

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 30th 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***

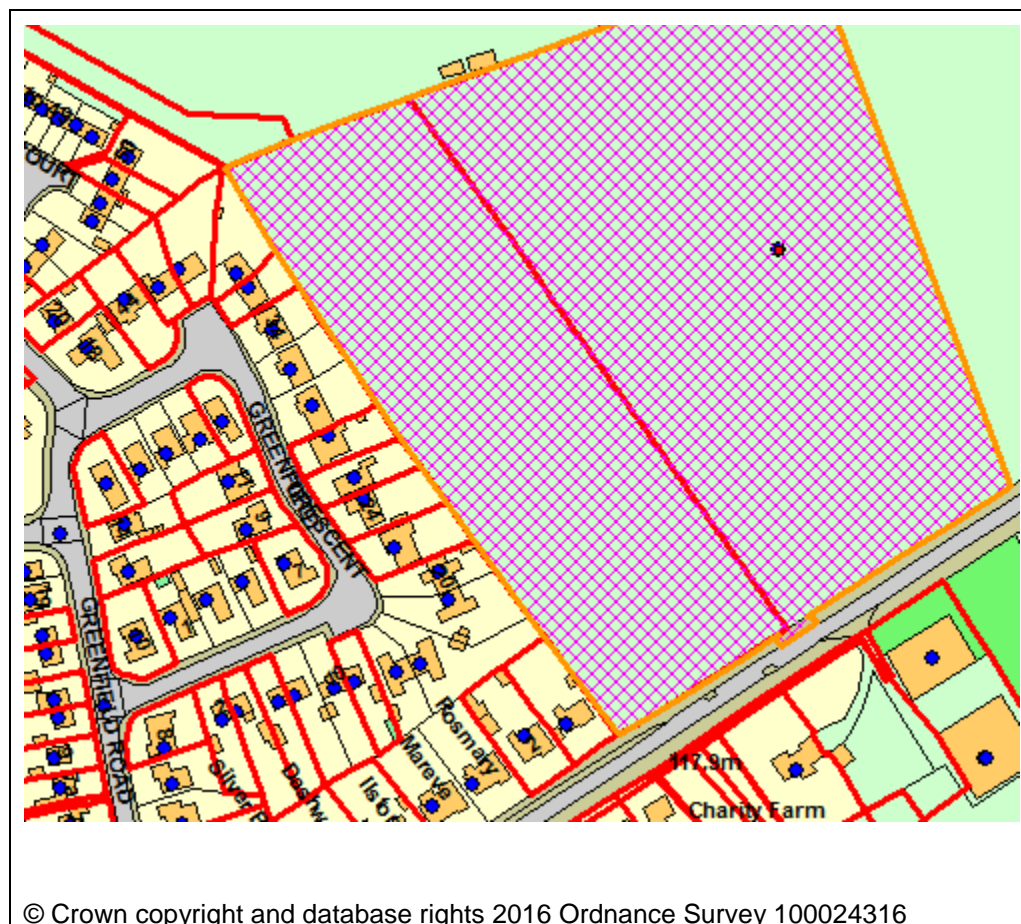
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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](http://www.westoxon.gov.uk/meetings)

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Application Number	17/01670/FUL
Site Address	Land East of Stonesfield Woodstock Road Stonesfield Oxfordshire
Date	18th April 2018
Officer	Catherine Tetlow
Officer Recommendations	Refuse
Parish	Stonesfield Parish Council
Grid Reference	439808 E 217485 N
Committee Date	30th April 2018

### Location Map



### Application Details:

Residential development consisting of 68 dwellings, public open space and new vehicular access onto Woodstock Road

### Applicant Details:

Mr Robinson & Ms Evins And CALA Management Ltd  
C/O Agent

## I CONSULTATIONS

### I.1 Parish Council

The Parish has submitted a lengthy representation via a planning agent and Members are recommended to read this in full. In summary, the Parish objects and has raised the following matters:

- 1) The developer did not enter meaningful dialogue with the Parish before the application was submitted.
- 2) The developable area as suggested by WODC is only a portion of the allocated site and the undevelopable land is required to provide landscape buffering to provide mitigation of environmental effects.
- 3) Development should fully comply with emerging policy BC1a, and demonstrate exceptional circumstances to override the presumption against major development in the AONB.
- 4) There are other appropriate locations for housing development outside nationally important landscape.
- 5) Small scale development would be better absorbed by existing settlement boundaries and surrounding landscape.
- 6) The requirement to deal with Oxford's unmet need should have little bearing on the justification to include major housing development in the AONB.
- 7) A landscape buffer would be needed in great depth on the eastern part of the allocation. In the absence of this, the scheme does not embrace the presence of the AONB.
- 8) There is currently no provision for an extension to the sports and recreation field that would amount to "a significant benefit to new and existing residents" envisaged by the allocation.
- 9) There is no mechanism as to how the open space proposed is to be accessed from and incorporated into the existing recreational land.
- 10) The application is speculative and not intended to meet the draft policy criteria.
- 11) The design and layout are inappropriate and would lead to adverse impacts on residential amenity, and anti-social behaviour.
- 12) The scheme should include bungalows.
- 13) There is an over-supply of parking which takes up a large amount of space on the site.
- 14) There is likely to be commuting from the site and consequent pressure on the highway network and parking at Hanborough and Charlbury railway stations.

Subsequent to these comments, the Parish was asked to clarify what discussions had taken place with the developer as regards the need or expectation in relation to the provision of open space.

In response, the Parish has reiterated that it expects the proposal to deliver the nature of development envisaged in the emerging Plan. There has been little discussion about the potential benefits of the scheme as proposed. It does not contain the envisaged housing element or the essential landscaping and recreational elements on the remainder of the land.

The landscaping and recreational land should be shown by way of

amendments to the emerging plan by way of annotated plan and text revisions.

The Parish has identified the main need in the village as the replacement and relocation of the pre-school.

- |      |                                     |  |
|------|-------------------------------------|--|
| I.2  | Major Planning Applications Team    | Highways - with regard to the revised details, no objection is raised subject to the imposition of conditions, a S106 agreement is required to secure a public transport contribution of £68,000.00, and a separate highways agreement will be needed to deal with off-site highways works in Woodstock Road.<br>Archaeology - no objection and no conditions required.<br>Education - No objection subject to a primary education contribution of £330,150.00, and early years contribution of £98,146.00 |
| I.3  | WODC - Arts                         | A contribution of £7,140.00 is required towards public art to enhance the health and wellbeing of residents by enhancing interpretation around walking and cycling routes and enhancing the community activity programme in the village in consultation with the Parish Council.   |
| I.4  | Conservation Officer                | No Comment Received.   |
| I.5  | Environment Agency                  | No Comment Received.   |
| I.6  | ERS Env Health - Uplands            | No objection subject to conditions in relation to appropriate noise standards being achieved in accordance with British standards and a condition dealing with unexpected contamination being encountered on site.   |
| I.7  | WODC Housing Enabler                | A policy compliant contribution of 50% affordable housing with a suitable mix of accommodation has been provided for on the plans and will be secured by legal agreement.  |
| I.8  | WODC Landscape And Forestry Officer | No objection.  |
| I.9  | Natural England                     | In relation to the initial submission, no objection subject to mitigation being secured in the form of: a wider landscape buffer on the eastern edge; a wider buffer on the western edge to provide a functional landscape feature; and sensitive lighting strategy.   |
| I.10 | WODC - Sports                       | A contribution of £78,608.00 towards sport/recreation facilities within Stonesfield. A contribution of £55,624.00 for the enhancement of play/recreation areas in Stonesfield.   |
| I.11 | Thames Water                        | No objection in relation to sewerage infrastructure capacity or water infrastructure capacity.   |
| I.12 | WODC Env Services - Waste Officer   | No Comment Received.   |

I.13	Biodiversity Officer	No objection subject to conditions to secure ecological mitigation, enhancements and management.
I.14	Parish Council	<p>Further comments have been received as follows:</p> <p>Should planning permission be forthcoming, Stonesfield Parish would wish the following benefits to be delivered:-</p> <ol style="list-style-type: none"> <li>1) Open space provision and landscape mitigation as a minimum in accordance with Figure 9.17a (as per paragraph 9.6.34h of the emerging Local plan 2031).</li> <li>2) Significant recreational land within that open space that is accessible from the existing recreation land to the north (as well as the from the housing development) and that can be assimilated into it with an agreed mechanism of transferring this land to the Parish Council</li> <li>3) The remaining land that is shaded green on Figure 9.17a (approximately 2 hectares of land) to be secured as semi-natural greenspace with woodland planting in accordance with the previous and recent changes to paragraphs 9.6.34b and 9.6.34h</li> <li>4) A landscape dominated design in accordance with policy BC1a criterion c.</li> <li>5) The provision of sufficient monies to secure the replacement and relocation of the pre-school from its current position to that of the Primary School as the most pressing village need and one where the impact of this development would effectively swamp the existing provision (a figure of £500,000 has been suggested albeit clearly not all of that figure could be reasonably be requested).</li> <li>6) A cycle path to connect the village to the A44 (as part of the contributions to the County Council)</li> <li>7) Improved facilities in connection with the provision of additional recreational space - an outdoor gym, and changing rooms to serve the space</li> <li>8) Contributions towards village hall repairs and a scout hut</li> <li>9) Street furniture - notice boards, dog waste bins and rubbish bins</li> </ol>
I.15	Major Planning Applications Team	See earlier comments.
I.16	Environment Agency	No comments received.
I.17	WODC Housing Enabler	See earlier comments.
I.18	WODC Landscape And Forestry Officer	No Comment Received.
I.19	Natural England	No Comment Received.

I.20 WODC - Sports See earlier comments.

I.21 Thames Water See earlier comments.

I.22 Biodiversity Officer See earlier comments.

## **2 REPRESENTATIONS**

2.1 232 objections have been received referring to the following matters:

- Impact on infrastructure capacity, including village primary school. Cumulative effect of a number of developments in the village.
- Increase in traffic, congestion and effect on highway safety.
- Inadequate local services, facilities and amenities.
- Loss of green space, impact on the character of the area, and AONB. Major development should only be allowed in exceptional circumstances.
- Limited public transport.
- Precedent for further development to the east.
- Effect on sewerage capacity and drainage.
- Inappropriate mix of housing. Development should provide small units that are affordable. Large houses in the village not selling.
- Too many houses for the site/density too high. Site allocated for 50 houses only.
- Little local employment. Most residents will need to commute to work.
- Development should be focussed on major towns and rural service centres.
- There would be an unsustainable increase in village population.
- The SHELAA assessment of the suitability of the site has been changed without justification.
- Impact on ecology.
- Impact on character and community of village.
- Increase in pollution and disturbance.
- Impact on residential amenity.
- Inappropriate design and use of materials. Not in keeping with the village.
- Design of open space of no value to Playing Field Committee.
- Does not integrate with existing settlement.
- Affordable and market housing should be integrated.
- Larger buffer on west side of site needed. Too close to existing housing.
- Low mains water pressure.
- Parking for village functions required.
- Government revisions to housing needs will reduce requirement for West Oxfordshire.
- Thames Water response misleading.
- All decisions on housing should be deferred until Inspector has made a ruling.
- Bungalows should be included.

