

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 6th August 2018

**REPORT OF THE HEAD OF PLANNING
AND STRATEGIC HOUSING**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

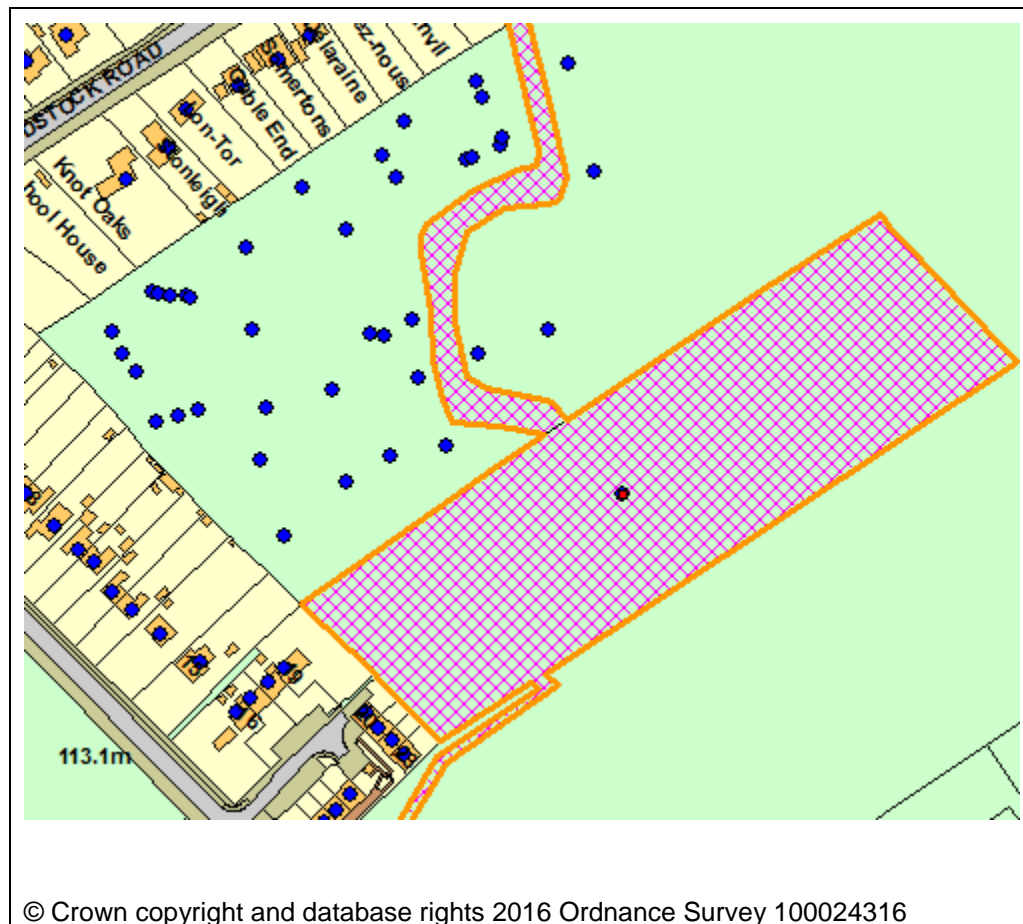
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

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Application Number	17/01966/FUL
Site Address	Land South of William Buckland Way Stonesfield Oxfordshire
Date	18th July 2018
Officer	Sarah De La Coze
Officer Recommendations	Refuse
Parish	Stonesfield Parish Council
Grid Reference	439848 E 217128 N
Committee Date	6th August 2018

Location Map



Application Details:

Erection of 13 dwellings (50% Affordable) with associated infrastructure and access, open space and landscaping and ancillary works (amended plans and description)

Applicant Details:

J A Pye (Oxford) Ltd, C/o Agent.

I CONSULTATIONS

- I.1 Environment Agency No Comment Received.
- I.2 Historic England The proposed development lies immediately adjacent to the scheduled monument known as Stonesfield Roman Villa, list no. 1006366.

Roman villas were a predominantly rural phenomenon, and the word 'villa' itself is often taken as synonymous with 'farm', but they can be better understood as part 'Romanised farmstead' and part country house. As an economic entity, the villa drew its wealth from agriculture and possibly industry in the countryside which surrounded it, i.e. from its estate. Villas represented a rural lifestyle to which wealthier Romans, and those who wished to be associated with Rome, aspired. The existing largely rural setting of the monument therefore contributes to its significance, in allowing an understanding of that rural context. Impact upon significance is normally greater where the remains are visible, but nevertheless buried remains do have a setting which can contribute to their significance.

A recent application has been permitted here (14/0213/OUT) to the west and north of the development site. This brought development closer to the scheduled monument, but left an area of open ground - the development site itself - rather than building right up to the edge of the scheduled monument. Historic England were not consulted on this development.

The first submission for planning application 17/01966/FUL was for 18 houses and this would have infilled the open space left between the scheduled monument and the earlier development. This would bring development to within approx. 90m of the main villa remains, as understood through geophysical survey.

Historic England provided advice to your planning authority on this proposal (letter C Welch to H Wiseman, 8/8/17). In summary the advice was that the encroachment of housing towards the villa site, and therefore the infilling of farmland which would have had a functional relationship with the villa, would cause harm to the significance of the scheduled monument (but not substantial harm). The conclusion that harm would be caused derived in part from consideration of the highly-visible nature of the proposed new development when seen from the scheduled monument and other viewpoints. The advice emphasised that consideration of setting does not depend on public access rights or the ability to access the setting. Finally, the advice concurred with the County Archaeologist's view that the site should be subject to pre-determination evaluation (trial trenching), because of the possibility of nationally important remains surviving here.

Taking all of the above into account Historic England's position was 'Historic England has concerns regarding the application on heritage grounds'.

The evaluation has now been carried out and the report gives the results from the six trenches. No archaeological remains were found, whether of national significance or otherwise. The Planning Statement Addendum submitted is however incorrect in stating that: A full site Archaeological Evaluation was prepared following trial trenching on the site. This has identified that there is no archaeology on the site, despite proximity to the SM to the south (7.37). As with any evaluation, the site could still contain archaeological remains, as the evaluation is only a sample. The evaluation has been informative in demonstrating an area of ground possibly unused for settlement in the Iron Age and Roman periods. The lack of Roman settlement activity would suggest that activity ends either east of or within the linear depression which runs NNE-SSW through the south-east corner of the site (m4 on the geophysics survey).

The revised housing layout shows the number of houses reduced from 18 to 13, and the area occupied by houses, gardens and access roads is just under half of the previous footprint. The development is now proposed only in the western part of the site, with the eastern part being retained as agricultural land. Extensive tree planting is proposed to screen housing on the south and east sides.

For clarification, the Planning Statement Addendum contains material that could be misunderstood. The paragraphs concerned read as follows:

7.38 Furthermore, the applicant has engaged in extended pre-application discussions with Historic England, in relation to a proposed development of the extent to that currently proposed on the site... ...The further pre-application engagement undertaken with Historic England related to a proposal, reflecting a reduced development footprint that is reflected in the current proposal.

7.39 The response received (12th December 2017) from Historic England was also issued to the Case Officer at WODC. This states that whilst some impact remains, the reduced development achieves in reducing impact compared to that resulting from the 18-unit scheme.

These paragraphs could be read as meaning that Historic England's pre-application advice (reproduced as an appendix to the Addendum) was given on an equivalent scheme to that which has been submitted for planning consent. The pre-application advice was actually given on a smaller scheme with 5 houses, occupying approximately one-third of the area of the original 2017 proposal.

The revised scheme as now submitted will still infill farmland that had a functional relationship with the Roman villa, but to a lesser extent, and will still be visible from the scheduled monument and from other viewpoints, but will be less visible than the 18-house proposal, being a smaller mass, and better screened (though there would still be seasonal visibility).

The plan shows a path from the development to Coombe Road which runs across the scheduled monument. In principle, such a path could be accommodated within the monument, and it would provide a good location for an interpretation board giving information about the Roman Villa. The path would need to have minimal below-ground impact. New tree planting is shown to the north of this path, but planting on the scheduled monument should be avoided as it can cause root damage to archaeological deposits. (We also understand this to be the line of the sewer serving the new houses already built, which may itself prevent planting in this area).

In conclusion, the revised housing layout would still cause harm to the significance of the scheduled monument. The level of harm would be lower than the 18-house layout previously proposed. The harm would be less than substantial (NPPF paras 132-4).

Should the local authority decide to grant this development, I recommend that a condition be attached requiring a revised landscaping scheme to be submitted. Reason: so that the proposed tree planting on the scheduled monument can be removed from the scheme.

