including reinforcement/infill planting of the existing western and southern boundary hedgerows to enhance their species diversity and structure using native species of local provenance, the creation of a new pond (if possible), the positions

for translocated grassland turves to be re-used on site, wildlife-friendly planting, and a 5-year maintenance plan.

- c) The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved.
- d) If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To enhance the site for biodiversity in accordance with paragraph 118 of the National Planning Policy Framework, policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006

- 19 Before development takes place, details of the provision of bat roosting feature(s) and nesting opportunities for house sparrows, starlings, and swifts into the new buildings and boxes in trees shall be submitted to the local planning authority for approval, including a drawing showing the location(s), position(s) and type(s) of feature(s). The approved details shall be implemented before the dwellings hereby approved are first occupied, and thereafter permanently retained.
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 20 No development shall take place until a Grassland Translocation Method Statement in line with the recommendations in the Ecological Assessment and Bat Mitigation Strategy report dated 25th September 2017 by Windrush Ecology Ltd has been submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be implemented in full unless otherwise agreed in writing by the LPA.
REASON: To ensure that species-rich grassland turves are translocated appropriately to retain pyramidal orchid and neutral grassland species on site, as a biodiversity enhancement in accordance with the National Planning Policy Framework paragraph 118, policy NE13 of the West Oxfordshire District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 21 Prior to occupation, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts, and to maintain the western boundary hedgerow as a dark corridor.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect roosting, foraging and commuting bats, particularly along the western boundary, in accordance with the Conservation of Habitats and Species Regulations 2017, the

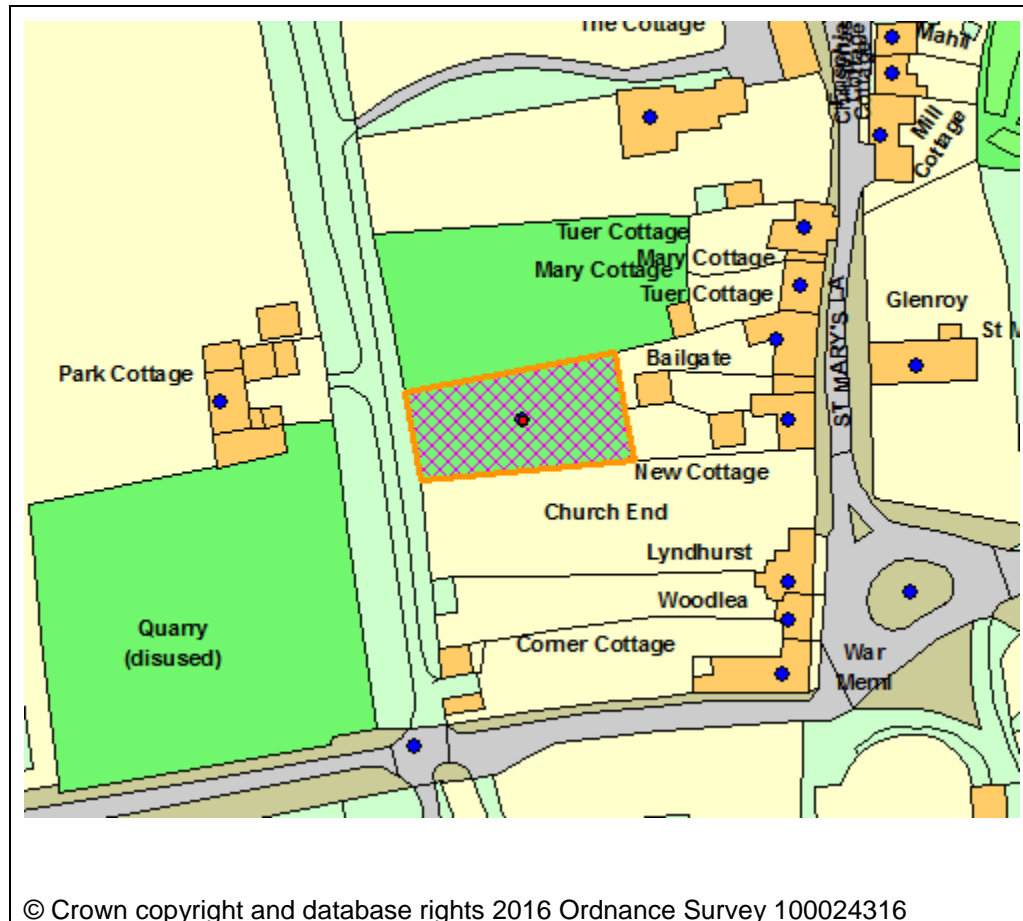
Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), policy NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