## **3 APPLICANT'S CASE**

3.1 The Site is in benefit of a draft site specific policy for its residential development in the emerging WOLP31.

- 3.2 The proposal for the Site has been through a long pre-application process with the Council's Officers and the principle of its residential development has been supported.
- 3.3 The proposal for the Site of 68 dwellings is held to be in accord with the quantum of development, "around 50 homes" stated in the draft site policy. That is a view shared by the Council's Officers.
- 3.4 Stonesfield is a location identified in both the existing and emerging Local Plans as a village settlement suitable for new housing development, due to its relatively sustainable nature.
- 3.5 The Council does not have a 5 year housing land supply, which it acknowledges, and the proposal for 68 homes on the Site would contribute positively towards that identified 'severe' shortfall.
- 3.6 In circumstances where a Council does not have a 5 year housing supply, its policies of otherwise housing restraint are properly set aside and the presumption in favour of sustainable development, as contained in the NPPF, prevails.
- 3.7 The LVIA submitted in support of the application demonstrates that due to the careful and sensitive nature of the proposal, no significant harm would be caused to the visual amenities of this part of the AONB.
- 3.8 A significant number of affordable housing units would be delivered into this village location, which otherwise would not come forward. This is an important public benefit of the scheme.
- 3.9 The proposal, as a whole, would result in an attractive form of development which would make a positive contribution to the site and Stonesfield as a whole.
- 3.10 In short, the proposal represents an eminently sustainable form of residential development, the like of which the prevailing planning policy framework positively advocates and supports. This application should, in all reasonableness, be approved.

#### **4 PLANNING POLICIES**

BE1 Environmental and Community Infrastructure.  
BE2 General Development Standards  
BE3 Provision for Movement and Parking  
BE4 Open space within and adjoining settlements  
BE5 Conservation Areas  
BE8 Development affecting the Setting of a Listed Building  
BE11 Historic Parks and Gardens  
BE18 Pollution  
BE19 Noise  
BE21 Light Pollution  
H2 General residential development standards  
H3 Range and type of residential accommodation  
H6 Medium-sized villages  
H11 Affordable housing on allocated and previously unidentified sites  
NE1 Safeguarding the Countryside  
NE3 Local Landscape Character



NE4 Cotswolds Area of Outstanding Natural Beauty  
 NE6 Retention of Trees, Woodlands and Hedgerows  
 T1 Traffic Generation  
 T2 Pedestrian and Cycle Facilities  
 T3 Public Transport Infrastructure  
 NE13 Biodiversity Conservation  
 EH1NEW Landscape character  
 EH2NEW Biodiversity  
 EH5NEW Flood risk  
 EH6NEW Environmental protection  
 EH7NEW Historic Environment  
 EW1NEW Blenheim World Heritage Site  
 H1NEW Amount and distribution of housing  
 H2NEW Delivery of new homes  
 H3NEW Affordable Housing  
 H4NEW Type and mix of new homes  
 OS1NEW Presumption in favour of sustainable development  
 OS2NEW Locating development in the right places  
 OS4NEW High quality design  
 OS5NEW Supporting infrastructure  
 T1NEW Sustainable transport  
 T2NEW Highway improvement schemes  
 T3NEW Public transport, walking and cycling  
 T4NEW Parking provision  
 TLC7 Provision for Public Art  
 BC1NEW Burford-Charlbury sub-area  
 EH3NEW Public realm and green infrastructure  
 OS4NEW High quality design  
 The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

- 5.1 The proposal is a full application for the erection of 68 dwellings on 3.4 ha of land, adjoining the eastern edge of Stonesfield. A range of supporting information and detailed plans have been provided. This includes a new location plan showing the red line as previously proposed but with further land to the east and north east (the remainder of the field) shown in blue and indicated to be provided as managed landscaping/land potentially offered to the Parish Council. The development would be 2 storey. The vehicular access would be from Woodstock Road.
- 5.2 The site is part of a large arable field. There are established hedgerows to the north and south boundaries. The western boundary is formed by the rear gardens of existing residential properties at Woodstock Road and Greenfield Crescent. The eastern boundary is not currently defined, as the proposed development would occupy only a portion of the field, with the remainder retained in agricultural use. Beyond the site to the north is a large recreation ground incorporating sports facilities, children's playground and the village hall. To the south of Woodstock Road there is new housing currently under construction at Charity Farm. To the east lies open countryside.
- 5.3 The site is not within the Stonesfield Conservation Area, but is within the Cotswolds AONB.

- 5.4 W.49/76 and W.1248/79.U - outline applications for residential development adjoining the existing village edge were refused, principally on the grounds of extending the limits of development in the village and impact on the character of the area.
- 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  
 Siting, design and form  
 Landscape  
 Heritage  
 Highways  
 Trees, landscaping and ecology  
 Drainage  
 Residential amenity  
 S106 matters

Principle

- 5.6 Stonesfield is classified in the Local Plan 2011 as a medium sized, group B settlement. Based on the settlement sustainability assessment (Nov 2016) the village is ranked equal 20th of the 41 settlements assessed in terms of services and facilities available.
- 5.7 The village benefits from a range of services, including a primary school, food shop, community building, sports facilities, and pub. Therefore, on the basis of its location and facilities, the village is considered to be a suitable location for some new housing development.
- 5.8 In the emerging Local Plan 2031 the 5 year housing land requirement is based on the 660pa midpoint identified in the Oxfordshire SHMA. This gives rise to a requirement over the plan period of 13,200 dwellings. Added to this is WODC's apportionment of Oxford City's unmet need 2,750 dwellings, and the accumulated shortfall since the year 2011. The emerging Local Plan intends to deliver at least 15,950 over the Plan period 2011 to 2031.
- 5.9 The first sessions of the Examination of the emerging Local Plan (EiP) took place in November 2015, with further sessions in May 2017, and July 2017. Following the latest sessions the Council commissioned independent assessment of landscape and heritage matters in relation to proposed allocated sites in the AONB and Woodstock (the Chris Blandford Associates Report - CBA). In addition a staged housing land supply scenario was put forward for consideration, with the annual delivery increasing over the plan period as the larger strategic sites come on stream. Some further modifications to the Plan text were also proposed.
- 5.10 On 16th January 2018 the EiP Inspector wrote to the Council advising that "there is little case for the plan to provide for more than the already completed/committed 774 dwellings in the Burford-Charlbury sub-area". "Other than in respect of the strategy/site allocations for the Burford - Charlbury sub-area ... subject to further modifications to the effect of those now proposed by the Council, the plan as previously proposed to be modified (doc CD5) is likely to be capable of being found legally-compliant and sound". The removal of allocations in the Burford-Charlbury sub-area, amounting to 175 units, has little bearing on the 5 year supply.

- 5.11 A consolidated version of the Plan, including proposed modifications was published for a 6 week consultation on the 22nd February 2018 until 9th April 2018. Following the outcome of this the Inspector is anticipated to be in a position to produce his final report.
- 5.12 In light of the approach taken in emerging Policy H2, this provides a 6 year supply of housing based on the staged approach, Liverpool calculation and a 20% buffer. Given the progress on the Emerging Plan, Officers are of the view that increasing weight can be attached to it and are confident in the supply position. Nevertheless, whilst there is still some degree of uncertainty in advance of adoption of the Plan, it remains appropriate to proceed with a precautionary approach and assess proposals applying the provisions of the second bullet of "decision taking" under paragraph 14 of the NPPF. In this context the delivery of housing will continue to attract significant weight in the planning balance until such time as the 5 year supply is confirmed.
- 5.13 The site was identified in the reviewed SHELAA as a suitable site for housing development. The whole field, of which the site forms part, was allocated for housing development in the published modifications to the emerging Local Plan as site BC1a in November 2016. However, in the light of the Inspector's view in January 2018, this allocation has now been removed from the Plan.
- 5.14 Local Plan 2011 Policy H6 would not allow for the development of the application site under a strict interpretation of the definitions of infilling and rounding off contained therein. However, in the context of the Council currently being unable to definitively demonstrate a 5 year supply of land for housing, this policy is considered out of date with reference to paragraph 49 of the NPPF.
- 5.15 Emerging Local Plan 2031 Policy OS2 allows for limited development in villages which respects the village character and would help to maintain the vitality of these communities. Emerging Policy H2 allows for housing development on undeveloped land adjoining the built up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the Plan, in particular the general principles in Policy OS2.
- 5.16 The site adjoins the existing built up area of the village, but with reference to the distribution in the sub-area as set out in Policy H1 and BC1, under which there is no allocation and no allowance for windfall, there is considered to be no need for the 68 units proposed. It is acknowledged that sub-area supply does not impose an absolute target or ceiling, but nevertheless constraint is justified within the AONB area. There is no acceptability in principle for this scale of development in this location under the terms of the revised Plan. It would not be considered "limited" under Policy OS2.

#### Siting, Design and Form

- 5.17 The plans have been amended since originally submitted. As previously proposed a large area of open space was to be provided at the north side of the site to adjoin the existing recreation ground, with footpath link. This would have measured approximately 30m x 120m, and would have been connected to a more linear area of open space to the east side of the site approximately 12m in depth. The Parish Council did not explicitly state what their requirement for sport/recreation is, and did not express an interest in taking on the open space. It was therefore questionable as to whether it would fulfil the objective of adding meaningfully, in a functional sense, to the existing recreation asset. As a consequence, the shape and function of the open space was reviewed and Officers considered it desirable to substantially widen the

landscaped buffer to the east side of the development. The plans now show a shallower open space to the north allowing a landscaped set-back from the hedge and recreation ground, with a treed corridor provided to the east, approximately 20m wide. The attenuation pond at the south east corner would now have increased planting around it, and the houses will be set further back from the road frontage at the southern edge. Notwithstanding the views of the Parish, it remains desirable to provide a potential footpath link to the recreation ground through the northern boundary. To this end a link is shown on the plans. Whether this link can ultimately be instituted through the adjoining recreation ground is a matter for the parties, but such linkage would clearly be in the interests of amenity, connectivity and community cohesion.

- 5.18 The layout shows that 68 dwellings can be accommodated, however, whilst the eastern half of the site and north edge is well spaced with large plots, the western side is more cramped with a more regimented layout and higher density of built form. The interface distances achieved within the development are in accordance with conventions as regards rear elevations and private gardens. However, it is noted that along the main access through the development the fronts of properties are somewhat closer together. This main thoroughfare would not give a sense of spaciousness and although there is some frontage planting, the layout does not incorporate meaningful planting and green space.
- 5.19 With regard to the relationship between proposed and existing neighbouring properties, main elevation interfaces meet or exceed a 21m standard. In a number of instances main elevations face gable ends and a 13m distance is achieved, which is also acceptable. The layout would not lead to unacceptable loss of light or privacy.
- 5.20 In accordance with good practice, in terms of minimising opportunities for crime or anti-social behaviour, it is not considered desirable to have a public space between the side or rear of properties that would not be readily overlooked or actively managed by an occupier. Therefore, on the west side of the site a narrow strip would provide for additional planting between existing and proposed properties, but not open space. On the south west edge the presence of an easement sets plots 1, 14 and 15 away from the boundary. Elsewhere on the site properties face, but do not back onto, open space allowing natural surveillance and active frontages.
- 5.21 The design of the plots is inspired by vernacular forms and is generally acceptable. It is intended to provide predominantly reconstituted stone units, with a smaller proportion of brick. The type of walling and roofing materials can be secured by condition.

#### Landscape

- 5.22 The site is within the Cotswolds AONB which washes over the whole village and the countryside around it. The statutory consultee on AONB is Natural England. They raise no objection subject to appropriate mitigation being secured. The applicant has submitted a Landscape and Visual Impact Assessment by RPS, with a later addendum report following publication of the CBA report. The Friends of Evenlode Valley and West Oxfordshire Cotswolds have submitted a Review of Landscape and Visual Issues carried out by WH Landscape. These documents, as well as the CBA report, have been considered by Officers.
- 5.23 Paragraph 115 of the NPPF and Local Plan Policy NE4 refer to the conservation of the AONB. We are required to give great weight to conserving landscape and scenic beauty.