Recommendation

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

We consider that the application meets the requirements of the NPPF, paragraph number 128. Paragraphs 129, 131, 132, 134 and 141 are also relevant.

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

I.3 Parish Council

Stonesfield Parish Council (SPC) supported the original application for development on Charity Farm considering the development plan rounded off a corner of the village in an acceptable way and also fulfilled some of the need for social housing in light of the housing crisis.

However, there was never a plan for a second phase, particularly as this is a different landowner - Blenheim Estates. This leads to our suspicion of speculation. It is obvious by the amount of time this

application has been under consideration in your offices that you share our concerns relating to the proximity to an important archaeological site and the downhill creep of more building. Although the size of the development has been reduced, we fear this does not answer all the problems relating to sufficient buffer zones and appearance from the Oxfordshire Way.

The whole of Stonesfield village is in an AONB and as we are all well aware building in these areas is ill-advised unless necessary and this development extension is certainly not essential for housing numbers.

SPC draws attention to the fact that there are still houses remaining unsold from Phase I which raises the question of why more half million to one million pound properties are needed and as far as the social units are concerned the rentals are still unaffordable for the local population of young people. WODC waiting list applicants are showing slow interest in very rural areas with little in the way of employment, entertainment or retail opportunities.

There have been 34 low-cost homes in the past few years so we are not turning a blind eye to this element of the housing market but there is a finite number of people wishing to embrace the country life with a limited bus service often necessitating two-car ownership which is expensive and not environmentally friendly.

Please look carefully at the application and hopefully it can be seen that the cons outweigh the pros.

Should SPC's objections be over-ruled we ask that stress is given to ensuring the correct building materials are used. No more red brick/tiling which is blighting the appearance of villages on the edge of the limestone Cotswolds.

I.4 Major Planning
Applications Team

Transport:
No objection subject to conditions.
£13,000 contribution required.

Education Schedule:
£55,468 contribution required.

Archaeology Schedule:
No objection

Local Member Views
Cllr Hudspeth

I am concerned that the cumulative impact of all the developments in Stonesfield regarding traffic have not been taken into consideration. Whilst the access onto the Woodstock Road has good visibility due to the straight nature of that road, it's the extra vehicles that are now being proposed as part of this development adding pressure onto the

junction at peak time.

The other junction I'm concerned about is the junction of the B4437 and the A44. This junction is already a problem at peak times to get onto the A44 and with this additional development along with other developments then access onto the A44 will become even more of a problem. Should we be considering a different junction, even traffic lights to ensure that vehicles are able to safely use it. The impact of a new junction may be too great for I development however we need to work with WODC to find a solution.

1.5 Natural England

The National Park and Access to the Countryside Act 1949
Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites - no objection.

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

Protected landscapes

The proposed development is for a site within or close to a nationally designated landscape namely the Cotswolds AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks.

For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies. We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the

area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have

regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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| I.6 | WODC Housing Enabler | No Comment Received. |
| I.7 | WODC - Arts | We have considered the scale and mix of housing in this application and should it be approved we will not be seeking S106 contributions towards public art at this site. |
| I.8 | WODC Env Services - Landscape | No Comment Received. |
| I.9 | Biodiversity Officer | Suitable ecological survey has been provided to demonstrate that there would be no likely significant impact to other protected species and priority habitat, in accordance with the Wildlife and Countryside Act, 1981, as amended, and National Planning Policy Framework, provided that suitable conditions are put in place to protect foraging/ commuting bats, Badgers, nesting birds and reptiles; provide suitable landscaping and to implement a suitable artificial lighting scheme to protect nocturnal wildlife including foraging and commuting bats. |
| I.10 | WODC - Sports | <p>Response</p> <p>Should this proposal be granted planning permission then the Council would require a contribution towards sport, recreation and play facilities.</p> <p>Sport/Recreation Facilities</p> <p>Off-site contributions are sought for sport/recreation facilities for residents based on the cost of provision and future maintenance of</p> |

football pitches (the cheapest form of outdoor sports facility) over a 15 year period at the Fields in Trust standard of 1.2ha per 1,000 population.

Based on a football pitch of 0.742ha, a provision cost of £85,000 (Sport England Facility Costs Second Quarter 2016) and a commuted maintenance cost of £212,925 per pitch (Sport England Life Cycle Costings Natural Turf Pitches April 2012), this would equate to £481,819 per 1,000 population or £1,156 per dwelling (at an average occupancy of 2.4 persons per dwelling).

Contributions

$£1,156 \times 18 = £20,808$ off-site contribution towards sport/recreation facilities within the catchment. This is index-linked to second quarter 2016 using the BCIS All in Tender Price Index published by RICS.

Play Facilities

WODC endorses the Fields in Trust (FIT), formerly the National Playing Fields Association, standard of 0.8ha of children's play space for every 1,000 people. It also endorses the FIT guidance on distinct types of play areas to cater for the needs of different age groups (LAPs - Local Areas for Play, LEAPs - Local Equipped Areas for Play and NEAPS - Neighbourhood Equipped Areas for Play).

DEVELOPMENT TYPES, THRESHOLDS AND REQUIREMENTS

Of the FIT standard of 8sq m of play space per person, we will expect 5sq m to be casual and 3sq m to be equipped. At an average occupancy rate of 2.4 persons per dwelling this equates to 12sq m of casual space and 7.2sq m of equipped space for every dwelling. We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development. In particular, the type of play facility will need to reflect the minimum sizes for a Local Area for Play (LAP) (100m²), a Local Equipped Area for Play (LEAP) (400m²) and a Neighbourhood Equipped Area for Play (NEAP) (1,000m²) and the need for adequate buffer zones and minimum distances from dwellings. Generally, on developments of fewer than 60 dwellings, we will expect applicants to make provision by way of a contribution to an equipped off-site facility.

Contributions

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

We will assess contributions towards equipped play facilities on the basis of providing and maintaining a NEAP that will meet the needs of 1,000 people. The contribution per person will therefore be £143 for provision and £198 for maintenance. This equates to an overall contribution of £818 per dwelling (at an average occupancy of 2.4 persons per dwelling).

$£818 \times 18 = £14,724$ for the enhancement and maintenance of play/recreation areas within the catchment. This is index-linked to first quarter 2014 using the BCIS All in Tender Price Index published by RICS.

- I.11 Conservation Officer No Comment Received.
- I.12 WODC Housing Enabler
 I understand that the proposal is to provide 9 x affordable dwellings as part of this application in Stonesfield. In order for the scheme to be policy compliant the unit types and scheme mix are required to be as;
- 2 : 1 affordable rent to shared ownership, so in effect 70% affordable rent and 30% shared ownership
- 65 % smaller dwellings for singles, couples, small families, older persons and those requiring level access, and
- 35% larger properties of 4 persons and upwards for family housing
 Currently there are 40 households who would qualify for affordable housing in Stonesfield, were it available today. Of these;
- 23 require one bedroom accommodation
 12 require 2 bedroom housing, and
 5 require 3 bedroom housing.
- If the developer can meet the above policy requirements then it would be possible to support this application.
- No further comments were received relating to the amended scheme.
- I.13 ERS Env. Consultation Sites
 I am not aware of any particular contaminated land issues with regard to this site, however as the site is for proposed residential use, could you please add the following condition:
- If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted

to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated.

Relevant Policies: West Oxfordshire Local Planning Policy BE18 and Section 11 of the NPPF.

1.14 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.