NOTES TO APPLICANT

- 1 A S278 Agreement under the Highways Act 1980 will be required to permit the developer to construct the proposed work on the highway. Early contact is advisable with OCC's Road Agreements Team at RoadAgreements@oxfordshire.gov.uk.
- 2 A Bat Low Impact Class Licence from Natural England is required before the demolition of the existing dwelling can proceed. This is a site registration process that does not take as much time to consider as standard licences. A Registered Consultant would apply to Natural England based on the bat mitigation strategy submitted with this application to ensure that bats are not harmed during demolition and replacement roosts are provided. The applicant is therefore reminded of their legal obligations with regard to roosting bats under The Conservation of Habitats and Species Regulations 2017. This planning consent does not override the legal protection afforded to roosting bats, nesting birds, reptiles or other protected species.

Application Number	18/00249/FUL
Site Address	Land at Church End Swerford Chipping Norton Oxfordshire
Date	20th March 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Swerford Parish Council
Grid Reference	437123 E 231120 N
Committee Date	3rd April 2018

Location Map



Application Details:

Erection of storage building.

Applicant Details:

Mr J Smith, C/O Agent

I CONSULTATIONS

- I.1 OCC Highways The CLEUD establishes use of the land to be B8.
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.2 Parish Council At a recent meeting with some concerned residents disquiet was expressed, amongst other things, at the height of the proposed building relative to others nearby in the Conservation Area; any reduction in this regard would be welcomed
- Following that meeting Swerford Parish Council have again considered the above application and would submit their revised comments as follows:
Having in mind that the site has received a CLUED from the District Council; and with the proviso for WODC to control the extent of the use of the site by 'condition' or 'legal agreement' as offered in the applicants covering letter (Page 3 - Planning Considerations - Para 2 Lines 3-4); in this regard the Parish Council would particularly want to ensure that henceforward all equipment and/or materials stored on site were stored in the new building and not to have anything stored externally. In those circumstances Swerford Parish Council have No Objection to the revised reduced scheme in vernacular materials. However, Swerford PC would object to any future application to transform this building into a dwelling and would particularly want any Permitted Development rights in this regard to be withdrawn.
- For the avoidance of doubt Swerford Parish Council wish to be absolutely clear that If these legal agreements cannot be secured then Swerford Parish Council Object to the Proposed Scheme in the Conservation Area.

2 REPRESENTATIONS

20 letters of objection have been received which can which can be viewed in full on the Council website. The objections raise the following issues:

- Overall size and volume nearly the same as the previous application
- The plan to gravel the site is unacceptable
- Application lacking details regarding impact on conservation are, highway
- Roof height higher than neighbouring buildings
- Applicant has not assessed the ecological impact of the development
- Would ruin the character and appearance of the area
- Would urbanise the area
- The access is inadequate for the proposed use

- The supporting information is inaccurate
- The application would have an adverse impact on the conservation area and setting of neighbouring listed buildings.
- Neighbours were not notified of CLEUD application
- Building for the stated use doesn't need to be this size
- Could lead to an intensification of the site
- Will increase traffic on an unsuitable access road
- The B8 use does not mean there has to be a building erected
- The information relating to the trees on site are inaccurate
- The red line area does not show how the site accesses the road

3 APPLICANT'S CASE

3.1 A supporting statement has been provided as part of the application which can be viewed in full on the Council website. With regard to the proposal it states:

- The building is required for operational reasons in connection with the established lawful use of the land for B8 storage.
- The lawful use is unfettered within the B8 use class however the proposal offers an opportunity to provide greater control and clarity.
- The building is functional but vernacular in form and choice of materials.
- Visually, it is low-key and assimilates into the setting in a manner no different to other outbuildings on the lane.
- The scale of the building sits within the parameters which the Government consider to be acceptable without the need for prior planning consent.
- The site benefits from an established and lawful access.
- Development is located in a central position, working with the grain of development, and set away from neighbouring properties.