- 5.24 The site is relatively flat and is not elevated in the landscape. It is an arable field and contains no distinctive features. On approaching the village travelling south west along the Woodstock Road, given the somewhat elevated level of the road, the site readily comes into view, with the existing village edge behind and the open space at the recreation ground to the north. Travelling in a north easterly direction along the road the view is channelled by existing houses and gardens fronting the road and one only gets a clear view of the site at quite close range.
- 5.25 Farley Lane to the north is a public bridleway. This links The Ridings at the west to Woodstock Road to the east. The south edge of the lane features mature hedgerow. Looking south towards the site, the views is effectively screened by this hedge and two further intervening hedges and some trees. At the eastern end of the bridleway the hedge is more gappy and glimpsed views would be possible across fields. A field gateway along the lane would provide a clearer view.
- 5.26 The public footpath to the south would allow views towards the site but looking in a northerly direction the new development at Charity Farm is in the foreground, limiting views of the site. Further along this path to the north east the view back towards the village would be filtered by vegetation and the site would be seen in the context of existing built form.
- 5.27 In terms of existing landscape features, and existing and proposed development to the east of the village, the proposed area for built form can be considered broadly a logical complement to the village morphology, although it is recognised that particularly when viewed from the north east and at close range the site is clearly visible in the landscape with an exposed eastern edge with no boundary features. It is necessary that the development delivers a visually improved village edge, and substantial screening to the south and east to ensure a sympathetic transition to open countryside is achieved. It is also important that the development appropriately assimilates into the environment here, including the open space to the north.
- 5.28 The plans have been amended since originally submitted to increase the depth of the boundary planting. Subsequently, the red and blue line plan indicates that landscaping could be provided on adjoining land, but no details of precisely what this would entail and the mechanism to secure such provision have been provided.
- 5.29 The CBA report makes a number of recommendations on landscape matters which are set out below with Officer comments added after each recommendation:
- 1) Strengthen all existing hedgerow boundaries with a minimum of c.10m width structure planting: - The proposed layout shows that for the most part there is a separation of at least 10m between buildings/hard surfaces at the north and south edges, however, this is not the case everywhere and a lesser depth is shown at the south west and north west edges.
  - 2) Retain and manage existing site boundary hedgerows/hedgerow trees outside of private garden plots (secured by S106 legal agreement), or otherwise demonstrate how these will be retained through developer covenants: - The existing hedges north and south of the site and the proposed landscaping to the east would be outside residential curtilages. It would be possible to introduce a condition/legal agreement regarding long term management of these features.
  - 3) Incorporate a large area of semi-natural green space, of approx. 50-100m width including a woodland block, between the eastern boundary of the site and any development: - This raises a fundamental issue in terms of the applicant seeking to bring forward only part of the whole site allocation. As shown on the plans, the proposed eastern landscape belt is

between approximately 17m and 25m in depth which is a long way short of the recommended green space buffer. In this respect Officers are not satisfied that the form of development is appropriate without the benefit of more detailed information about the treatment to the blue line area.

- 4) Vehicular access from Woodstock Road ensuring replacement hedge planting behind visibility splays: - The submitted plans show tree planting and amenity grass behind the southern hedge, but not explicitly new hedge planting. Nevertheless it is considered that this could be addressed by condition or a revision to the planting plans.
- 5) Restrict residential development to 2 storeys (maximum c.8m roof ridge height), taking the opportunity to include some 1.5 storey development towards the western boundary of the site: - The scheme as proposed is uniformly 2 storey with ridge heights in the order of 8.5m. The height and layout of development are detailed matters which are assessed in the context of a scheme as a whole. Whilst the proposal does not conform to this recommendation, it does not mean that the proposal as regards height is unacceptable as a matter of principle.
- 6) Design of development to be landscape dominated in accordance with the design principles/considerations set out in the 2017 Design Guide: - Officers have regard to the Design Guide in reaching a view on the merits of the scheme.
- 7) Ensure predominantly local limestone building materials, a planting palette appropriate to local AONB context, and that any lighting is of a cut off lantern type: - All of these are matters that can be dealt with by condition.

5.30 Having regard to the range of professional opinion on landscape matters in connection with this site, and paragraph 115 of the NPPF, it is considered that there would be an unacceptable effect on the landscape and scenic beauty of the AONB arising from this particular proposal. This is because the extent of the site area, the density and layout of development, and limited landscape buffer to the east do not acceptably mitigate landscape harm and deliver the improved edge to the village.

5.31 Paragraph 116 of the NPPF requires that planning permission for major development in the AONB is refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest. The test has three components which are assessed as follows:

- 1) The need for the development, including in terms of any national considerations, and the impact of permitting or refusing it, upon the local economy.  
In this context, the need for new housing is a national imperative underlined by the NPPF, which refers to boosting significantly the supply of housing. Locally, the Council is required to meet objectively assessed need and in the emerging plan has to plan for in the region of 16,000 new homes over the period 2011 to 2031.  
The local economy requires new housing to support jobs and services and promote viable, cohesive communities.  
There is no doubt that new housing is required at the District level and housing growth should logically be directed to existing sustainable locations.  
Meeting housing need is fundamentally in the public interest.
- 2) The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way.  
The Cotswolds AONB covers a large part of the District which includes many significant settlements which offer suitable locations for some development. Two of the service centres, Burford and Charlbury, are within the AONB and revised Policy OS2 notes that

they are constrained by their AONB location and are suitable for a modest level of development.

As outlined earlier in this report, the evolution of the emerging Local Plan is important in informing the question of the scope for developing outside the designated area and meeting needs.

The EiP Inspector in his interim letter of 16th January 2018 advises as follows:

"Completions and current commitments in the Burford - Charlbury sub-area amount to 774 dwellings. Taken together with completions and anticipated future supply in the rest of the district, the total supply is 15,869 - 99.5% of the plan period district-wide housing requirement figure. Consequently, there is little case for the plan to provide for more than the already completed/committed 774 dwellings in the Burford - Charlbury sub-area simply to ensure that the district-wide housing needs are met. In addition to the 774 dwelling commitments, the plan (doc CD5), as proposed by the Council through the previously-consulted on main modifications, provides for 175 dwellings across three allocated sites in this sub-area and a fourth allocation for 44 dwellings is already a commitment. Additionally, it assumes that 264 dwellings will come forward on 'windfall' sites in the remainder of the plan period in the Burford - Charlbury area. As indicated above, these dwellings (439 in total) are unlikely to be necessary to ensure that district-wide housing needs are met. Moreover, in the absence of a specific housing need figure for the sub-area, it is not possible to identify that they are, as a matter of principle, necessary specifically in the context of the AONB or the Burford - Charlbury area".

Officers are therefore of the view that housing needs can be met outside the designated area and this development is not necessary.

- 3) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The site is not of itself special or important in environmental terms. It is not of significant ecological or geological value, and is not a public open space or accessible by public right of way. Its value lies in its forming part of the AONB and providing part of the setting of Stonesfield.

Officers are of the view that there would be significant change to the landscape arising from the proposal. The ability of the landscape to accommodate this change is contingent on suitable mitigation being provided. The layout includes some landscaping, including structure planting to the eastern edge, but this is not considered sufficient to ensure that the impact on the AONB would be successfully mitigated. Intentions for the blue land area are not clear and provide no certainty in terms of decision making in respect of this full application where the extent and scale of development would be fixed. The residual harm, in the context of the other considerations addressed in points 1 and 2 above suggest that the test of public interest is not passed and the development would not meet the requirements of paragraph 116. This harm will be factored into the wider planning balance.

### Heritage

- 5.32 There are no listed buildings in close proximity to the site. The boundary of the Stonesfield Conservation Area lies approximately 175m to the south west. There is no Conservation Area statement published by the Council.
- 5.33 There are listed buildings within the Conservation Area, most notable of which is the Grade II \* St James the Great Church, others closest to the site are: Corner Cottage; Barn south east of

Prospect Villa; The Cottage; Manor Lodge; Stonesfield Manor; and Lock up adjacent to the church. All of these are Grade II.

- 5.34 The setting of all nearby listed buildings and the effect on the Conservation Area need to be considered under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.35 Local Plan Policy BE5 states that the character and appearance of Conservation Areas should not be eroded by the introduction of unsympathetic development proposals within or affecting their setting. Policy BE8 requires that development should not detract from the setting of a listed building.
- 5.36 Section 12 of the NPPF deals with the historic environment and addresses the impact of development on heritage assets. Emerging Local Plan Policies EH7, EH8 and EH9 have been drafted in the light of the NPPF and promote the conservation and enhancement of West Oxfordshire's historic environment.
- 5.37 Given that the site is some distance from the edge of the Conservation Area, and separated from it by a significant amount of modern housing on both sides of Woodstock Road, there would be no material effect on its setting and significance. The Conservation area would be preserved in accordance with the Act.
- 5.38 The site is not an area of open space that provides an important view towards heritage assets. There is no inter-visibility between the site and a listed building in the village. The density, depth and layout of intervening houses is such that the higher status asset of the church cannot be appreciated from the site.
- 5.39 There is a Roman Villa Scheduled Ancient Monument (SAM) approximately 250m south of the site, which lies to the south of the Charity Farm development. The designated area abuts existing development at Combe Road and new development at Charity Farm has significantly eroded the agricultural land to the north, leaving a narrow buffer strip. This strip is now subject to a current application for 18 houses (17/01966/FUL) with the site abutting the designated area.
- 5.40 In view of the distance to the SAM and intervening development, it is considered that there would be no material effect on the setting of it. The County Archaeologist has concluded that there no archaeological constraints to the application.
- 5.41 The site lies approximately 1.8km from the nearest edge (as the crow flies) of the Blenheim World Heritage Site/Registered Park and Garden. Given the distance, topography, and separation provided by large tracts of open countryside, it is considered that there would be no material effect on the setting of the World Heritage Site.
- 5.42 The finding of the heritage assessment contained in the CBA report is that "Overall, the development of the proposed allocation site would not have a significant impact on the setting of the Stonesfield Conservation Area, the listed buildings in the conservation area or the scheduled monument to the south. Harm to the historic environment is therefore not a notable consideration for the potential allocation".



- 5.43 Given the finding of no material harm in relation to the identified heritage assets, there is no requirement to assess public benefit here before applying the wider balance of paragraph 14 of the NPPF.

#### Highways

- 5.44 OCC Highways raise no objection to the proposal as regards traffic generation, the means of access, and highway safety. Comment is raised that the provision for parking has increased with some plots having 4 spaces plus double garage, and OCC suggest that this level in excess of standards is not justified. However, in your Officers' view, such provision is likely to reduce the demand for on-street parking, making for a less cluttered and more visually appealing environment. The driveways would exist in any event, and the additional spaces are created by garages sitting further back on the plots.
- 5.45 A S106 contribution of £68,000.00 is required towards bus service improvements.
- 5.46 Observations are made about the specific internal layout of roads/footways and some modifications would be required should the roads be offered for adoption. This can be addressed by a separate highways agreement. It is understood that notwithstanding previous advice from OCC there would be a need to change the current traffic calming arrangements on Woodstock Road in the vicinity of the site. This would be subject to a highways agreement.

#### Trees, landscaping and ecology

- 5.47 There are a significant number of trees on the north boundary of the site. The submitted information indicates that these will be retained along with the hedgerow here. It is considered that there would be no detriment in landscape terms arising from the treatment of existing trees on and adjoining the site.
- 5.48 For the reasons expressed above, it is considered that the scheme does not incorporate sufficient landscaping and planting, and is not satisfactory in these terms.
- 5.49 An ecological report was submitted with the application. This has been considered by the Council's Ecologist and no objection is raised subject to a number of conditions to secure mitigation, enhancement and management for ecology.

#### Drainage

- 5.50 OCC Drainage officers make some observations about the submitted drainage strategy, but no objection is raised and it is considered that further drainage details can be secured by condition.
- 5.51 The site is within Flood Zone 1 and therefore at low risk of flooding. Although concern has been expressed locally about flooding and drainage, subject to a sustainable drainage scheme being agreed, there is no reason to believe that the development would result in detriment as regards increased flood risk. An attenuation pond is shown on the submitted plans. The site is not considered at high risk from any other sources of flooding.