1.15 WODC Env Services - Waste Officer No Comment Received.

2 REPRESENTATIONS

2.1 128 letters of objection have been received. These can be read in full on the Council's website. The representation received raised the following issues which have been summarised below:

Principle

- This level of development does not meet WODC's sustainable criteria
- Houses are not affordable
- Permission should be refused for major developments in the AONB except in exceptional circumstances
- Local plan inspector removed sites from the AONB
- West Oxfordshire District Council SHLAA assessed this site and found it 'Not Suitable'
- Plans have been approved or being considered for 152 new houses, a 23% increase without any significant infrastructure improvements to support the increased population.
- The NPPF makes it clear that land outside the AONB, should be preferred for development. It states that "planning permission should be refused for major developments in the AONB except in exceptional circumstances.
- The Local Plan Inspector has said that windfall sites on the edges of rural villages in the AONB will need to be judged by the need for affordable housing for people with a village connection

Infrastructure and local services

- Not enough school places
- There is insufficient infrastructure to support yet more housing
- It does not have the range of retail and service provisions capable of meeting residents' day to day needs
- Located some distance from public transport

- In practice every new resident will have to use their car to access public transport, and to reach schools, shops and jobs
- The bus service is infrequent.
- Nearest doctor's surgery in Woodstock is already oversubscribed, and it can take three weeks to get an appointment

Landscape Impact

- Would have an unacceptable visual impact
- Materials are inappropriate
- Would impact on AONB
- Valley will be destroyed forever
- Would Impact views from the Evenlode
- Proposed planting to screen new housing will not mitigate this impact
- It is particularly visible, sloping down an exposed open hillside to where walkers on the popular Oxfordshire Way

Design

- Dwellings are too large
- Houses that are out of keeping with the village
- There is nothing to reference the local vernacular with regard to design
- Poor and unimaginative design
- Materials are not in keeping

Drainage

- Development will cause capacity problems in the sewers and result in sewage overflows
- Water pressure at present is inadequate
- Would increase flooding and water surface issues
- Current systems can't cope

Traffic and Highways

- Would increase traffic
- The cumulative effect on traffic in and out of the village from Charity Farm will be disastrous.
- The Woodstock road is the main commuter route from Stonesfield and it meets the strategic A44 at a dangerous and congested junction
- Transport information is inaccurate
- Roads can't take the additional development
- Would cause highway safety issues

Impact on the Historic Environment

- Development will have an adverse impact on the setting of the protected scheduled ancient monument
- Would ruin monument which would be irreplaceable

Other matters

- PYE homes claim to have undertaken a consultation exercise for this development but few people in the village received any information
- The application contravenes reserved matters Nos 5 and 9 on the Charity Farm Phase I Approval Ref: 14/02130/OUT, which restricts development on the southeast border of that site to protect the special character of the Cotswolds AONB
- Plans have been approved or being considered for 152 new houses, a 23% increase without any significant infrastructure improvements to support the increased population
- By considering individual planning applications in isolation WODC ensures that it fails to present a true picture of the level of development and the total impact on the location.

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:

- The proposals for this development are based on sound design principles that have taken into account the constraints and opportunities presented by the site. The revised layout also reflects the recommendations made by WODC.
- The vision for this development is to create a landscaped residential development which seeks to embrace the local character and assets whilst delivering a high quality development with a strong sense of place.
- The housing mix reflects the accommodation needs of the village, accommodating a range of different people, families and ages. Careful design consideration has been given to the masterplan to ensure an environmentally responsive design with a green focus and improved connectivity to existing footpaths to encourage a healthy lifestyle.
- The proposed development will provide 13 residential dwellings set within high quality landscaping. The shared surface running through the site, serving the dwellings, along with the proposed pedestrian and cycle links, will encourage walking and cycling and other sustainable modes of transport. In our opinion this site is considered to be a sustainable location for development.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE4 Open space within and adjoining settlements
H2 General residential development standards
H6 Medium-sized villages
NE3 Local Landscape Character
NE4 Cotswolds Area of Outstanding Natural Beauty
NE6 Retention of Trees, Woodlands and Hedgerows
NE13 Biodiversity Conservation
EH1A AONB
EH13 Scheduled Monuments
EH1NEW Landscape character
EH2NEW Biodiversity
EH6NEW Environmental protection

EH7NEW Historic Environment
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H3NEW Affordable Housing
OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS4NEW High quality design
T4NEW Parking provision
BC1NEW Burford-Charlbury sub-area
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks permission for the erection of 13 dwellings (50% Affordable) with associated infrastructure and access, open space and landscaping and ancillary works.

Background Information

- 5.2 The original application proposed 18 new dwellings (50% Affordable) with associated infrastructure. Officers raised a number of concerns with the application and therefore the scheme was reduced and amended to try and address concerns raised.
- 5.3 The site is located on an undeveloped piece of land which is bounded by a new housing development on the Northern side and the scheduled ancient monument on the Southern side. The site is highly visible from along Combe Road and the public right of way to the South known as Oxfordshire Way.
- 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 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.

- 5.9 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. 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. Policy H2 of the emerging plan states that new dwellings will be allowed 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 Policy OS2.
- 5.10 In January 2018 the local plan inspector issued a letter relating to the status of the emerging plan. Within his letter the inspector commented on the suitability of new dwellings in the Burford - Charlbury sub-area which forms part of the Cotswold AONB. He confirmed that great weight should be given to conserving landscape and scenic beauty in AONBs. In his comments he states that whilst there should not be an embargo on new housing within the Cotswold AONB, there is little case for the plan to provide for more than the already completed/committed 774 dwellings in the Burford - Charlbury sub-area.
- 5.11 The village benefits from a range of services, including a primary school, food shop, community building, sports facilities, and pub.

Siting, Design and Form and Landscape Impact

- 5.12 The application site is proposed to be accessed through the Charity Farm development which is currently under construction. The area of built development has been reduced from the original version to allow addition planting and screening on the boundary, and to reduce the spread of development within the site.
- 5.13 In terms of the layout whilst it is proposed as a second phase to the Charity Farm development, the dwellings don't relate specifically to the pattern of development of the approved scheme or the more linear pattern of development on Combe Road and instead will be read as an additional cul de sac.
- 5.14 When the Charity Farm development was granted permission, it was considered important to ensure that the site had sufficient planting and screening and open space throughout the development, to lessen its impact on the landscape given its position within the AONB.
- 5.15 The site is located within the Cotswold AONB. Paragraph 115 of the NPPF advises the weight to be given to conserving the landscape and scenic beauty of the AONB.
- 5.16 A landscape and visual impact assessment has been provided which shows that the proposed development is likely to be visible from a number of viewpoints. The site is located within semi-enclosed limestone wolds of the Lower Evenlode Valley where landscapes are visually sensitive.
- 5.17 The proposed 13 houses would be located in such a position which would be highly visible and which would fail to relate to the pattern of development along Combe Road or within the Charity Farm development. Instead the development is considered to further urbanise an area

that its visually sensitive and which creates approach views in to the village. The views would also be prominent from the public footpath which runs along Akeman Street known as the Oxfordshire Way which is part of a highly publicised and used public footpath.

- 5.18 The dwellings in terms of their scale and form would be considered acceptable in isolation. The proposed materials which include red tiles and red brick would not be considered acceptable for such a prominent location. Whilst officers acknowledge that there is the use of these materials in the Charity Farm development, the use of these materials in areas which affords key views would fail to form a logical visual addition to the appearance and character of this part of the village and AONB.
- 5.19 Officers are of the view that there would be significant harmful change to the landscape arising from the proposal. The layout includes some landscaping which will allow for some screening of the site but this is not considered sufficient to ensure that the impact on the AONB would be successfully mitigated.
- 5.20 As the site is located within the AONB and officers have identified significant harm which cannot be mitigated, this is contrary to paragraph 115 of the NPPF. Therefore the proposal is not considered to conserve the landscape or scenic beauty in this area of the AONB and the scheme is therefore unacceptable without reference to the tilted balance under paragraph 14 of the NPPF.

Historic Landscape

- 5.21 A large area of Stonesfield is located within the Conservation Area. The application site is set away from the boundary of the Conservation Area and will be seen mostly within the context of built form from views out of the Conservation Area. Given this the proposal is considered to have a neutral impact on the setting of the Conservation Area
- 5.22 The proposed development lies immediately adjacent to the scheduled monument known as Stonesfield Roman Villa, list no. 1006366. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 5.23 Historic England has been consulted on the application. Whilst they acknowledge that the reduced scheme will lessen the impact on the scheduled monument, the scheme will still push the built form closer to the scheduled monument and will see housing being located on infill farmland that had a functional relationship with the Roman villa. Furthermore the development will be visible from the scheduled monument and from other viewpoints which would detract from the setting of the monument. In their consideration of the proposal Historic England are of the opinion that the development would cause harm to the significance of the scheduled monument (but not substantial harm).
- 5.24 Paragraph 134 then goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.25 The provision of open market affordable housing are acknowledged benefits as is the economic and social advantages such as job creation. In addition it is suggested that the inclusion of a footpath which runs across the scheduled monument could be accommodated within the

monument and would provide the opportunity for an interpretation board giving information about the Roman Villa. Officers are of the opinion that the proposed benefits would fail to outweigh the harm to the setting and significance of the Scheduled Ancient Monument. Given this, the proposal is considered unacceptable in line with paragraph 14, 132 and 134 of the NPPF.

Residential Amenities

- 5.26 The amended scheme has been amended so that most of the development is located within the South corner of the site. The back to back distances between the new development and the houses located in Combe Road will be reduced to 20m. It is considered that 21m would be considered an appropriate back to back distance between houses to ensure that properties have a good standard of amenity. Given that the development falls short of this distance in certain areas, officers are of the opinion that the proposed location of the development would have an adverse impact on neighbouring amenity with regard to overlooking and loss of privacy. With regard to the remainder of the scheme, the proposal is not considered to adversely impact on neighbouring amenity.