3.2 As such the development is considered to comply with Policies BE2, BE3 and BE4 and we trust the application can be supported.

4 PLANNING POLICIES

BE2 General Development Standards

BE5 Conservation Areas

BE3 Provision for Movement and Parking

BE8 Development affecting the Setting of a Listed Building

NE1 Safeguarding the Countryside

OS4NEW High quality design

EH2NEW Biodiversity

EH7NEW Historic Environment

T4NEW Parking provision

BE4 Open space within and adjoining settlements

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 a storage building. The site is located within Swerford Conservation Area and within the wider setting of two Grade II listed buildings, Lyndhurst and Woodlea/Corner Cottage.
- 5.2 The site is located to the rear of St Mary's Lane which comprises residential properties and is accessed via a track called Back Lane which is an unmade ROW.
- 5.3 The site has an extensive history. There have been a number of applications made on this site for residential development, all of which have been either refused or withdrawn by the applicant. More recently a certificate of lawfulness was submitted to establish the lawful use of the site for storage. This application was approved for 'B8 storage of materials and equipment on land as identified on the submitted site location plan'. (17/01784/CLE). Following that certificate an application was submitted for a storage building on the site 17/03540/FUL, the application was withdrawn as officers had concerns relating to the size and the materials proposed.
- 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

- 5.5 The application proposes a storage building which will have an overall height of 5.6m, a length of 10m and a width of 8m. The building will feature a pitched roof and will be constructed in stone and reconstituted stone slate. The building will be located to the side of the site and with access from Back Lane.
- 5.6 The supporting information provided by the applicant and his agent details the need for a storage building. The family run a building company and therefore have a large amount of storage requirements for associated equipment and machinery. Officers consider the established lawful use of the site to be a material planning consideration.
- 5.7 Policy BE2 of the adopted local plan and policy OS4 of the emerging plan refers to proposals for new buildings. The policies state that any proposals should demonstrate how they relate satisfactory to the site and its surroundings.
- 5.8 The building would be used to store equipment associated with the applicants business. The size and scale of the building is considered commensurate with the type of equipment that is proposed to be stored.
- 5.9 A landscaping plan has been provided with the application, officers are of the opinion that the level of hard standing proposed should be reduced in order to ensure that the proposal does not unacceptably urbanise the site. a condition has therefore been added requiring an amended landscaping scheme.

- 5.10 The site benefits from a semi-rural character given its open arrangement and position down an unmade track. 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. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.11 The building would allow for the equipment and materials which are currently stored in an ad hoc way on the site to be cleared and stored in one area. This would allow the rest of the site to be kept free of debris which would improve this part of the conservation area given its visible position against a public ROW. In addition, traditional materials are proposed which will allow the building to sit appropriately within the village setting. Officers are therefore of the opinion that the proposal would conserve this part of the conservation area. In order to ensure that the rest of the site is kept clear of ad hoc storage a condition will be attached to the permission.
- 5.12 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. It draws a distinction between substantial harm and less than substantial harm to such an asset. In this case the proposed storage building by reason of its distance from the listed buildings is considered to preserve the setting of the listed buildings.

Highways

- 5.13 Oxfordshire County Council Highways have been consulted on the application and have raised no objection.

Residential Amenities

- 5.14 The dwelling would be sufficiently distanced from the properties located in St Mary's Lane so not to have an adverse impact on neighbouring amenity. The building will be located against the boundary the site shares with Mary Cottage, given the size of the neighbouring garden the position of the building against the boundary is not considered to unacceptably impact on the neighbouring amenity space. The outlook would also be improved by the storage of materials being inside the building instead of outside in a random and ad hoc way.