### S106 matters

- 5.52 The applicant has referred to the provision of 50% affordable housing which is a policy compliant contribution.
- 5.53 A contribution of £7,140.00 is required towards public art.
- 5.54 A contribution of £78,608.00 towards sport/recreation facilities within the catchment is required. In addition, £55,624.00 is required for the enhancement and maintenance of existing play/recreation areas within the catchment.
- 5.55 Contributions are required towards education: £330,150.00 towards the expansion of permanent school capacity at Stonesfield Primary School; and £98,146.00 for the necessary expansion of early years and childcare in the area.
- 5.56 £1,000.00 per dwelling to fund an increase in frequency of the S3 bus service.
- 5.57 Should planning permission be forthcoming, Stonesfield Parish would wish the following benefits to be delivered (as per their response which pre-dates the February 2018 modifications to the emerging Plan):-
- 1) Open space provision and landscape mitigation as a minimum in accordance with Figure 9.17a (as per paragraph 9.6.34h of the now superseded emerging Local plan 2031).
  - 2) Significant recreational land within that open space that is accessible from the existing recreation land to the north (as well as from the housing development) and that can be assimilated into it with an agreed mechanism of transferring this land to the Parish Council.
  - 3) The remaining land that is shaded green on Figure 9.17a (approximately 2 hectares of land) to be secured as semi-natural greenspace with woodland planting in accordance with the now superseded paragraphs 9.6.34b and 9.6.34h of the emerging Plan.
  - 4) A landscape dominated design in accordance with the now superseded policy BC1a criterion c.
  - 5) The provision of sufficient monies to secure the replacement and relocation of the pre-school from its current position to that of the Primary School as the most pressing village need and one where the impact of this development would effectively swamp the existing provision (a figure of £500,000 has been suggested albeit clearly not all of that figure could be reasonably be requested).
  - 6) A cycle path to connect the village to the A44 (as part of the contributions to the County Council)
  - 7) Improved facilities in connection with the provision of additional recreational space - an outdoor gym, and changing rooms to serve the space
  - 8) Contributions towards village hall repairs and a scout hut
  - 9) Street furniture - notice boards, dog waste bins and rubbish bins

### Conclusion

- 5.58 The site is considered to be in a reasonably sustainable location, adjacent to a medium sized village and it broadly provides a logical complement to existing village morphology.

- 5.59 The application has been assessed having regard to a range of professional opinion and paragraphs 115 and 116 of the NPPF. It is considered that the identified need for housing can be met outside the AONB, and identified landscape harm arising in this AONB location cannot be appropriately moderated by the landscaping scheme proposed. Accordingly, exceptional circumstances and public interest have not been demonstrated.
- 5.60 The site lies some distance outside the Stonesfield Conservation Area, and is not in close proximity to any designated or undesignated heritage asset. It is judged that there would be no material effect in heritage terms.
- 5.61 Existing trees and hedgerow would be retained, save for limited removal of hedgerow to facilitate the access to the development.
- 5.62 The access to the site is acceptable in highways terms.
- 5.63 The site is at low risk of flooding and a sustainable drainage scheme can be secured by condition.
- 5.64 There would be no impact on protected species and mitigation and enhancements for wildlife can be secured by condition.
- 5.65 Acceptable separation is achieved between existing and proposed dwellings. There is no reason to believe that there would be unacceptable loss of privacy, light or general amenity arising from the proposed design and layout. However, Officers have reservations about the layout and density of development, particularly as regards regimented and higher density on the western portion, and lack of street planting and green space within the development, which would be especially problematic on the main north-south access road.
- 5.66 Taking account of material factors, the harm arising from the proposal significantly and demonstrably outweighs the benefits. Accordingly, it is recommended that the application is refused.

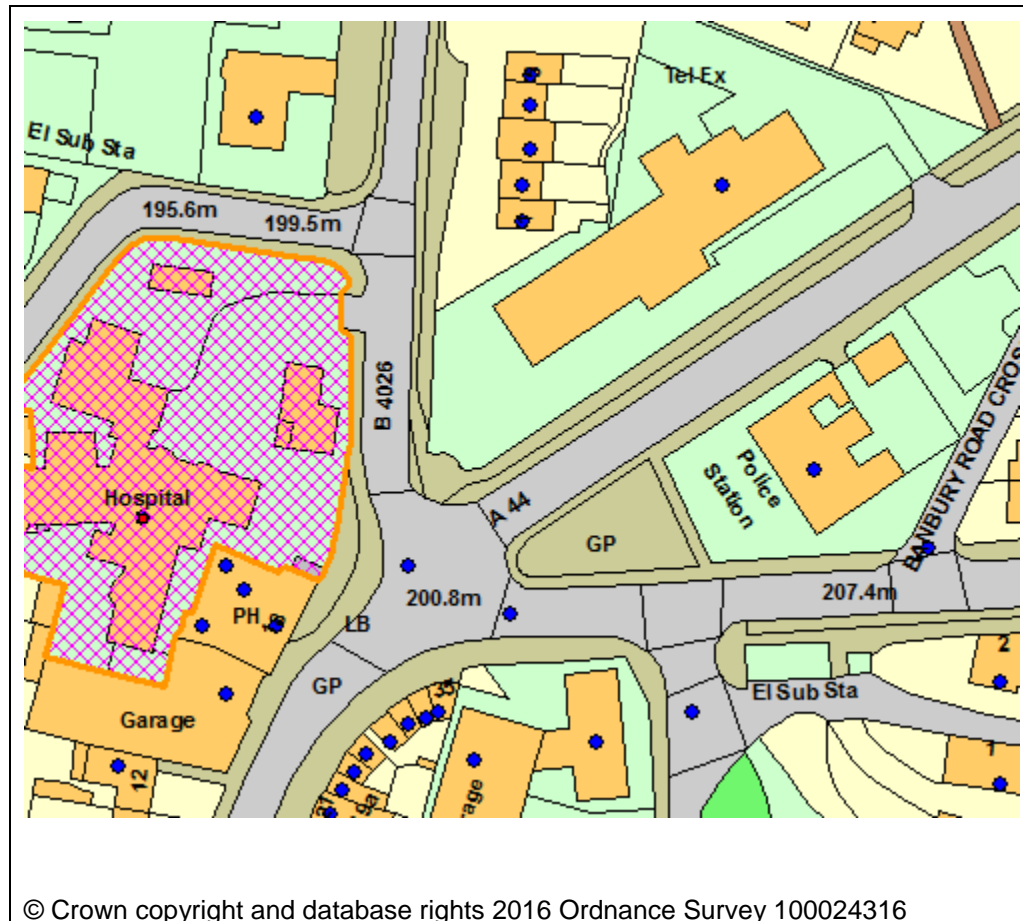
## **6 REASONS FOR REFUSAL**

- 1 The site lies within the Cotswolds Area of Outstanding Natural Beauty wherein the Local Planning Authority is required to give great weight to conserving landscape and scenic beauty. The site is located prominently on the eastern edge of the village of Stonesfield and is visible from a number of public viewpoints. The proposal is laid out at too high a density and does not make adequate provision for landscaping and planting within and adjoining the development. The landscaping proposed to the eastern edge is insufficient to provide a suitable new edge to the settlement and appropriately screen the development. The development would not acceptably integrate into this location and would be detrimental to its character and appearance. It would not effectively moderate and mitigate harm to the landscape. It has not been demonstrated that there is a need to develop this site in the AONB and exceptional circumstances have not been demonstrated to permit this major development under the terms of paragraph 116 of the NPPF. The proposal is therefore contrary to West Oxfordshire Local 2011 Policies BE2, H2, NE1, NE3 and NE4, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS4, H2, EH1, EH1a, EH3, and BC1, and the relevant provisions of the NPPF, particularly paragraphs 17, 57, 58, 61, 64, 109, 115 and 116.

- 2 The applicant has not entered into legal agreements to ensure that the development adequately mitigates its impact on community infrastructure, secures the provision of affordable housing, secures the provision and appropriate management of landscaping and open space, makes an appropriate contribution to public transport services and infrastructure, and public art. The local planning authority cannot therefore be satisfied that the impacts of the development can be made acceptable. Consequently the proposal conflicts with West Oxfordshire Local Plan 2011 Policies BE1, TLC7 and H11, emerging West Oxfordshire Local Plan 2031 Policies OS2, OS5, and H3, and paragraphs 17, 50, 69, 70, 72 and 203 of the NPPF.

Application Number	17/02814/FUL
Site Address	Chipping Norton War Memorial Hospital Horsefair Chipping Norton Oxfordshire OX7 5AJ
Date	18th April 2018
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Chipping Norton Town Council
Grid Reference	431428 E 227373 N
Committee Date	30th April 2018

### Location Map



### Application Details:

Erection of fourteen dwellings with associated access and landscaping works (Amended Plans)

**Applicant Details:**  
Mr Alex Brotherton  
2 King Street Cloisters  
Clifton Walk  
Hammersmith  
London  
W6 0GY

## **I CONSULTATIONS**

1.1	Major Planning Applications Team	Recommendation: Objection for the following reasons: - Drawing No. 6930 PL100 Rev. K shows that the wheel of the refuse vehicle that has been tracked colliding with the wall that appears to be part of the curtilage of plot 12. - The tandem parking spaces in the southern part of the development need to be allocated to specific properties to ensure that residents can use them with the confidence that they will not be blocked in by vehicles whose owners they do not know, thereby preventing them from exiting the development by motor vehicle. - The applicant has not submitted a full surface water drainage strategy which complies with paragraphs 103 and 104 of the National Planning Policy Framework (NPPF).
1.2	Town Council	No Comment Received.
1.3	WODC - Arts	No Comment Received.
1.4	Major Planning Applications Team	No Comment Received.
1.5	Conservation Officer	No Comment Received.
1.6	Biodiversity Officer	No Comment Received.
1.7	Historic England	On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
1.8	ERS Air Quality	No Comment Received.
1.9	ERS Env. Consultation Sites	No objection in principle to the proposed development.
1.10	ERS Env Health - Uplands	No objection in principle to the proposed development.
1.11	WODC Housing Enabler	Having reviewed the application and liaised with Planning Officers, I can confirm that were this to be assessed against the emerging WOLP, specifically Policy H3, then the provision of 40% affordable

housing would be sought in this instance.

Notwithstanding that this is a Full Application, the policy compliant provision would be (as a guide) 65% of homes for singles, couples, small families and older people, and 35% for families preferably of 4 persons and upwards.

There are currently 307 households waiting and would qualify for affordable housing in Chipping Norton, were it available today.

There are 166 requiring 1 bed accommodation.  
A further 97 require 2 bed accommodation, including 2B4P houses.  
The remainder are seeking 3B and above houses.  
If it were possible to go some way to meeting this need on site, then it would be possible to support this application

I.12 WODC Landscape And Forestry Officer No Comment Received.

I.13 WODC - Sports Should this proposal be granted planning permission then the Council would require a contribution towards sport, recreation and play facilities.

$£1,156 \times 14 = £16,184$  towards the provision and/or improvement of sports pitches in Chipping Norton. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.

The cost of providing and maintaining play facilities of the minimum sizes set out above is estimated to be as follows:

Facility	Provision	Maintenance
LAP	£ 16,000	£ 22,128
LEAP	£ 68,000	£ 71,916
NEAP	£143,000	£197,769

$£818 \times 14 = £11,452$  for the enhancement and maintenance of New Street Recreation Ground in Chipping Norton. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.

I.14 Thames Water Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application

I.15 Natural England Based on the plans submitted, Natural England has no objection to

the proposed development. The application is for redevelopment of an area within the town of Chipping Norton, we therefore do not consider that the proposed development would compromise the purposes of designation or special qualities of the AONB. We would advise that the proposal is determined in line with relevant NPPF and development plan policies, landscape and visual impacts are minimised as far as possible and landscape advice is obtained from the AONB Partnership or Conservation Board.

- 1.16 WODC Env Services - Waste Officer No Comment Received.
- 1.17 Town Council The Town Council support this planning application but insist that a time limit is applied to this application stating that work must commence within one year of application being granted. The Town Council ask WODC to make sure that a contribution of affordable housing of 40% is applied to the site.

## **2 REPRESENTATIONS**

- 2.1 No letters of representations have been received.