Highways

- 5.27 OCC Highways raise no objection to the proposal as regards traffic generation, the means of access, and highway safety. A S106 contribution of £13,000 is required towards bus service improvements.

Drainage

- 5.28 The site is within Flood Zone 1 and therefore at low risk of flooding.
- 5.29 OCC Drainage officers raise no objection to the scheme and it is considered that further drainage details can be secured by condition.
- 5.30 Thames Water have been consulted on the application and raise no objection to the scheme with regard to sewerage infrastructure capacity and with regard to water infrastructure capacity.

S106

- 5.31 The applicant has referred to the provision of 50% affordable housing which is a policy compliant contribution.
- 5.32 A contribution of £55,468 is required towards the expansion of permanent school capacity at Stonesfield Primary School.
- 5.33 A contribution of £20,808 is required towards off-site sport/recreation facilities within the catchment.
- 5.34 A contribution of £14,724 is required for the enhancement and maintenance of play/recreation areas within the catchment.

Conclusion

- 5.35 Officers acknowledge that the scheme will have some potential benefit in the form of onsite affordable housing in a village that is considered sustainable. The scheme may be able to deliver an information board for the scheduled monument, additional landscaping and an additional footpath. However it is considered that the addition of 13 new houses on an area of undeveloped land which would have less than significant harm on the setting of a scheduled monument would not outweigh the harm to landscape of the Cotswold AONB and the setting of the scheduled monument, the conservation of which great weight must be given. This is sufficient to justify refusal in addition there is no agreed mitigation package and the impact on neighbouring amenity is such that amenity would be unduly harmed.
- 5.36 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.

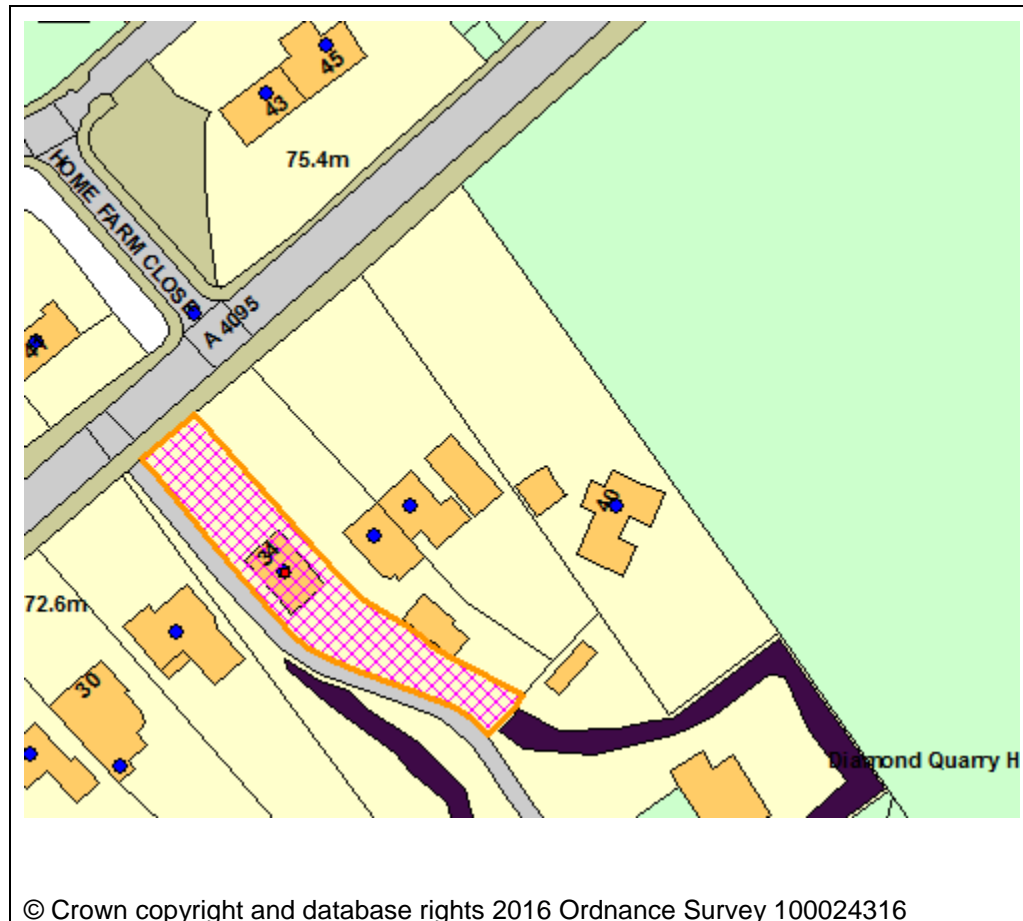
6 REASONS FOR REFUSAL

- 1 The development proposal by reason of its siting outside of the built up limits of the settlement, in rural open countryside will appear as an incongruous and overly urban feature outside the built up part of the village and will erode the rural character of the area, adversely affecting the landscape setting of the village and the scenic beauty of the Cotswold Area of Outstanding Natural Beauty wherein the Local Planning Authority is required to give great weight to conserving landscape and scenic beauty, in a location where convincing evidence to demonstrate that the development is necessary to meet an identified housing need has not been provided. As such the development fails to conserve the scenic beauty of the Cotswolds AONB and is considered contrary to policies BE2, BE4, NE1, NE3, and NE4 of the West Oxfordshire Local Plan 2011, Policies OS2, H2, EH1A and EH1 of the emerging West Oxfordshire Local Plan 2031 and the NPPF in particular paragraphs 17, 109 and 115.
- 2 The proposed development by reason of its position and prominence within an agricultural landscape, the development would have an adverse impact on the setting of the Stonesfield Roman Villa, list no. 1006366 wherein the Local Planning Authority is required to give great weight its conservation, which would lead to less than substantial harm which is not outweighed by the public benefits. As such the development is contrary to West Oxfordshire Local Plan 2011 Policy BE13, Emerging West Oxfordshire Local Plan 2031 Policy EH7, EH13 and the provisions of the NPPF in particular paragraphs 132 and 134.
- 3 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. 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.
- 4 By reason of the developments siting in close proximity to the properties located in Combe Road as well as plot 30 in Charity Farm, the proposed dwellings would result in unacceptably levels of overlooking and loss of privacy, to the detriment of the residential amenity of the

occupiers. As such, the proposal is considered contrary to West Oxfordshire Local Plan 2011 Policies BE2 and H2, Emerging West Oxfordshire Local Plan Policies OS2, H2 and OS4, and the relevant paragraphs of the NPPF in particular 17, 58, 61 and 64.

Application Number	18/00967/FUL
Site Address	34 Grove Road Bladon Woodstock Oxfordshire OX20 1RD
Date	18th July 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Bladon Parish Council
Grid Reference	445014 E 215111 N
Committee Date	6th August 2018

Location Map



Application Details:

Demolition of existing house and outbuildings. Erection of new dwelling with associated drainage, parking and landscaping with new vehicular and pedestrian access (amended plans)

Applicant Details:

Mr Peter Barrett
Long Barn
The Straight Mile
Woodstock
OX20 1PW

I CONSULTATIONS

- I.1 Conservation Officer No objection subject to conditions.
- I.2 Parish Council The Parish Council has considered the amendments to the above application and comments as follows:
1. It is pleased to note the change in proposed materials on all elevations, but would like clarification of whether any rendering is still planned to the left side or rear of the building as per the original Design & Access Statement as this has not been specifically stated in the Revised Statement.
 2. Whilst the floor area of the proposed building has been slightly reduced it would still appear to be very substantially larger than the existing property, and large for the site. The further plans submitted are difficult to interpret particularly in relation to the size and location of the windows and further clarification would be appreciated.
 3. The amendments to the side boundary are welcomed in so far as they go, but the Parish Council remains of the view that the character of the local (conservation) area would be more properly protected and enhanced by hedging running the full length of the border with the private lane, from the front to the rear of the plot, in keeping with the property to the other side of the lane. Similarly a boundary hedge at the front of the plot would be in keeping with the other nearby properties.
 4. We would like clarification of what is meant by the phrase "Landscaping to the rear land can be agreed." By whom would it be agreed? What would the process for this be - would nearby residents and/or the Parish Council be consulted or be party to any agreement?
 5. Construction work will be difficult given the narrow site and lack of public accessway for construction vehicles other than directly into it across the pavement and into the area designated to become the parking zone. Traffic travelling on the busy A4095 will also be affected. We would like to see the Construction Management Plan please. One has not apparently been filed despite our previous request.
 6. Several of the inaccuracies in the application form, as raised in

point 6 of our previous objections, have not been addressed.