Conclusion

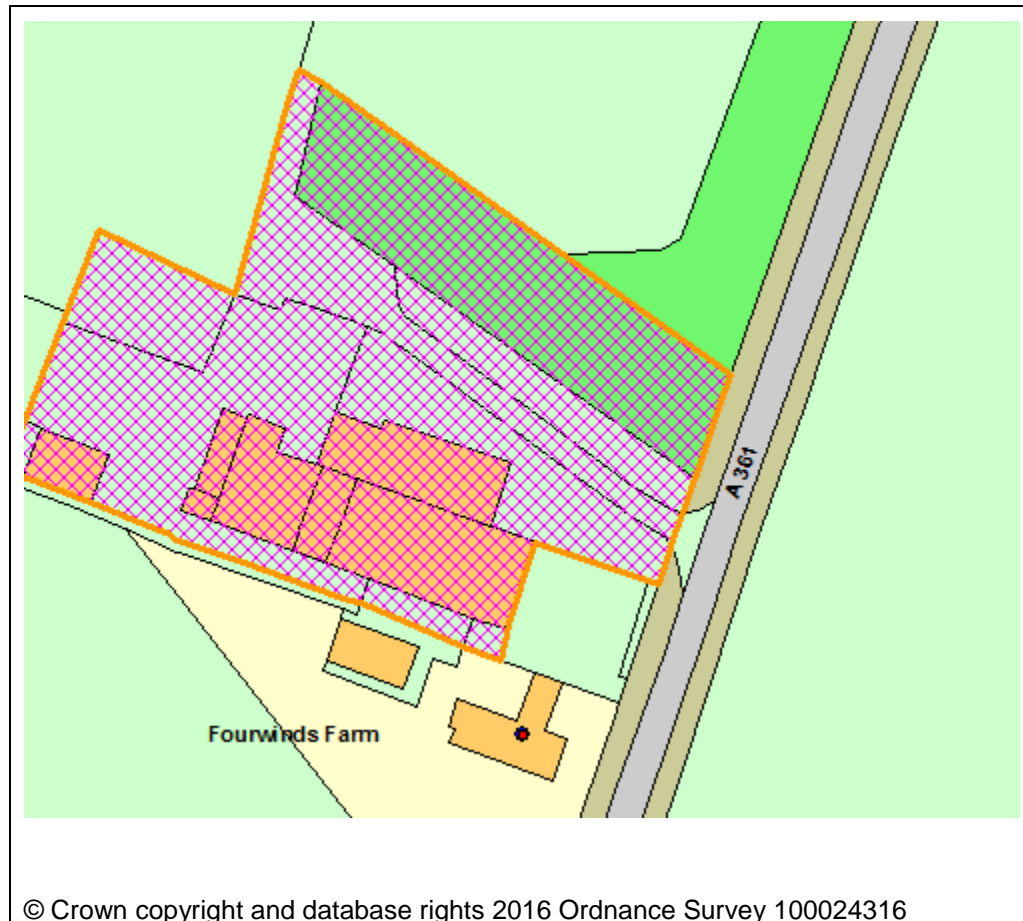
- 5.15 The proposed building is considered to be of an appropriate scale and design for its intended use and would preserve the character and appearance of the conservation area, it would also reduce visual and neighbour harms. For these reasons officers consider that the development as proposed, would be acceptable and compliant with the provisions of adopted and emerging Local Plan policies, and the provisions of the NPPF, 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 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(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 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.
- 6 Notwithstanding the plan submitted, a scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. 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 safeguard the character and landscape of the area.
- 7 No storage, industrial or other business use, except the parking, manoeuvring and loading and unloading of vehicles, shall take place outside the building(s).
REASON: To protect the residential and visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.
- 8 The building hereby permitted shall be used for B8 storage only. 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 2 and Part 3 shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed on the site as development permitted under Schedule 2 Part 2 and 3 would be inappropriate in this location due to its unsustainable location, impact on neighbouring amenity and residential amenity given its position within a conservation area.

Application Number	I8/00272/FUL
Site Address	Fourwinds Burford Road Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6DL
Date	20th March 2018
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427057 E 214966 N
Committee Date	3rd April 2018

Location Map



Application Details:

Conversion of barns to create two dwellings with associated works.