## **3 APPLICANT'S CASE**

- 3.1 Supporting information has been provided as part of the application which can be viewed in full on the Council website, the summary and conclusion of the planning, design and access statement states:

- 3.2 This Planning Statement has been prepared to explain how 14 dwellings with associated access and landscaping can be accommodated on the former Memorial Hospital site through a design which:

- Delivers new housing in the centre of a very sustainable location;
- Provides a layout that respects the distinctive development pattern of the locality;
- Enhances the character and appearance of the Conservation Area;
- Retains and opens up key views of the locally listed building and puts it to a viable use;
- Delivers housing that is appropriate to the scale, massing and form of the local street scene;
- Opens up a new pedestrian route which connects the pedestrian crossing at the end of Over Norton Road to the new public car park at the Premier Inn on Spring Street; and
- Provides a high level of amenity for both the future occupiers and current neighbours of the site.

- 3.3 At the current time the existing Local Plan 2011 is now out of date with regard to the provision for housing and significant shortfalls in housing supply have been identified. In such circumstances, the NPPF paragraph 14 dictates that the proposal be considered against the presumption in favour of sustainable development. This requires an assessment of planning balance whereby any adverse impacts of the development should significantly and demonstrably outweigh the benefits.



### Planning balance

- 3.4 In accordance with paragraph 7 of the NPPF there are three dimensions to sustainable development; an economic role, a social role and an environmental role. The benefits and adverse impacts of the proposal are summarised under these headings.

#### An economic role

- 3.5 The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. The associated construction jobs will be of economic benefit to the local area. Furthermore, this development will bring a derelict site back into an active use. The proposal therefore has economic benefits and no significant and demonstrable adverse impacts.

#### A social role

- 3.6 The development will provide high quality housing which improves residential amenity for neighbouring occupants as well as providing a good standard of amenity for future residents of the site. In addition, the central location supports sustainable travel in the form of walking, cycling and public transport. The delivery of this scheme has social benefits and no significant or demonstrable adverse impacts.

#### An environmental role

- 3.7 The design solution will enhance the character and appearance of the Conservation Area. It will preserve and enhance the locally listed Memorial Hospital in addition to increasing accessibility and key views of the heritage asset. The retention of key trees and cumulative increase of green space (in terms of private rear gardens and landscaping) softens the presence of the development and provides the opportunity to minimise the loss of trees. There are no significant or adverse impacts on the heritage assets or local ecology which outweigh the cumulative benefits of the development.

### The planning balance

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

## **4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
BE5 Conservation Areas  
BE6 Demolition in Conservation Areas  
BE10 Conversion of Unlisted Vernacular Buildings  
NE6 Retention of Trees, Woodlands and Hedgerows  
NE13 Biodiversity Conservation  
T1 Traffic Generation  
T2 Pedestrian and Cycle Facilities

H2 General residential development standards  
 H3 Range and type of residential accommodation  
 TLC12 Protection of Existing Community Services and Facilities  
 OS1NEW Presumption in favour of sustainable development  
 OS2NEW Locating development in the right places  
 OS3NEW Prudent use of natural resources  
 OS4NEW High quality design  
 H2NEW Delivery of new homes  
 H3NEW Affordable Housing  
 H4NEW Type and mix of new homes  
 E5 Re-use of Non-vernacular Buildings  
 T1NEW Sustainable transport  
 EH7NEW Historic Environment  
 T4NEW Parking provision  
 EH6NEW Environmental protection  
 EH2NEW Biodiversity  
 OS2NEW Locating development in the right places  
 NE4 Cotswolds Area of Outstanding Natural Beauty  
 EH1NEW Landscape character  
 EH2NEW Biodiversity  
 EH6NEW Environmental protection  
 EH7NEW Historic Environment  
 T2NEW Highway improvement schemes  
 T4NEW Parking provision  
 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 14 new dwellings following the demolition of the newer extensions to the hospital building. The site is located within Chipping Norton Conservation Area and the Cotswold AONB.

### Background Information

- 5.2 The site comprises the former Chipping Norton War Memorial Hospital. Following the relocation of the hospital use to a site on London Road in February 2011, the site has remained vacant. In 2013 planning permission was granted for a scheme which is in line with what is now being proposed. The 2013 permission has now lapsed.
- 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

- 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.
- 5.8 Chipping Norton is classified as a service centre in both the adopted and emerging local plan. Policy H2 of the emerging local plan is permissive of new homes and states that development may be acceptable on previously developed land within the built up area provided that the proposal is not of high environmental value and the loss of any existing use would not conflict with other plan policies. Given this the principle of a residential development is considered acceptable subject to compliance with the other relevant policies of the plan.

#### Siting, Design and Form

- 5.9 Units 1 and 2 will be set over three floors and will form a semi-detached pair, unit 3-5 will be set over 3 floors and will sit in a terrace arrangement. Units 6-9 due to the levels of the site will be located over 2 and 3 floors allowing for a break in the ridge line and adding to the visual interest in the site. Unit 10 and 11 will be located over 3 floors and again due to the site level, will allow for variations in the ridge height. Units 12 and 13 are incorporated in to the existing hospital building, allowing for the history of the site to be retained -adding to the character of the site. Unit 14 will be detached and set over 3 floors.
- 5.10 The application seeks to retain the layout as approved in 2013 with most of the built form being located on the boundary with frontages facing the roads and with the associated parking and gardens being set to the rear - within the site. The development will be highly visible in the street scene and will create a pedestrian access through the site. The development will be set over varying levels in line with the site layout. Officers are of the opinion that the scheme remains a very carefully considered proposal, making good use of this tricky, sloping site, with a range of interesting and well-proportioned neo-vernacular structures. There will be small areas of soft landscaping to the front of the site.
- 5.11 Given the corner location of the development officers are of the opinion that the development would form a logical addition to the pattern of development in the area and would form a visually appropriate relationship with the street scene and neighbouring development in terms of scale.

- 5.12 Stone rubble and render will be predominantly used in the elevations of the development, officers are of the opinion that the combination would be acceptable and in keeping with the appearance of the neighbouring built development. In addition soft landscaping is proposed along the boundary which will allow the development to retain some of the green soft landscaping which forms part of the character and that the site benefits from.

#### Highways

- 5.13 Oxfordshire County Council highways have been consulted on the application and raise a highway objection. The three main objections raised in their comments are:
- Drawing No. 6930 PL100 Rev. K shows that the wheel of the refuse vehicle that has been tracked colliding with the wall that appears to be part of the curtilage of plot 12.
  - The tandem parking spaces in the southern part of the development need to be allocated to specific properties to ensure that residents can use them with the confidence that they will not be blocked in by vehicles whose owners they do not know, thereby preventing them from exiting the development by motor vehicle.
  - The applicant has not submitted a full surface water drainage strategy which complies with paragraphs 103 and 104 of the National Planning Policy Framework (NPPF).
- 5.14 At the time of writing the report the applicant's agent has provided a response with regard to the objections raised. With regard to the refuse tracking, a bin store has been located on the edge of the site so that the refuse vehicle would not have to enter the site. With regard to tandem parking the applicant's agent has confirmed that the spaces will be allocated, so that there would not be a situation where someone's car could be blocked in by another household. With regard to the surface water drainage strategy a report was submitted as part of the application.
- 5.15 Officers are therefore of the opinion that whilst these highway issues may be able to be overcome, until Highways have removed their objection, officers are unable to support the application on highways grounds.

#### Residential Amenities

- 5.16 In terms of impact on neighbouring amenity, the plots are considered to be distanced sufficiently so not to have an adverse impact on neighbouring amenity with regard to being overbearing, overlooking or loss of light and the scheme is not considered to give rise to unacceptable levels of overlooking. Plot 14 will be located in close proximity to the neighbouring properties on Spring Street but given the existing arrangement with the hospital buildings, officers are of the opinion that the proposed separation distance is, on balance acceptable.

#### AONB

- 5.17 The site is within the Cotswolds AONB. Paragraph 115 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. Given that it is entirely surrounded by development, and has previously been developed, and cannot be viewed in isolation it is considered that the proposal will have nil impact on the special characteristics of the AONB.

### Affordable housing

- 5.18 As the site is within the Cotswolds AONB, schemes of 6-10 units are required to make a financial contribution to affordable housing, and 11 or more should make on site provision. Chipping Norton is identified as a medium value zone so would require 40% on site provision.
- 5.19 Officers have been in correspondence with the applicant's agent with regard to the viability of the scheme. A viability appraisal has been provided along with supporting information to outline the financial position of the development. Officers have considered the information and are of the opinion that given the prominent position of the site and previous planning history that officers would seek to protect, on balance the deliverability of the scheme to a high standard is a consideration and officers are satisfied with the viability appraisal put forward than no on site provision can be made in this instance.

### Conclusion

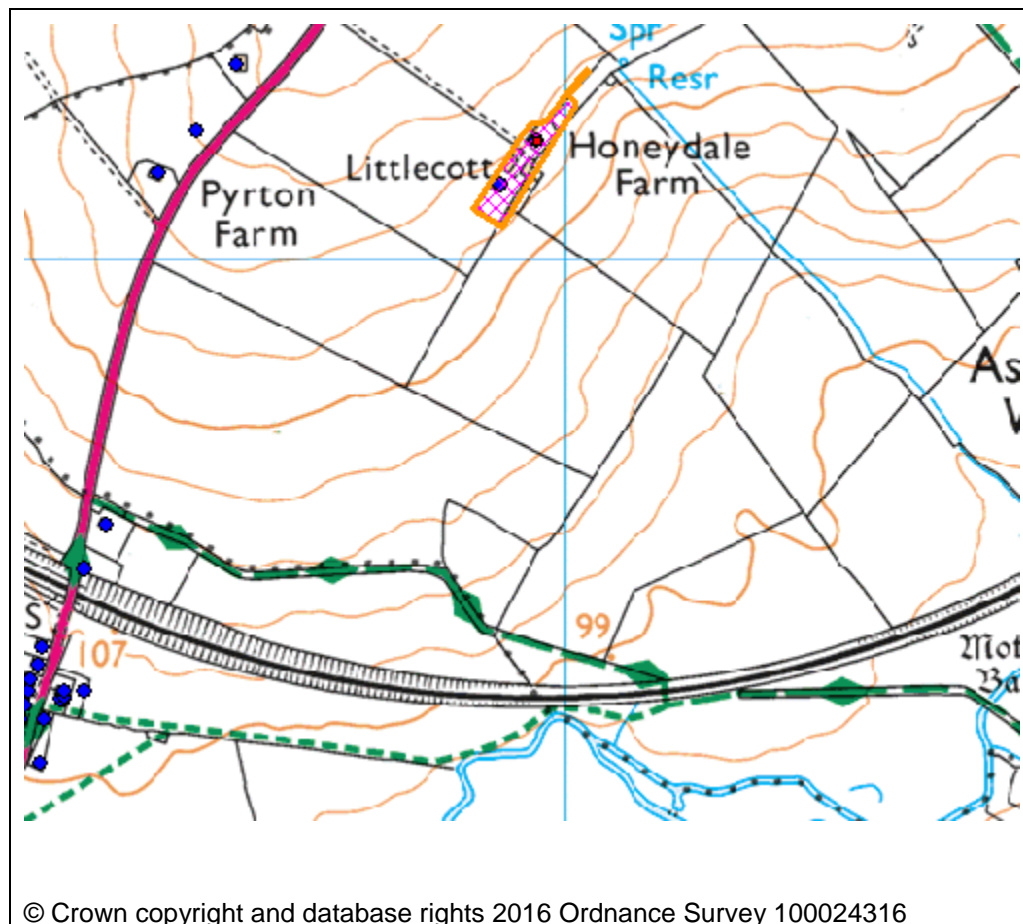
- 5.20 In light of these observations, having considered the relevant planning policies and all other material considerations, due to the objections raised by Oxfordshire County Council as the highway authority, your officers consider that the proposed development is unacceptable and should be refused on highway grounds.