7. We would respectfully request that the above concerns be addressed and ask that it be noted that the Parish Council's objection to planning permission being granted remains pending the same.

- | | | |
|-----|-------------------------|-------------------------------------|
| I.3 | WODC Drainage Engineers | No objection subject to condition |
| I.4 | OCC Highways | No objection subject to conditions. |
| I.5 | Biodiversity Officer | No objection subject to conditions. |

2 REPRESENTATIONS

2.1 18 letters of objections have been received. These include those received before and after amended plans were submitted. These can be read in full on the Council's website. The representation received raised the following issues which have been summarised below:

- More traditional materials are more in keeping
- Dwelling is too large for the site
- Driveway along 34 is not a track but a private driveway
- Dwelling will be built very close to boundary which will overshadow the neighbouring property
- Dwelling will overlook neighbouring property
- Works will cause a disruption
- Will increase drainage and flooding issues
- Plans are inaccurate
- Landscaping does not go far enough
- Overall square footage is much larger than the existing dwelling

3 APPLICANT'S CASE

3.1 A design and access statement has been provided as part of the application which states:

- The existing site sits at the entrance to a disused stone quarry which now has two detached houses situated within the old quarry workings. There is a single track which accesses these houses from Grove Road.
- There is an existing, utilitarian designed, and built, bungalow on the site, built in the 1950's. This building has a simple rectangular plan with gable elevations to front and rear, and is set back from the road, between No. 36 and the track leading to Diamond Quarry House and Plas Dowel, with No.32 beyond the track to the west.
- The front garden of the existing house is covered in concrete paving slabs and the rear garden is largely covered in dense under growth on a slope of approx 4 metres from east to west which was the east side of the quarry entrance.
- The whole effect is dreary and utilitarian.
- There is no vehicular access to the site; pedestrian access is via a footpath adjacent to the driveway.

The proposed design

The planning officer and conservation officer have visited site and suggested amendments. The Parish Council have objected to the scheme and their comments have been taken into account.

The following amendments have been made in response to the above.

- The parking and turning area have been increased in area.
- The frontage of the building has been set back by 1.5m.
- The floor area has been reduced by 16M².
- The front door location has been moved to the front of the property.
- All elevations have been amended both with regard to size and location of fenestration to achieve a domestic look.
- The materials proposed will be traditional natural blue slates and natural stonework on all elevations.
- The windows will remain powder coated aluminium of a colour to be agreed as some are large in size and timber will only warp and become leaky.
- The side boundary treatment to the access track has been amended - there will be a simple timber fence consisting of simple uprights with a single top post set at 45 degrees, as others in the village. This will change to a hedge alongside the building with a sloping ground to the trackway, with the fence continuing from the rear of the house to the end of the plot. This creates a soft, rural aesthetic.

The general massing, use of levels and overall layout is considered to be a good resolution of the site difficulties, which is supported by the planning officers.

Access

- A new vehicular access will be formed to Grove Road, with a drive leading to a car parking area. This drive and parking area will be lower than the adjacent front garden area which will help reduce the visual effect that parked cars will have on the street scene.
- Following public comments this parking area has been increased to allow for three parked cars in a row, with generous turning areas.
- A bin and recycling store will be provided within the parking area.

Drainage

- The drive and parking areas will be self-draining with any surplus storm water being dealt with by a SuDS drainage system to avoid water run-off from going onto the track.
- Foul water drains will be connected to the existing system which discharges to a public sewer in Grove Road.

Landscaping

- The front concrete paving will be removed and this area will have a beech hedge to give further visual protection from parked cars, plus an apple orchard.
- Landscaping to the rear land can be agreed.
- Boundary proposals are covered in design section above, consisting of simple timber fence and hedge.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
BE5 Conservation Areas
H2 General residential development standards
NE13 Biodiversity Conservation
NE5 Oxford Green Belt
OS2NEW Locating development in the right places
H6NEW Existing housing
OS4NEW High quality design
EH2NEW Biodiversity
EH7NEW Historic Environment
EH8 Conservation Areas

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for a replacement dwelling with associated parking. The application site is located within the built up limits of Bladon, within Bladon Conservation Area and within the Oxford Green Belt.
- 5.2 A number of concerns were raised with the initial application and following comments from officers, neighbours and the Parish Council. The application has been amended to address concerns.
- 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 Policy H2 of the adopted local plan and policy H6 of the emerging local plan refers to replacement dwellings. In principle a one for one replacement is considered acceptable as long as the existing dwelling is not of historic or architectural merit and providing that the character and appearance of the surrounding area is not eroded, and the dwelling is not materially larger than the existing.
- 5.5 Policy NE5 of the adopted plan also allows for replacement dwellings in the Green Belt provided that the proposals do not result in a dwelling that is materially larger than the original dwelling. Paragraph 89 of the NPPF is also permissive of replacement dwellings as long as the dwelling is not materially larger than the one it replaces.
- 5.6 The existing dwelling is a bungalow therefore the proposed dwelling will be larger than the existing house. Given the design of the dwelling and the site constraints officers are of the opinion that the proposed dwelling would not be materially larger that refusal on this basis could be justified. The dwelling will be located broadly in the same place as the existing dwelling and will feature a ridge height that would be in line with the neighbouring two storey dwellings.

Siting, Design and Form

- 5.7 The application site is located in a highly visible location on the street scene. The site currently comprises a low key bungalow. The road comprises a variety of different house types with the immediate neighbouring properties benefiting from large houses set back in the plot with spacious frontages. Across the road there is a relatively new housing development which is located on an old farm complex.
- 5.8 The application site is somewhat constrained due to the site levels and the private access road that runs alongside the boundary. The dwelling is proposed to sit gable on to the street using the site levels to create the levels for the dwelling, elements of the dwelling will be set in to the site.
- 5.9 The dwelling will be set back in the site allowing for parking and landscaping to the front. This will follow the pattern of development in the street scene. Officers are of the opinion that the overall form, height and scale of the dwelling would sit comfortably between the neighbouring properties.
- 5.10 The design has a more contemporary appearance due to the orientation and fenestration details. Officers are of the opinion that the use of the modern details along with more traditional materials would for a visually appropriate relationship with the street scene and neighbouring properties. The side element has been set back from the frontage reducing the massing on the side elevation which will be highly visible due to the private access road. The boundary treatment along the access will be minimal with hedging and a simple low lying fence allowing for the rural character to remain in this location whilst allow the curtilage of the dwelling to benefit from some privacy.
- 5.11 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 12 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.12 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. The dwelling would read as a logical addition to the pattern of development in the area and would not be overly dominant given its relationship with the neighbouring properties and the materials proposed. The dwelling is therefore considered to preserve this part of the Conservation Area.
- 5.13 There is a mix of housing along Grove Road and officers are of the opinion that the proposed dwelling would not be out of keeping with the development in the area and has been designed for the site specific circumstances. The proposal is not considered to have an adverse impact on the street scene or wider Conservation Area.

Residential Amenities

- 5.14 The nearest neighbours are 32 and 36 Grove Road. No.32 is separated by the private road and benefits from screening on the boundary. The proposed dwelling is considered to be sufficiently separated to not be considered overbearing or impact the light available to the property. No.

36 is closer to the development site and is separated by a boundary fence with hedging and trees on the boundary. The dwelling will be set away from the boundary and the neighbouring access runs alongside the boundary. The relationship between the properties are considered acceptable given that No.36 doesn't benefit from habitable rooms on the closest elevation. The new dwelling is therefore not considered overbearing or considered to adversely impact the light to the neighbouring property given the distance between the properties and the circulation space around the dwellings and room layout.

- 5.15 The primary windows in the proposed windows will face out to the front and rear of the site. The front windows will have views on to the street and over the frontage of the neighbouring property. The rear windows have the potential to have views to the rear of the neighbouring properties. Given that the dwelling is located within the built up limits of Bladon where it is common to have these types of relationships between dwellings and where mutual overlooking is part of living in a residential area, the proposed openings are not considered to give rise to unacceptable level of overlooking and will not adversely impact on neighbouring privacy. In addition the existing bungalow benefits from rear openings and a raised rear garden area which will not be dissimilar to the proposed arrangement in terms of the potential for overlooking. The dwelling proposes a number of windows and roof lights on the side elevations. The windows facing on to the access road are not considered to give rise to unacceptable levels of overlooking given the position of the access road. The windows that are proposed to face on to no.36 are mostly proposed to serve non habitable rooms at first floor level and therefore are not considered to give rise to overlooking. Notwithstanding this, a condition will be added to ensure the windows are obscurely glazed to reduce the level of perceived overlooking.