Applicant Details:

Mr & Mrs Rillie, C/O Agent

I CONSULTATIONS

- 1.1 Parish Council While the PC does not object to this development, it would like noted that development of isolated sites and lack of transport connections is still a cause of concern.
- 1.2 OCC Highways The existing use has the potential to generate more movements (inc large and slow accelerating agricultural machinery) than that proposed.
- The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- 1.3 Biodiversity Officer The precautionary approach to the proposed conversion works are recommended in the report as the barns do have some potential for use as night roosts by bats, but no evidence was found. Overall, the barns were assessed as having negligible potential for day-roosting bats, which I consider is satisfactory in this instance due to the type of buildings and lack of suitable roosting locations. The implementation of the precautionary approach would take account of the possibility of encountering bats during conversion works and is not considered to be onerous in this case.
- The proposals provide a significant opportunity for biodiversity enhancements that have not been included in this application, as compared to the previous 2016 application which included enhanced provision for foraging bats, birds and invertebrates, and the erection of bat and bird boxes.
- I therefore recommend the following conditions should be attached to planning consent.
- 1.4 WODC Drainage Engineers No Comment Received.
- 1.5 Thames Water No Comment Received.

2 REPRESENTATIONS

No third party comments have been received in relation to this application.

3 APPLICANT'S CASE

- 3.1 The application is accompanied by a design and access statement and a planning statement both available to view online. The planning statement is concluded as follows:
- 3.2 It has been demonstrated that the development proposal constitutes sustainable development within the context of the NPPF. It has also been demonstrated that the proposals comply with

Policy H10, albeit this policy should be afforded reduced weight as the policy is out of date and doesn't accord with the NPPF.

- 3.3 Whilst the proposals are more limited in accessibility to services, facilities and employment from the site other than by car, it has been demonstrated that the proposals will make a modest contribution to meeting local housing needs at a time when the Council cannot demonstrate a 5 year housing land supply. There would be an enhancement to the immediate setting of the site through good design and landscaping and the removal of existing structures such as fencing and hardstanding that do not positively contribute to the site's appearance currently.
- 3.4 The proposals will reinforce the character of the buildings and improve the appearance of the application site and the surrounding area, through its high-quality design and removal of existing under used buildings. The proposal will therefore conserve and enhance the AONB in accordance with the NPPF. Furthermore, the proposals will provide an enhancement to biodiversity on site.
- 3.5 Economic benefits would also arise from developing the site and the economic activity of those occupying the buildings.
- 3.6 Applying the tests set out at paragraph 14 of the NPPF, it is evident that there are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole. Nor are there specific policies in the Framework which indicate that the development should be restricted. It is considered the proposal would amount to sustainable development and therefore permission should be granted in accordance with the presumption in favour of sustainable development.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE1 Safeguarding the Countryside
NE3 Local Landscape Character
NE4 Cotswolds Area of Outstanding Natural Beauty
H2 General residential development standards
H10 Conversion of existing buildings to residential use in the countryside and
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
EH1NEW Landscape character
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning approval for the conversion of two existing agricultural barns to form two residential units and associated ancillary residential uses. Alongside the conversion of a range of existing buildings a large steel framed barn, presently attached to the building referred

to as 'barn 1' would be removed and would form an area of landscaped amenity space. The existing buildings are non-vernacular and utilitarian in design and vary in terms of their construction and physical condition.

5.2 The application site is located within the Cotswolds AONB in an elevated area of open countryside between Shipton-under-Wychwood and Fulbrook. The site is adjacent to the A361 and is served by two means of access.

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 of Development
Design scale and siting
Impact on Cotswolds AONB
Highways and Access

Principle

5.4 In terms of five-year housing land supply, the Council's most recent position statement (May 2017) suggests the Council is able to demonstrate a five-year housing land supply with anticipated delivery of 5,258 new homes in the 5-year period 1st April 2017 - 31st March 2022.