## **6 REASON FOR REFUSAL**

- 1 By reason of the layout of the development and car parking arrangement, the parking to serve the proposed development would be detrimental to the safety and convenience of other road users being located in a tandem layout. In addition the proposal would fail to provide adequate turning and manoeuvring for refuse vehicles entering the site. On the basis of these shortcomings, the application has not demonstrated that the development can achieve safe and suitable access for all people, and that the development would not have a detrimental impact on the operation of the local highway network. The proposal is therefore contrary to policies BE2, BE3 of the West Oxfordshire Local Plan 2011 and policies OS2, T2 and T4 of the Emerging Local Plan 2031 and the relevant policies of the NPPF

Application Number	17/04060/FUL
Site Address	Honeydale Farm Station Road Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6BJ
Date	18th April 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Ascott Under Wychwood Parish Council
Grid Reference	428961 E 219158 N
Committee Date	30th April 2018

### Location Map



### Application Details:

Demolition of existing structures and erection of new buildings to accommodate an education facility, microprocessing space and farm machinery, two new family dwellings, new access and parking (amended plans).

**Applicant Details:**

Mr Ian Wilkinson  
Cotswold Seeds Ltd  
Cotswold Business Village  
London Road, Moreton in Marsh  
Gloucestershire  
GL56 0JQ

**I CONSULTATIONS**

- I.1 Biodiversity Officer I note that the applicant has already carried out several biodiversity enhancements to the site at Honeydale Farm as part of their ongoing operations, including wildflower meadows in association with their beekeeping activities, attenuation wetland features (as part of natural flood management scheme) and a new orchard. There are also investigations underway for a series of reedbeds to treat waste water from the site. These are all welcomed as biodiversity enhancements of the site.  
No objection subject to mitigation conditions.
- I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network  
  
No objection subject to  
- G28 parking as plan  
- G25 drive etc specification  
- Prior to 1st occupation the submission and approval of a Travel Plan
- I.3 WODC Planning Policy Manager No Comment Received.
- I.4 WODC Drainage Engineers No objection subject to a condition
- I.5 ERS Env. Consultation Sites Thank you for the opportunity to provide comment on planning application 17/04060/FUL.  
I have seen the contamination statement provided by the architect and understand that during their inspection they have seen no evidence of contamination and that no storage of pesticides and chemicals have taken place on the site. Given the former agricultural use of the site the main concern is the proposed family dwellings. I have compared the existing and proposed development plans but found it difficult to see where the two dwellings will be placed in relation to the existing structures. Please could the applicant confirm if the residential dwellings will be placed in the area currently occupied by the bungalow or will there be any overlap with land used for agricultural purposes?

Once I have received clarification on this matter I will be able to provide a proposed contamination condition that should be added to any grant of permission.

- |      |                                     |  |
|------|-------------------------------------|--|
| I.6  | Conservation Officer                | No Comment Received.   |
| I.7  | WODC Landscape And Forestry Officer | No Comment Received.   |
| I.8  | WODC Rural Development              | <p>I write in support of the application for a 'Centre for Diverse Farming' at Honeydale Farm. I visited Cotswold Grass Seeds at both their existing headquarters in Moreton in the Marsh and at Honeydale Farm last year to better understand the business and how their plans for Honeydale fitted with the overall business plan. I was impressed by what I saw and discussed.</p> <p>Cotswold Grass Seeds (CGS) already has a very large seed market but there is substantial growth potential driven by a change in farming systems needing diverse seed mixes. The careful use of new seed mixes allows for productive forage crops to be grown that are relatively drought resistant, deliver soil improvements and provide increased habitat opportunities for important pollinators and other wildlife.</p> <p>CGS are already developing and trialling these new mixes and their associated environmental and agricultural benefits through their cropping at Honeydale. However, CGS need to be able to demonstrate this to farmers, advisors and researchers, hence the initial need for both processing space and a demonstration centre. This will be a unique space that will not only serve CGS's needs but will also provide a much needed facility to other rural organisations operating in this part of the Cotswolds. The demand for this is evidenced by the letters of support accompanying the application.</p> <p>This development provides an opportunity for West Oxfordshire to host a unique facility that links the highly diverse farming operations with a modern educational workspace for farmers and rural groups. This will help mark the Cotswolds as a centre for a new wave of diverse, environmentally and commercially sustainable farming systems. I support this application.</p> |
| I.9  | WODC Landscape And Forestry Officer | No Comment Received.   |
| I.10 | Biodiversity Officer                | Reconsultation. No objection.  |
| I.11 | OCC Rights Of Way Field Officer     | The Field officer originally raised objections to the initial proposals on the grounds that the development would obstruct the public right of way running across the site. The plans have since been amended and  |



there are no objections to the proposals - providing a gate is to an approved specification allow users of the footpath including horse riders to use the right of way.

Miss Joanna Cook objected to the originally proposed plans on the grounds that it would obstruct the bridleway.

1.12 Parish Council Reconsultation period expired 24.04.2018. Any comments received will be provided in the Additional Representations report.

1.13 Parish Council No Comment Received.

## **2 REPRESENTATIONS**

2.1 No letters of representation have been received.

## **3 APPLICANT'S CASE**

3.1 Supporting information has been provided as part of the application which can be viewed in full on the Council website, the manifesto located in the design and access statement states:

3.2 Honeydale is a centre for demonstrating and promoting - to farmers and those interested in farming, food and the environment - methods of diverse and sustainable farming which address many of the problems facing today's agricultural sector. An educational facility, it will provide a unique and stimulating venue for interested parties to meet, learn and share innovation and ideas. Farming is at a crossroads, with increasing costs of inputs, lower commodity prices, political uncertainty and changing consumer trends meaning that many farmers are struggling to be financially viable. One option for farmers is to increase intensification. The other is more diversification, with the benefits to the environment and sustainability that this can bring. There's plenty of available information about intensification, but few models for how small and medium sized farms can adopt a more diverse, mixed farming system.

3.3 Honeydale is ideally positioned to meet the need for a farm-based education facility showcasing a viable option for tens of thousands of UK farmers and providing a centre where they can see diverse farming methods in operation. Honeydale is itself a small farm reinventing its own role. It is a patchwork of small and easily accessible fields which have already been put into a rotation of demonstration crops, featuring soil improving green manures to legume-rich herbal leys and habitat creation through wildflower margins. These offer a range of benefits, from fixing nitrogen, reducing methane emissions and providing for pollinators and farmland birds, to providing drought resistance, boosting soil fertility and providing mineral rich fodder for livestock and ultimately human consumption.

3.4 Other projects already undertaken at the farm include a natural flood management system which has received widespread attention. As Prime Minister and local MP, David Cameron visited Honeydale Farm to learn how such schemes on farms can help prevent flood events downstream and more recent visitors including Mr Cameron's replacement Robert Courts and Environment Minister Therese Coffey, leading to the work at Honeydale being commended in Parliament. 'Incredibly smart work' is how the judges of the Wild Trout Trust Conservation Awards referred to it, referencing how it's shown that trees and water can be used as natural capital. A bee apiary, consisting of 14 hives and unique heritage orchard, covering 10 acres,

complete with all the old Oxfordshire varieties of fruit trees including some rare and unusual varieties, have also been established. Over a kilometre of hedging and ten thousand native trees have been planted. The farm has been visited by delegations from organisations including The Woodland Trust, The National Trust, Environment Agency, Farm and Wildlife Advisory Group (FWAG) and featured on BBC Radio 4 'Farming Today'.

- 3.5 The proposal is for the facilities at Honeydale to include an educational area, providing a lecture hall and meeting space, and an enterprise barn which provides access to working, practical demonstrations by businesses and organisations which will demonstrate how to sustainably produce (e.g. soil management) and add value to primary farm products (e.g. honey production and bee-keeping). Honeydale will be a 'go to' venue for diverse farming and enterprises at Honeydale will boost the local economy, providing jobs and facilities for local people.
- 3.6 Honeydale is owned and managed by Cotswold Seeds, which was established forty two years ago. The company, based in Moreton-in-Marsh, has eighteen employees, supplies and advises 15,000 UK farmers on diverse seed mixtures and is involved in a wide range of research projects. Honeydale is an extension of this successful business and is financed by it.

#### **4 PLANNING POLICIES**

E7 Existing Businesses  
BE2 General Development Standards  
BE3 Provision for Movement and Parking  
NE4 Cotswolds Area of Outstanding Natural Beauty  
H2 General residential development standards  
NE1 Safeguarding the Countryside  
E1NEW Land for employment  
E2NEW Supporting the rural economy  
OS4NEW High quality design  
EH1NEW Landscape character  
EH2NEW Biodiversity  
EH6NEW Environmental protection  
T4NEW Parking provision  
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 new buildings to accommodate an education facility, microprocessing space and farm machinery along with two replacement dwellings.
- 5.2 The site is an existing arable farm which has been used to grow crops and a limited amount of sheep grazing. The site comprises of two dwellings, one is fairly dilapidated and the other is currently lived in. There is one large open sided barn and three other smaller range of agricultural types storage buildings. The site is within the Cotswolds AONB, and within an open countryside location on the valley side with open views. The site is within the Wychwood Project area and is accessed from the main road (A361) to the north of the site. There is a public right of way (Bridleway) which crosses the site.

- 5.3 There is only one recent planning application relevant to this enquiry which was for the new access on to the A361 (15/02516/FUL).
- 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

- 5.5 Policy E7 of the existing local plan and policy E1 and E2 of the adopted local plan refers to the expansion of existing businesses. Policy E2 which refers to 'Supporting the Rural Economy' states that 'Elsewhere new and replacement buildings will be allowed where required for diversification proposals which are fully integrated with an existing farm business or where they meet a specific business need which cannot otherwise be met in a more sustainable location.'
- 5.6 The purpose of the farm is to demonstrate how plant diversity helps produce profitable and sustainable farming businesses. The enterprise has been running at Honeydale Farm for the last 4 years. The proposal seeks to create a centre where the business can explore diverse farming through seeds and can link the diversity shown in the fields with modern training for farmers, students and the wider public.
- 5.7 Sessions will range from practical demonstrations for instance soil management, beekeeping and orchard courses and farmers coming to learn more about diverse and sustainable agriculture through to meetings of specialist interest groups colleges and scientists - mainly groups but not exclusively from agriculture and food related who will meet for more formal presentations, debate and discussions. Honeydale Farm has already been hosting groups of people but this development will allow for a purpose built facility.
- 5.8 The application includes the business plan for the site. The Council's rural development officer has looked over the business plan and has visited the company's headquarters and is satisfied that the business is viable and in need of such facilities to expand the business. The application outlines the requirement and use of all the buildings being proposed. The number of buildings proposed are considered commensurate with the business proposed as well as the built form on site. Officers are therefore satisfied that the application is acceptable in principle subject with compliance with the other policies in the plan.
- 5.9 The application also proposes the replacement of two dwellings. Policy H6 of the emerging local states that 'proposals to replace an existing permanent dwelling which is not of historical or architectural value will be permitted on a one-for-one basis, provided the character and appearance of the surrounding area is not eroded, there would be no harmful impact on ecology or protected species and the replacement dwelling is of a reasonable scale relative to the original building.' The principle of the replacement dwellings on site is therefore considered acceptable.

#### Siting, Design and Form

- 5.10 There are a number of agricultural buildings on the site which are proposed to be demolished as part of the scheme. The proposed new development will sit on the footprints of the demolished buildings.