Highways

- 5.16 Oxfordshire County Council Highways have been consulted on the application and raise 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 and Green Belt and would be in compliance with paragraph 89 of the NPPF. The dwelling 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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on *****.
REASON: The application details have been amended by the submission of revised details.

- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
- 5 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 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 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 9 No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.
REASON: In the interest 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 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).

- 11 Before development takes place, details of the provision of bat roosting feature(s) and/or nesting opportunities for birds into the new buildings and/or boxes in trees shall be submitted to the local planning authority for approval, including a drawing showing the location(s) and type(s) of feature(s). The approved details shall be implemented before the dwelling hereby approved is first occupied, and thereafter permanently retained
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy NE13 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006
- 12 Prior to occupation, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), policy NE15 of the West Oxfordshire District Local Plan 2011, policy EH2 of the emerging Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road or footpath shall be constructed or erected, other than those expressly authorised by this permission.
REASON: To safeguard the open plan character of the development/ to safeguard the character and appearance of the area.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to preserve the character and appearance of the area and neighbouring amenity.

NOTES TO APPLICANT

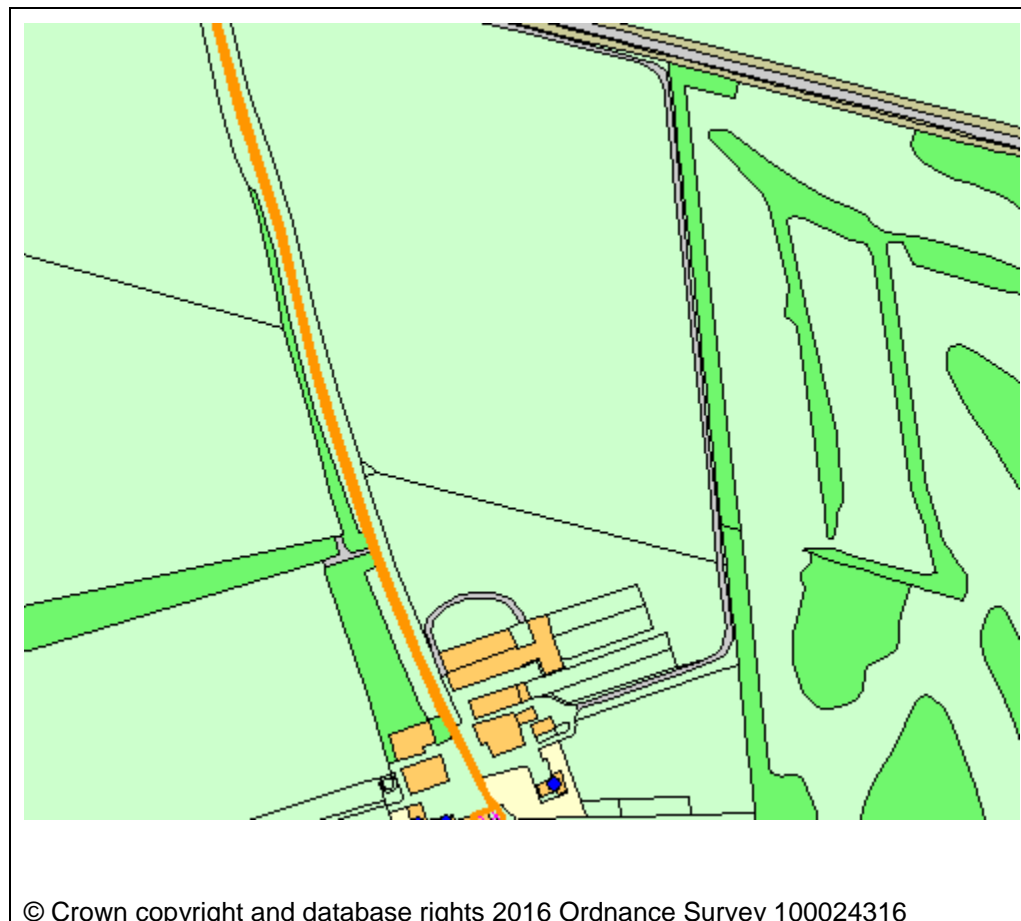
- 1 The applicant is advised not to commence work in the public highway until formal approval has been granted by Oxfordshire County Council by way of a section 184 Notice under the Highways Act 1980.

- 2 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
(Follow link <https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/environmentandplanning/flooding/FloodStrategyActionPlan.pdf>).
 - CIRIA C753 SuDS Manual 2015

- 3 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	I8/01055/FUL
Site Address	New Chalford Farm London Road Chipping Norton Oxfordshire OX7 5QY
Date	18th July 2018
Officer	Kim Smith
Officer Recommendations	Refuse
Parish	Chipping Norton Town Council
Grid Reference	433071 E 226677 N
Committee Date	6th August 2018

Location Map



Application Details:

Conversion of existing agricultural building to dwelling. (Part Retrospective).

Applicant Details:

Mr Glyn Pearman
New Chalford Farm
London Road
Chipping Norton
Oxon
OX7 5QY

I CONSULTATIONS

- | | | |
|-----|----------------------|---|
| 1.1 | 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 |
| 1.2 | Town Council | No Objections |
| 1.3 | Biodiversity Officer | Objection- |
- Further information is required relating to roosting bats and Barn Owl before determination of the application; there is therefore a biodiversity objection to the proposal on the basis of insufficient ecological information. Should this matter be resolved, further details on ecological enhancements and lighting, and possible bat/barn owl provision, would be required and the applicant may wish to provide these details before determination to avoid conditions.

2 REPRESENTATIONS

- 2.1 No representations received at the time of writing.

3 APPLICANT'S CASE

- 3.1 A supporting statement submitted with the application states as follows:

The National Planning Policy Framework (2012) supports the residential reuse of rural buildings under paragraph 55. This notes that such development is acceptable where "the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting".

West Oxfordshire Local Plan 2011 (adopted 2006) supports the conversion of unlisted vernacular buildings. Policy BE10 notes that the conversion should not:

- "a) extensively alter the existing structure or remove features of interest;
- b) include extensions, or an accumulation of extensions, which would obscure the form of the original building".

The lower case text advises the conversion should ensure that the conversion respects the original character of the building.

The primary focus of policy is to ensure that the converted building is in keeping with its setting.

There are adjacent buildings. They are of a similar style. The building will therefore be in keeping with its setting.

The building has been re-roofed, and slates re-laid. The adjacent buildings are clad in slates, so this is in keeping. The stonework is matching of the adjacent buildings, and has been repointed. The building has been enhanced, and accordingly there has been enhancement of the immediate setting. Policy in the NPPF is satisfied.

In terms of Local Plan policy BE10:

- a) the existing structure has not been extensively altered. The building before re-roofing was of a similar style, albeit slightly lower and without upper windows. However as the photos show, the character of the building is entirely in character with the building attached;
- b) nor has the form of the original building been obscured.

The original roof slates and wooden roof timbers needed replacement. In the roof space was a loft, accessed internally by a ladder. Once the roof had been stripped back and the wall plates exposed, the decision was taken to raise the wall height by circa 40cm (15 inches), and to put in small windows.

These allow for the roof space to be used as living accommodation without the need for roof lights, which it was concluded would alter the character of the building.

In making this alteration, the character of the building has been kept in character with other buildings, including the one adjacent to it

Against the policy, this alteration is not extensively altering the existing structure. It is not removing features of interest. Nor does the change obscure the form of the original building.

Therefore this is not contrary to policy BE10.

The report concludes that the building meets the criteria of local and national policy and that there are no adverse impacts sufficient to warrant refusal.

In addition to the above the applicant has provided the following information in support of the application:

'I am hoping a little background to the building and my wish to convert it might help me towards success. In the 1960's along with many other pupils from Chipping Norton School I used to run through the farm on those dreaded cross country excursions. In those days the tenant, an old fashioned Mr Polard, used to keep pigs in it. There was an open exercise yard at the front, built in concrete blocks, to which the pigs had constant access. The rear of the building was open with metal gates restricting the pigs escape. There was a loft above which had very little headroom and no lighting other than that which came up the stairway and through a couple of slits in the wall.

One of my first improvements was to remove the concrete yard and build in the rear with in natural stone and three metal windows purchased when the Bliss Tweed Mill closed down and odds and ends were sold off. From that time I have reared calves, turkeys and table poultry according to demand in the building.'