5.5 The issue of five-year housing land supply was debated at length through the Local Plan examination hearings in 2017 and on 16 January 2018 the Local Plan Inspector wrote to the Council setting out his thoughts on the Local Plan. Importantly there is nothing in his letter to suggest that the Council is unable to demonstrate a five-year housing land supply. This is a key component of 'soundness' and if the Inspector had any concerns in this regard it is reasonable to suggest that he would have set those out.

5.6 On this basis it is considered that the Council is able to demonstrate a five year housing land supply albeit this cannot be confirmed with absolute certainty until the Local Plan Inspector's Final Report is received and the draft Local Plan 2031 is adopted.

5.7 Given the current position it is considered appropriate to continue to adopt a precautionary approach in relation to residential proposals and apply the 'tilted balance' set out in paragraph 14 of the NPPF whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in this Framework indicate development should be restricted (SSSI, AONB etc.).

5.8 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. The site is located within an area of open countryside, which officers consider would be 'isolated' given that the application site is located approximately 2 miles from Shipton-under-Wychwood and 1.3 miles from Fulbrook, the nearest settlements of any significant scale with services and facilities. Furthermore there is no safe pedestrian access between these settlements. Additionally the site is isolated in a literal sense as there is only a single dwelling on the site and only a scattering of similarly isolated buildings within 500 metres of the site.

- 5.9 The relevant provisions of Existing Local Plan Policy H4 and Policy H2 of the Emerging Local Plan are of material relevance. Both policies H4 and H2 to the respective Existing and Emerging plans are restrictive of residential development within areas of open countryside, although the provisions of Emerging Plan Policy H2 are significantly more consistent with the provisions of Paragraph 55 of the NPPF. Policy H10 of the Existing Local Plan allows for the conversion of existing buildings within the open countryside, whilst NPPF Paragraph 55 of the NPPF allows for residential development, which would reuse redundant and disused buildings and would subsequently lead to an enhancement of the immediate setting. Policy H2 of the Emerging Local Plan additionally allows for the reuse of appropriate existing buildings where this would lead to an enhancement of the immediate setting. Both Emerging Policy H2 and Existing Policy H10 require a sequential approach to be taken when considering the reuse of existing buildings, with preference given firstly to reuse for employment purposes, tourist or community use. In terms of the sequential approach, the applicants have carried out an assessment, the findings of which indicate that the building would be unsuitable for commercial, tourism and community based use, the findings of which officers would broadly concur with.
- 5.10 The application proposes the reuse of two modern agricultural buildings: a modern steel framed Dutch barn and a modern pitched roof barn constructed from rendered blockwork. The buildings differ considerably in their design and physical condition. The building referred to as barn 3 is in a deteriorated physical condition and whilst as referenced within the accompanying structural report, it would be feasible that the steel frame is capable of being retained, along with the lower blockwork. The majority of the exterior cladding alongside the roof will need to be replaced given both the condition of the existing materials and the need to achieve a design which is visually appropriate.
- 5.11 Policy H10 of the Existing Local Plan specifies that any building subject of conversion is of substantial construction and capable of residential use without a requirement for major reconstruction. The alterations proposed and required to convert the building into a residential use are so extensive in the case of this building that in officer's opinion this would be akin to a new build rather than a change of use and are indicative of the buildings general unsuitability for conversion to a residential use. Taking these factors into account and given the extent of the works proposed, officers consider that the development is unsuitable for conversion and the development would be tantamount to the siting of a new build dwelling in an unsustainable location and consequently the proposals would fail to comply with the provisions of Policy H2 of the Emerging Local Plan; Policies H4 and H10 of the Existing Local Plan and Paragraph 55 of the NPPF.
- 5.12 With regards to barn 1, officers accept that this building is structurally capable of reuse though as indicated on the plans, the building would be fully re-clad in stone and timber cladding in order to achieve an appropriate design solution.
- 5.13 Policy H2 of the Emerging Local Plan allows for the conversion of appropriate existing buildings, whilst Policy E3 of the Emerging Local Plan, whilst referring specifically to the conversion of existing buildings in the context of employment, tourism and community uses states that the existing form and design of the building should contribute positively to the character of the area and the building should be capable of conversion without the need for extensive alteration. Policy E3 of the Emerging Local Plan references that it is not the Councils objective to prolong the life of non-traditional modern agricultural buildings, which are typically unworthy of

retention; officers consider that both of the buildings subject of the proposed change of use would fall into this category.