- 5.11 Proposed buildings 3 and 4 will be used as storage buildings for the equipment etc for use on the farm and in connection with the business. Building 1 and 2 will be used to accommodate the hall and teaching space as well as associated kitchens, toilets and breakout areas. They are all to be constructed in cladding, glazing with zinc roofs, and are of a general agricultural form (one to two storey barns).
- 5.12 The proposal also includes the replacement of two dwellings. The existing dwellings are located in different areas of the site. This application moves both of the dwellings adjacent to one another behind the farm development. The dwellings will be occupied by those working on the farm and have been conditioned as such.
- 5.13 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. In this instance the proposal would be well designed with the necessary mitigation measures being considered to conserve this area of the AONB as well as its wider impact and therefore it is not considered it would be harmful to the AONB.
- 5.14 The application site is located in an elevated position in the landscape, the buildings and dwellings therefore have the potential to be highly visible in wider views. Given the sensitivity of the site and its position in the AONB, officers have been in correspondence with the applicants to ensure that an appropriate design scheme is proposed. In light of this, amended plans have been provided to address officers initial concerns.
- 5.15 The buildings will be clad in Scottish larch cladding and will feature a zinc roof and a number of openings. The most visible elevation from the valley will be the South East elevations, officers have therefore sought to reduce the level of glazing on these elevations across the site to reduce the level of light pollution. The proposed dwellings are 1.5 storeys and will be viewed alongside the new farm buildings. Officers are satisfied that the design and scale of the dwellings would be in keeping with the vernacular of the area and site and would not have an adverse impact on the wider area.
- 5.16 Officers are of the opinion that whilst the development will be more prominent in the wider views and within the AONB, given that there is some level of development on site, the increased development, which has the general appearance of farm buildings, would not be out of character in the landscape or have an adverse impact on the site or wider AONB. Furthermore additional planting is proposed around the building which over time will soften the edge of the development and will mitigate the impact of the development.

#### Highways

- 5.17 Oxfordshire County Council Highways have been consulted on the application and raise no objection subject to conditions. In 2015 planning permission was granted for a new access to the site. This scheme will be accessed via the new access and will incorporate the approved access layout. It is considered that there is sufficient parking to accommodate visitors to the centre.

### Residential Amenities

- 5.18 The dwellings and agricultural buildings are sufficiently distanced from other residential properties so not to have an adverse impact on neighbouring amenity. The proposed dwellings will be located in close proximity to the farm and enterprise buildings. Officers are of the opinion that given that the dwellings will be used alongside the business, the relationship and proximity would not be considered unacceptable.

### Conclusion

- 5.19 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, would allow for innovate business to expand whilst preserving this area of the Cotswold AONB and would not have an adverse impact on neighbouring amenity and therefore are recommending that the application is 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 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 Before above ground building work commences, a schedule of materials including samples to be used in the elevations and roof of the development including those of the dwellings 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 Details of the design and specification of all boundary treatments/means of enclosures shall be submitted to and approved in writing by the Local Planning Authority. The approved means of boundary treatments/enclosure shall be constructed before the dwellings and buildings are occupied.  
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 5 No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.  
REASON: To safeguard the character and appearance of the area.
- 6 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 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.

- 8 No dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve that dwelling has been constructed, laid out, surfaced, lit and drained in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety.

- 9 Prior to the occupation of the dwellings and use of the buildings a Travel Plan should be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented prior to occupations of the development hereby approved and in line with provisions and timescales set out within the Travel Plan.

REASON: In the interests of road safety

- 10 Prior to the commencement of development, 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. 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 details shall include a management plan setting out the maintenance of the drainage asset. 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 (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).

- 11 Before development takes place, details of the provision of compensation for nesting swallows (at least 6 nesting sites) and enhancement of the site for roosting bats and other nesting birds (e.g. house sparrows, swifts, starlings) shall be submitted to the local planning authority for approval, including technical drawings showing the types of features, their locations within the site and positions within/on buildings. The approved details shall be implemented before the development hereby approved is first brought into use, and thereafter permanently retained.

REASON: To provide compensation for swallows and additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with the EC Wild Birds Directive, The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), 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.

12 The development shall be completed in accordance with the recommendations in sections 5.1 and 5.2 of the 'Updated Bat Survey Report and Mitigation Strategy' dated 30th June 2017 prepared by Windrush Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.

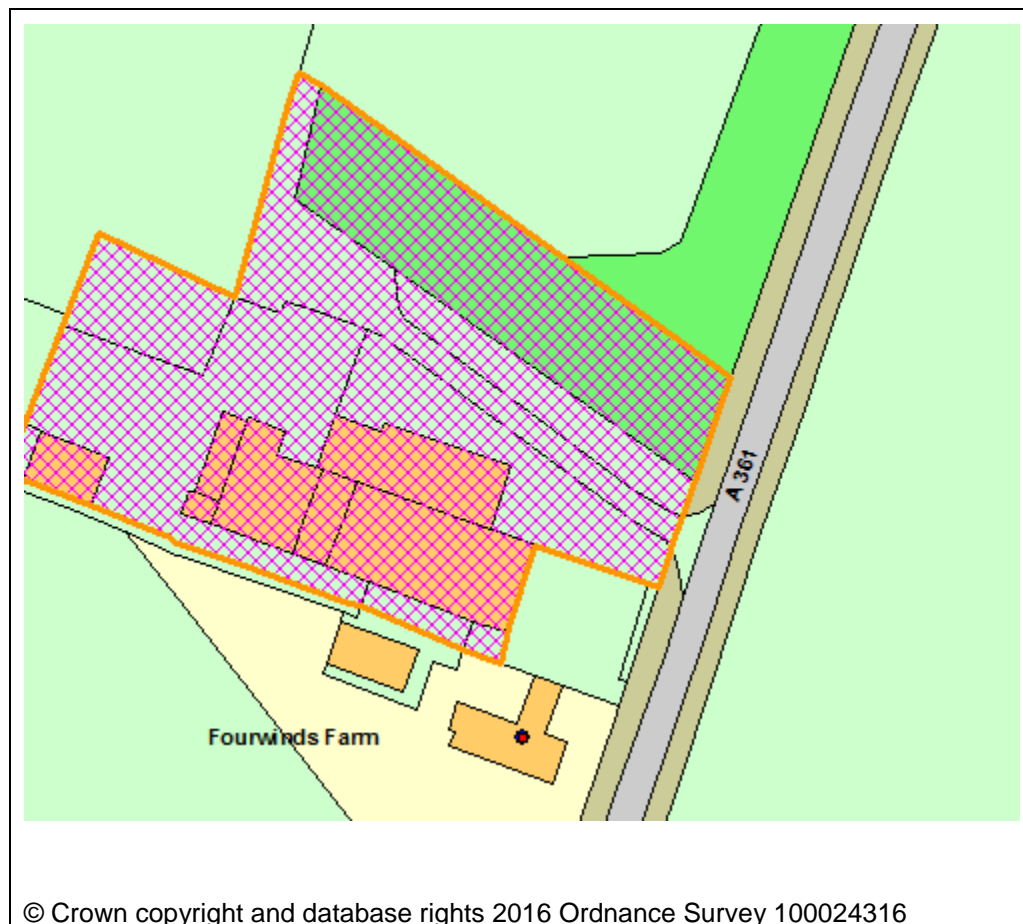
REASON: To ensure that bats and birds are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policies NE13, NE14 and NE15 of 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.

#### NOTE TO APPLICANT

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.

Application Number	I8/00272/FUL
Site Address	Fourwinds Burford Road Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6DL
Date	18th April 2018
Officer	Michael Kemp
Officer Recommendations	Refuse
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427057 E 214966 N
Committee Date	30th April 2018

### Location Map



### Application Details:

Conversion of barns to create two dwellings with associated works.



**Applicant Details:**

Mr &amp; Mrs Rillie

C/O Agent

**I CONSULTATIONS**

- I.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.
- I.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
- I.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.
- I.4 WODC Drainage Engineers No Comment Received.
- I.5 Thames Water No Comment Received.

**2 REPRESENTATIONS**

- 2.1 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:

- 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.
- 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.
- 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.
- Economic benefits would also arise from developing the site and the economic activity of those occupying the buildings.
- 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 The application was deferred from the previous committee meeting held on 3rd April to allow members to carry out a site visit and for further clarification to be sought on case law cited by applicants including recent appeal decisions and a recent high court judgement, clarification is given on these aspects in the section below, relating to the principle of development.
- 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 Cotswolds AONB  
Highways and Access

### 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 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, it is noted that there is no safe pedestrian access between these settlements.
- 5.10 The applicants supporting letter to members dated 28th March 2018 makes reference to a recent high court judgement (Braintree District Council v Secretary of State for Communities and Local Government). The court judgement deals with the interpretation of the term 'isolated' when considered in the context of Paragraph 55 of the NPPF, in relation to new housing development in the open countryside. The court judgment stated that 'isolated' should be interpreted as its 'true' meaning "far away from other places, buildings or people; remote" (Oxford Concise English Dictionary).
- 5.11 It is important to consider that the Braintree judgment related to development in a small village, which is a clearly defined settlement. The village also had limited facilities, including a pub, which may have been supported by the provision of two additional dwellings and therefore a case, could be made that the provision of additional dwellings and residents would help to maintain the vitality of the rural community within this area. Evidently whilst development within smaller settlement or hamlets, which may lack services would not be deemed 'isolated' it could still be interpreted that new residential development which is distinctly remote from settlements of any scale or any form of concentrated development could be considered remote in the context of Paragraph 55 of the NPPF.
- 5.12 In respect of this the application site is clearly isolated in relation to the nearest defined settlements (Fulbrook and Shipton under Wychwood). It is noted that the site lies in a small farm site comprising of agricultural barns and a single farmhouse. There is a further dwelling to the North West, though this is distinctly separate from the application site and the majority of the surrounding land comprises of open agricultural fields. Officers consider that it would not be unreasonable to consider the site to be isolated in relation to the context of the surrounding area.
- 5.13 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 of 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.
- 5.14 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.

- 5.15 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.
- 5.16 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 reuse 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.
- 5.17 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.
- 5.18 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.
- 5.19 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.
- 5.20 Officers note references made to a 2017 appeal decision (APP/D3125/W/16/3162049) in West Oxfordshire relating to the conversion of an agricultural barn to form two dwellings at Lower

Riding Farm, North Leigh. Each planning application should be determined on the individual merits of the case and there is limited merit in comparing determinations made on different sites, particularly when the matter in question is whether development constitutes an enhancement of the immediate (and therefore site specific) setting. Notwithstanding this, in reference to the aforementioned appeal, officers note this particular application related to the conversion of a traditional barn range, which would be considered characteristic of the local area and conversion of such buildings would ensure the preservation of characteristic buildings of architectural merit, which would enhance the immediate setting. The present proposals to the contrary would merely ensure the retention of modern farm buildings which do not positively contribute to the immediate setting and therefore do not constitute an enhancement of the immediate setting.