He wishes to put the barn in trust for his granddaughter who has Downs Syndrome. It would be let out until she is of an age to need it and all of the rent would be paid into an account for her. This way she would end up safe and secure with her own accommodation.

The applicant is more than willing to get terms and conditions drawn up legally for you prior to consent being given if this would help my application.

4 PLANNING POLICIES

BE2 General Development Standards

BE3 Provision for Movement and Parking

H4 Construction of new dwellings in the open countryside and small villages

H10 Conversion of existing buildings to residential use in the countryside and

OS2NEW Locating development in the right places

H2NEW Delivery of new homes

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

5 PLANNING ASSESSMENT

- 5.1 This application was deferred consideration at Uplands Area Planning Sub Committee in July in order for a Members site visit to be carried out prior to determination.

Planning History

- 5.2 The planning history on the land is listed below and it will be noted that a number of the applications are retrospective. Further that there are a number of unfettered residential units located on the farm that have been the subject of lawful development certificates.

Certificate of Lawfulness

13/0203/P/CLE - WITHDRAWN: Retention of first floor as two self-contained residential units (The Hatchery & the Hayloft).

13/0652/P/CLE - APPROVE: Use as a single dwelling (The Hayloft).

13/0653/P/CLE - APPROVE: Use as a single dwelling (The Hatchery).

Planning Applications

W88/0915 - APPROVE: Change of use & alterations of existing farm buildings to form stables, feed store, and tackroom.

W88/1862 - APPROVE: Erection of dwelling.

W89/1367 - APPROVE: New Farmhouse.

W94/0541 - APPROVE: Erection of agricultural building.

W94/1730 - APPROVE: Erection of a new agricultural building to incorporate game bird egg incubation and hatchery with staff restroom, toilets, and changing rooms above.

W94/1741 - APPROVE: Use of artificial Stonesfield slate for the roof (non-compliance with Condition 2 of planning permission W89/1367).

W96/0170 - APPROVE: Erection of agricultural building to form game bird hatchery with staff restroom, toilets, and changing room.

W96/0319 - APPROVE: Erection of two farm buildings.

W96/1012 - APPROVE: Revision to permission W96/0319; modified location of Building A.

W98/0433 - APPROVE: Demolition of existing dwelling and erection of new dwelling.

W99/0030 - APPROVE: Erection of one dwelling, change of use of land from residential to paddock.

04/0534/P/AGD - PRIOR APPROVAL NOT REQUIRED: Erection of agricultural building.

07/1334/P/FP - APPCON: Erection of barn for storage of straw and general implements.

09/1111/P/FP - WITHDRAWN: Erection of agricultural dwellings.

09/1555/P/FP - APPCON: Erection of agricultural workers dwelling.

12/1290/P/FP - APPCON: Erection of agricultural building.

13/0221/P/FP - APPCON: Change of use of first floor barn to ancillary accommodation (retrospective).

13/0283/P/FP - APPROVE: Erection of loose boxes and storage barn (retrospective).

13/0455/P/FP - APPCON: Change of use of agricultural building to workshop for paint spraying and farm workshop (retrospective).

13/0891/P/FP - APPROVE: Upgrade access and access-track serving dwelling (retrospective).

14/1272/P/FP - APPROVE: Restore and upgrade existing farm track to serve farm buildings and Dovecote House (retrospective).

17/04125/PN56 - WITHDRAWN - Conversion of agricultural building to dwelling.

- 5.3 This application is for 'conversion' of a former agricultural building at New Chalford Farm to a dwelling. The building sits within a group of existing stone buildings a number of which were converted without planning consent but which now benefit from lawful residential uses following the submission of lawful development certificates some years ago.

- 5.4 The farmhouse, converted buildings and farm buildings are located within the open countryside.
- 5.5 The application has been submitted following the withdrawal of an application for Prior Approval under Part Q of the GPDO. The application was withdrawn when it came to light that physical works had been undertaken to the building which as a matter of 'fact and degree' were a material re-modelling of the original building (raising the eaves and ridge and providing domestic window openings on the first floor) such that it is considered tantamount to the erection of a new dwelling as opposed to a conversion.
- 5.6 The applicant has put forward a social case with the application which is that he wants to put the dwelling in trust for his granddaughter and is willing to enter a legal agreement accordingly if planning permission is granted.
- 5.7 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 - Housing Policy Position

- 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 Paragraph 14 of the Framework says that permission should be granted for dwellings unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 5.14 The starting point for consideration of this application is whether or not this application is for a conversion to residential or is tantamount to the erection of a new dwelling in the open countryside.
- 5.15 In order to create a useable first floor the former agricultural building has been remodelled and whilst sitting on its original footprint has a raised eaves and ridge height. The supporting statement with the application confirms that once the roof had been stripped back, the decision was taken to raise the wall height by 15 inches and put in first floor windows. In your Officers opinion, the works that have been undertaken as a matter of 'fact and degree' are tantamount to the erection of a new dwelling and as such policy H4 is the key Adopted Local plan policy together with H2 of the Emerging Local Plan and Paragraph 55 of the NPPF are key in determining this application.
- 5.16 The above noted policies seek to avoid isolated homes in the open countryside in remote locations removed from any settlements unless there are special circumstances to set policy aside. The special circumstances cited in the relevant policies are as follows:

Essential operational need

Where the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

Where development would re-use redundant buildings and lead to an enhancement to the immediate setting and where it has been demonstrated that the building is not capable of re-use for other uses or where the proposal will address a specific housing need which would not otherwise be met;

The design of the dwelling is of exceptional quality or innovative.

Essential Need

- 5.17 In your Officers opinion the case that has been put forward by the applicant in respect of his granddaughters long term welfare is a type of personal circumstances case that can be repeated too often and which would set a clear precedent for applications for dwellings in unsustainable locations based on similar circumstances.

Optimal Viable use of a Heritage Asset

- 5.18 It is clear from the applicants submission that this building has been altered over time and prior to its remodelling had little heritage value such as to warrant re- use as an unfettered dwelling.

Enhancement of the immediate setting of the building

- 5.19 The building sits within a range of buildings used for a variety of purposes including residential uses together with associated yard areas, ancillary outbuildings, parking areas and greenery. In light of this Officers consider that the remodelling of the former agricultural building to form a dwelling has had a neutral impact as opposed to an enhancement of the immediate setting.

Innovative Design

- 5.20 The new dwelling is not considered to be an innovative design of exceptional quality.

Siting, Design and Form

- 5.21 The building has been remodelled to look like a two storey dwelling and as such has lost any of its former agricultural character and appearance.

Highways

- 5.22 OCC highways has raised no objections.

Residential Amenities

- 5.23 The amenity space serving the dwelling forms part of a concrete yard area serving a single storey range of outbuildings that appear to be in use/used as stables. Given that the proposal is for unfettered residential use the level and quality of amenity afforded the dwelling is considered inadequate.

Conclusion

- 5.24 In conclusion and having regard to paragraph 14 of the NPPF Officers can advise as follows:
- 5.25 There would be some benefit in the provision of new housing accommodation, albeit greatly limited by the very modest scale of the proposal (one dwelling).
- 5.26 Likewise while there would be some economic benefit in the completion of the construction phase this would be limited by the small scale of the proposal.
- 5.27 There would be some benefits to the current owner in terms of securing the property and additional monies from rental for his granddaughter in the future.
- 5.28 Set against the limited benefits referred to above the new dwelling is in a location well removed from the nearest settlement and would be likely to lead to greater car usage contrary to Local Plan policies and the NPPF requiring sustainable development.
- 5.29 In addition to the above the level and quality of the amenity space serving the dwelling is considered inadequate and to result in a poor living environment for an unfettered dwelling.
- 5.30 Further, there is an objection on ecological grounds in terms of insufficient information relating to roosting bats and barn owls.