- 5.14 Both buildings require significant design alterations in order to bring the buildings up to an acceptable design standard or to a condition where reuse would be feasible in practical terms in the case of barn 3. Officers accept that there would be enhancements arising from the removal of the steel framed buildings in the centre of the site, though when assessing the overall merits of the scheme there would not be significant enhancement arising from a development which prolongs the life of non-vernacular utilitarian agricultural buildings in an isolated and unsustainable location. Consequently officers consider that the development, as proposed would be contrary to the provisions of Policies H4 and H10 of the Existing Local Plan; Policies OS2 and H2 of the Emerging Local Plan and the provisions of Paragraph 55 of the NPPF.

Siting, Design and Form

- 5.15 The proposed design of the buildings as converted would be contemporary though traditional materials would also be used, particular in the case of barn 1, which would be clad in stone. The design of the buildings is generally considered to be of a good quality and would be an enhancement on the utilitarian appearance of the buildings in their existing form, though this is notwithstanding officers concerns about the general principle of development and the suitability or appropriateness of the buildings for a re-use for residential purposes and the extent of the alterations proposed which officers consider would be contrary to the policies of the emerging and existing local plan, relating to a residential change of use.

Impact on the AONB

- 5.16 The site 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. Public views of the site are limited owing to the presence of existing screening, with the only significant views being limited to those from the adjacent A361. Existing modern agricultural buildings on the site would be removed, though these particular buildings are not visually prominent. Officers consider that the impact of the development on the setting of the AONB is likely to be neutral.

Highways

- 5.17 The site is presently served by two means of access onto the A361, though a single means would serve the newly formed dwellings, this being the northern access. OCC Highways in their response have raised no objection to the proposed development on highway safety or amenity grounds and it is noted that the proposed development would be likely to generate fewer vehicle movements than the existing use.

Residential Amenities

- 5.18 The conversion of the buildings would not have a significant impact on the amenity of the only existing property located on the site. The proposed dwellings would be served with an appropriate amount of amenity space.

Ecology

- 5.19 The application is accompanied by an ecology report, the findings of which are supported by the Councils ecologist and it is considered likely that the proposals would represent an enhancement in terms of site biodiversity.

Conclusion

- 5.20 The development proposes the reuse of two modern agricultural barns for residential purposes. The application site is in an isolated location between the settlements of Shipton-under-Wychwood and Fulbrook and the proposals include extensive alterations, in terms of physical structure, in the case of barn 8 and external appearance in the case of barn 3 and barn 8 in order to facilitate their reuse for residential purposes. Officers consider that the extent of the alterations required to convert the barns indicates the general unsuitability of the buildings for residential reuse.
- 5.21 The development would prolong the functional life of a number of non-vernacular utilitarian agricultural buildings which are of no architectural merit and whilst accepting the benefits arising from the proposed landscaping, officers consider that the development would result in a dispersed form of residential development in a location where this would not typically be supported, which would fail to represent an enhancement of the immediate setting.
- 5.22 Officers consider that the development would therefore be contrary to the provisions of Policies BE2, H2, and H4 of the Existing West Oxfordshire Plan 2011; Policies OS2 and H2 of the Emerging West Oxfordshire Local Plan 2031; in addition to Paragraphs 17 and 55 of the NPPF.

6 REASON FOR REFUSAL

- 1 By reason of the remote countryside location, the development as proposed would fail to represent sustainable development as it would result in new homes in an open countryside location which is remote in relation to neighbouring settlements, services and facilities and public transport links where no special circumstances have been demonstrated to apply in favour of the development. The proposal therefore represents an unsustainable location for residential development contrary to the provisions of West Oxfordshire Local Plan 2011 Policies H4 and H10, emerging West Oxfordshire Local Plan 2031 Policies OS2, H2, T1 and T3, and the relevant provisions of the NPPF, in particular paragraphs 17 and 55.