- 5.21 For the reasons expressed above, 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

- 5.22 The proposed design of the buildings as converted would be contemporary though traditional materials would also be used, particular in the case of barn I, which would be clad in stone. The design of the buildings is generally considered to be of an acceptable quality and would be a limited 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

- 5.23 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

- 5.24 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

- 5.25 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

- 5.26 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

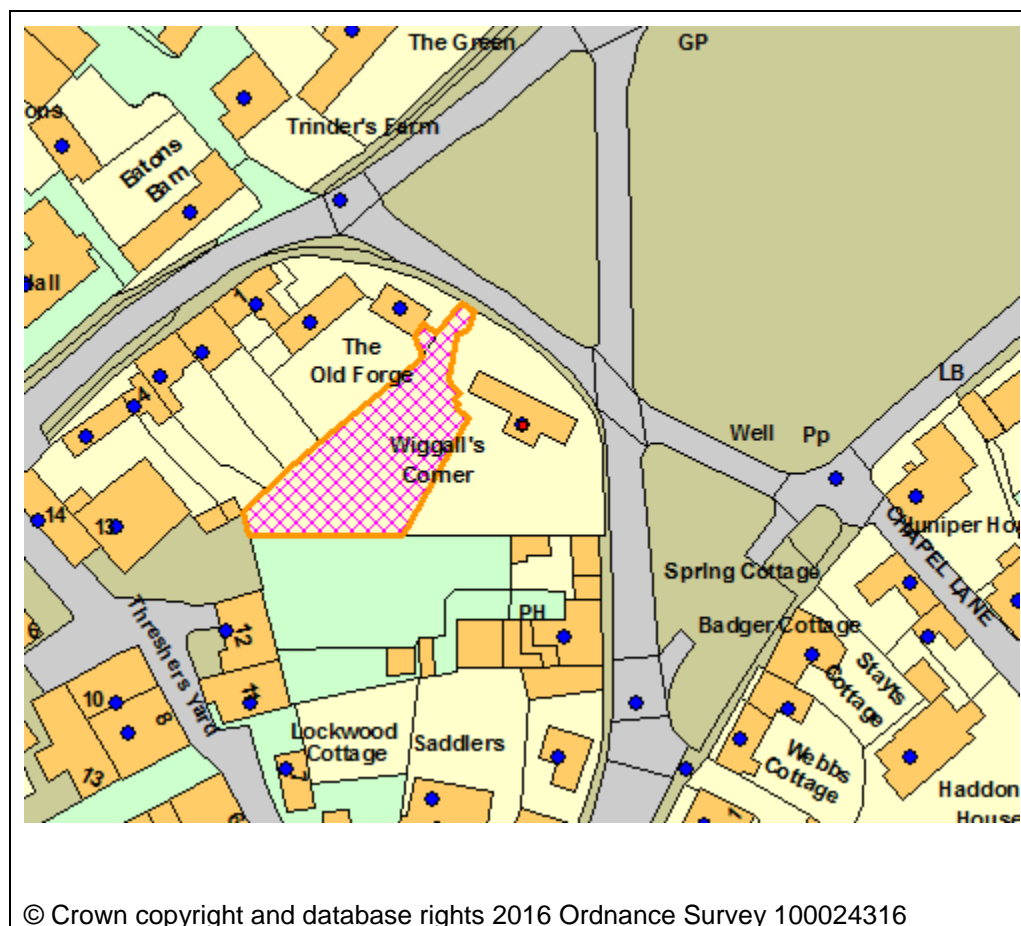
- 5.27 The development proposes the reuse of two modern agricultural barns for residential purposes. The application site is in an isolated location between the settlements of Shipton-under-Wychwood and Fulbrook and the proposals include extensive alterations, in terms of physical structure, in the case 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.
- 5.28 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.
- 5.29 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 residential development in an unsustainable location which is remote in relation to neighbouring settlements, services, facilities and public transport links. The development would fail to represent any of the special circumstances cited whereby development in this location may be considered permissible as there is insufficient basis to suggest that the proposed development would lead to an enhancement of the immediate setting or in the case of barn 3, this development would not by definition constitute a reuse of the existing building. The proposal therefore would be 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.

Application Number	I8/00605/FUL
Site Address	Wiggalls Corner The Green Kingham Chipping Norton Oxfordshire OX7 6YD
Date	18th April 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Kingham Parish Council
Grid Reference	426068 E 224145 N
Committee Date	30th April 2018

### Location Map



### Application Details:

Erection of dwelling and associated works.



**Applicant Details:**

Mr & Mrs Harvey  
Wiggalls Corner  
The Green  
Kingham  
Chipping Norton  
Oxfordshire  
OX7 6YD

**I CONSULTATIONS**

- I.1 OCC Highways                      The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network  
No objection subject to  
- G28 parking as plan
- I.2 WODC Drainage Engineers                      No objection subject to condition
- I.3 Parish Council                      Kingham Parish Council wish to make a declaration of interest as regards this application, as the applicant is a Parish Councillor. For the avoidance of doubt it seeks to make clear that the Councillor was not in the room during the discussion regarding this application, nor whilst the decision was made.

Kingham Parish Council approve the above proposal, but would make the following suggestion.

The Council suggests that the stone of the new building that will be visible from the road should be carefully matched with the existing stone of Wiggalls Corner, so that the two buildings will appear to blend into each other.

**2 REPRESENTATIONS**

- 2.1 I letter of comment has been received from Ms Ramsey from 2 West Street which states:
- I am the owner of 2 West Street Kingham. The proposed development site abuts the rear of my property.
  - Whilst I do not have any objection in principle I do not consider the plans and drawings submitted in support of the application accurately reflect the position and the impact of that the proposed development would have upon my use and enjoyment and, the amenity of my property.
  - My reasons for saying this are as follows:-
  - I. The Site Pan submitted with the application does not accurately reflect the extent of the land which I own and which is affected by the proposed development. The title to my

property also includes an area of land at the rear of 3 West Street Kingham. Situated on this area of land is decking which is currently used for leisure purposes in conjunction with my property.

- 2. The plans and drawings submitted in support of the application do not accurately reflect the current position with regard to the height of the boundary wall separating my property (including the land at the rear of 3 West Street) from the development site. The drawing suggests that the height of the wall along the boundary of my property (including the land at rear of 3 West Street) is consistent along its full extent. This is not the case. Crucially at the point where the decking on my property is located, the wall is in fact 3 to 4 feet lower than at other points along the boundary. It is at this point where windows and a door to the new building as well as what will be a rear/side access to the building are to be located.
- I am able to send photographs which show the current position if required.
- I have spoken to the applicant and she agrees that the drawings do not accurately the position on the ground now relative to the boundary wall abutting my property.
- As mentioned above I have no objection in principle to the proposed development and accept the applicant's desire and need for revised accommodation. However, if planning permission is to be granted in accordance with the proposal submitted then I would request that a condition be imposed to ensure that the boundary proposal as depicted on the drawings is carried out in accordance with those drawings and which protects my continued use and enjoyment of my property as currently. - i.e. a condition that the wall separating my property (being both land at rear and 3 West Street Kingham) be made up to a height consistent with the height of remainder of the wall along the boundary of the development site (perhaps by reference to the height to the wall currently separating the site from Forge Cottage) using material consistent with the current boundary wall. If this could be stipulated to be carried out prior to commencement of substantive construction work on the site so as to ameliorate nuisance then that would be helpful, but not essential.

### **3 APPLICANT'S CASE**

- 3.1 Supporting information has been provided as part of the application which can be viewed in full on the Council website, in summary, the conclusion states:
- 3.2 The above statement and supporting documents set out to identify the key constraints which apply to this particular site and how they have been addressed with a careful and considered design proposal.
- 3.3 We feel the clients have followed national and local policy. They have appointed experienced architects to help them understand planning policy and develop an appropriate brief. They have taken time and care in developing a good quality design that respects and complies with relevant policies and good practice. Furthermore, the applicants have endeavoured to engage constructively with the planning process and sought relevant and informed advice.
- 3.4 The result of this we feel, is a sensitive high-quality design, informed by the local character and pattern of development and of an appropriate scale. The clients propose high quality materials and high levels of insulation and so on all levels it meets the sustainability criteria of current policy.

- 3.5 The impact on adjoining properties has been minimised as far as practical and reasonable on a site in this location where there is a presumption supporting development. Furthermore, the applicants have notified their adjacent neighbours and offered face to face discussion should there be any queries or concerns.
- 3.6 We urge the appointed case officer to support this proposal. Should it be deemed beneficial, further discussion or a site meeting would be welcomed so as to draw this application to a positive conclusion.

#### **4 PLANNING POLICIES**

BE2 General Development Standards  
BE3 Provision for Movement and Parking  
BE5 Conservation Areas  
NE4 Cotswolds Area of Outstanding Natural Beauty  
NE6 Retention of Trees, Woodlands and Hedgerows  
H2 General residential development standards  
H2NEW Delivery of new homes  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
EH1NEW Landscape character  
EH7NEW Historic Environment  
T4NEW Parking provision  
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 detached single storey dwelling with associated access. The site is located within Kingham Conservation Area and the Cotswold AONB. The application is before committee as the applicant is related to a member of staff.
- 5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

##### Principle

- 5.3 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.
- 5.4 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.

- 5.5 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.
- 5.6 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.
- 5.7 Kingham is classified as a village in both the adopted and emerging local plan. Policy H2 of the emerging local plan is permissive of new homes and states that development may be acceptable on undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. Given this the principle of a new dwelling is considered acceptable subject to compliance with the other relevant policies of the plan.

#### Siting, Design and Form

- 5.8 The proposed dwelling would be sited to the rear of the Wiggalls Corner and in this sense could be considered as back land development. There is no strongly established pattern of development in the immediate area which contains a mix of built form extending behind West Street and Church Street, including Threshers Yard and the rear car park of The Plough pub, both of which are located adjacent to the site of the proposed dwelling.
- 5.9 The development would be visible from the street scene and from views from the pub car park located to the rear. The building would feature a range of flat roof elements with a mix of cladding and stone work in the elevation giving the design of the dwelling a more contemporary appearance.
- 5.10 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 in a residential area and therefore it is not considered it would be harmful to the AONB.
- 5.11 Officers are of the opinion that as the dwelling would be set back from the main road and dwelling and owing to the single store nature of the building, the dwelling would not compete with the distinctiveness of Wiggalls Corner and is therefore considered to form a visually appropriate relationship with the main house. A condition requiring samples of the materials to be submitted will be included to ensure that the materials proposed are in keeping with those in the vicinity given the visual relationship with Wiggalls Corner and the potential visibility of the dwelling from public view points.
- 5.12 The scale and position of the dwelling is considered to allow for sufficient circulation space around the dwelling. Whilst the layout of the dwelling is somewhat contrived in order to be accommodated on the site, officers are of the of the opinion that the dwelling would not have an adverse impact on the pattern of development in this part of the streets area.

- 5.13 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 dwelling 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. The proposals are therefore considered to respect 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

- 5.14 The site is bounded by residential properties on the West elevation. Currently along the boundary there is varying boundary treatments. In terms of distances, the proposed dwelling would be sufficiently distanced from the rear of the neighbouring properties so not to have an overbearing impact, or impact the light available to the neighbouring dwellings. Whilst the dwelling would be located in close proximity to the boundary, given that the dwelling is proposed to be single storey and given the proposed boundary treatment and height, the dwelling is not considered to have an unacceptable overbearing or overshadowing impact on the neighbouring dwellings or garden area. In addition the lowest part of the dwelling will be located along the boundary. The letter of comment received from a neighbour questioned the accuracy of the plans and officers are of the opinion that a condition requiring details of the boundary be provided prior to commencement of the development for the avoidance of doubt.
- 5.15 Given the location of the dwelling certain elements of the main house Wiggalls Corner may be compromised. The most affected area will be the area where there is currently a 'hay loft' and where the boundary will be located. Officers are of the opinion that as the main areas of living are spread across the main house, the proximity of the boundary treatment is unlikely to have an unacceptable impact on the overall amenity of Wiggalls Corner. In addition the dwelling benefits from a large garden area and a number of windows along the property.

#### Highways

- 5.16 There is sufficient parking for the existing and the proposed properties. Oxfordshire County Council as Highway Authority have been consulted on the application and have raised no objection.

#### Conclusion

- 5.17 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, would preserve this area of the Conservation Area as well as Cotswold AONB and would not have an adverse impact on neighbouring amenity and therefore are recommending that the application is 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 That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
- 3 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.  
REASON: To safeguard the character and appearance of the area.
- 4 A sample of the cladding proposed to be used in the external elevations of the dwelling shall be submitted to and approved in writing by the Local Planning Authority before any cladding commences.  
REASON: To safeguard the character and appearance of the area.
- 5 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.
- 6 Prior to the commencement of development, 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. 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.  
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 Practice Guidance).
- 7 Details of the design and specification of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved means of boundary enclosure shall be constructed before the dwelling is occupied.  
REASON: To safeguard the character and appearance of the area and because details were not contained in the application.
- 8 Before development commences, details of the provision of boxes for birds shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed as approved before first use or occupation of the building and so retained thereafter.  
REASON: To safeguard and enhance biodiversity during development and thereafter.

- 9 Prior to the commencement of development, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbps). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
- REASON: In the interest of improving connectivity in the District.
- NB Council will be able to advise developers of known network operators in the area.