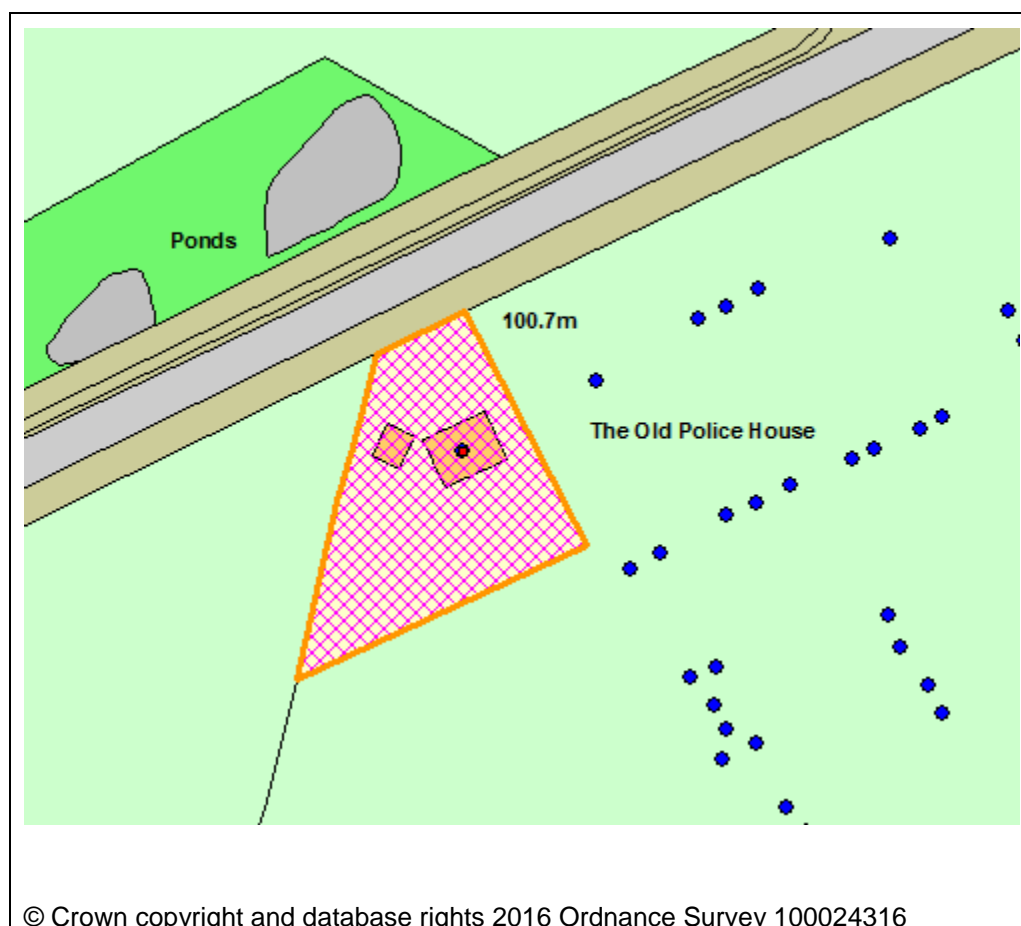
- 5.31 Given the above Officers consider that, taken overall, the harm identified is of a degree that would significantly and demonstrably outweigh the benefits of the proposal and as such the application is recommended for refusal.

6 REASONS FOR REFUSAL

- 1 In the opinion of the Local Planning Authority by reason of the raising of the eaves and the ridge of the existing building and the addition of six first floor window openings the part retrospective development is considered tantamount to the erection of a new dwelling as opposed to conversion in the open countryside for which no exceptional circumstances have been demonstrated and due to the isolated location would result in an unsustainable form of development which would result in dependence on the private car to access most services and facilities. The degree of harm of the development is considered to significantly and demonstrably outweigh the benefits. The development is therefore considered contrary to Policies H4 of the adopted Local Plan 2011, OS2 and H2 of the Emerging Local Plan 2031 and Paragraph 55 and other relevant provisions of the NPPF.
- 2 By reason of the hard surfaced yard area, the lack of enclosure and the close proximity of an open sided single storey range of buildings in non- residential use adjacent to the unfettered residential use, the amenity area serving the dwelling is considered inadequate and results in a poor living environment for future occupiers. As such the development is considered contrary to BE2 and H2 of the adopted West Oxfordshire Local Plan 2011, OS2 and H2 of the emerging Local Plan 2031 and relevant policies of the NPPF
- 3 By reason of insufficient ecological information as part of the application submission the impact on the development on protected species or other ecological impacts and any appropriate mitigation and compensation measures cannot be assessed. As such the development is considered contrary to policies NE13 of the adopted Local Plan 2011, EH2 of the emerging Local Plan 2031 and relevant paragraphs of the NPPF.

Application Number	I8/01341/HHD
Site Address	The Old Police House Witney Road Long Hanborough Witney Oxfordshire OX29 8HE
Date	18th July 2018
Officer	Stephanie Eldridge
Officer Recommendations	Refuse
Parish	Hanborough Parish Council
Grid Reference	441106 E 214042 N
Committee Date	6th August 2018

Location Map



Application Details:

Alterations and erection of single and two storey extensions.

Applicant Details:
Mr and Mrs C Lugg
The Old Police House
Witney Road
Long Hanborough
Witney
Oxfordshire
OX29 8HE

I CONSULTATIONS

- 1.1 Parish Council Hanborough Parish Council does not have any comments to make on the above application.

2 REPRESENTATIONS

- 2.1 One letter of objection has been received from Pye Homes Ltd as follows:

- Having observed the construction on site it is clear that the proposed development is very close to the boundary of several properties, and the mass and height of the proposed double storey extension will be overbearing on these neighbouring properties. The height of the proposed extension means it will block afternoon and evening sunlight from the neighbouring gardens, and this has the potential to reduce the occupants enjoyment of their gardens.
- The size of the proposed development will almost double the length of the existing house and the close proximity encroaches on the boundaries of several properties. The proximity and design of the extension presents a substantial shear wall approximately 4.5m high along the boundaries of several properties, which clearly is overbearing and not in keeping with the surrounding properties.
- There is also an issue of overlooking from the proposed dormer window shown on the proposed east elevation. This dormer window will overlook the garden of the neighbouring property, considerably reducing the occupant's privacy.

3 APPLICANT'S CASE

- 3.1 A planning statement has been submitted with the application and a full version of this is available on the Council's website. The statement concludes as follows:

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

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
H2 General residential development standards
OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

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

5 PLANNING ASSESSMENT

5.1 This application seeks consent for alterations and the erection of single and two storey extensions at The Old Police House. This application was deferred consideration at Uplands Area Planning Sub Committee in July in order for a Members site visit to be carried out prior to determination.

5.2 This application has been called in for consideration by Members of the Uplands Planning Sub-committee by Cllr Marilyn Davies.

Background Information

5.3 Planning permission was granted in 2015 (Ref: 15/01250/HHD) for the erection of side and rear extensions. The approved extension is 10m long and has a ridge height of 6m.

5.4 In 2017 an amended application was received for the side and rear extensions with the additional provision of a two storey self contained annexe building attached to the rear of the approved extensions. This application was refused and dismissed at appeal by the Planning Inspectorate. The Inspectors key reasons for dismissing the appeal were as follows:

- There is nothing, in principle, wrong with the design of the extension itself. However, in this case, the annex part of the proposal in particular, would be over-dominant in scale and format and would fail to respect the character and form of the host property. For this reason I conclude the proposal would have a harmful effect on the character and appearance of the host dwelling.
- As a result of the development that is taking place under the 2017 approval, there will be houses built to the east of The Old Police House. The house to be built at Plot 1 would be to the side of The Old Police House and would have a shorter rear garden. The proposed annex would be slightly closer to the shared boundary, and due to its height, mass, and position to the south-east of the garden of Plot 1, would have an unacceptable overshadowing and over-bearing effect on the living conditions of future occupants of that property.
- The dormer windows proposed for bedroom four, as shown on the amended plan Ref 1201 006A, would be close to the shared boundary and would enable direct overlooking of the garden of Plot 1. This would result in an unacceptable level of privacy in the rear garden for future occupants of that property. Moreover, I do not consider that obscure glazing would be sufficient to address the perception of being over-looked given the closeness of the proposed dormers to the boundary.

5.5 The key changes between the previously approved application 15/01250/HHD and this application are an increase to the ridge height of the 10m long extension to approximately 7.3m, the infilling of the covered play area, and changes to the fenestration details.

- 5.6 A key material consideration following the above mentioned 2015 approval is the subsequent reserved matters approval which was granted for 169 dwellings on land between Long Hanborough and The Old Police House.
- 5.7 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, Design and Form
Highways
Residential Amenity

Principle

- 5.8 In terms of the principle of development, the proposed extension would be of a substantial scale in relation to the existing dwelling. Policies BE2 of the adopted West Oxfordshire Local Plan 2011 and OS2 of the emerging West Oxfordshire Local Plan 2031 both require any development to be of a proportionate and appropriate scale to its context and the local area. Policy H2 of the Adopted Plan states that extensions which unacceptably dominate the original dwelling which would be of detriment to the original character of the building will be refused. In this case, Officers consider that the proposed extension which will project 10 metres beyond the wall of the existing dwelling and will sit at 7.3 metres high is of substantial scale which dominates the original dwelling.

Siting, Design and Form

- 5.9 Due weight is given to the extant consent which was granted in 2015 (15/01210/HHD) which permitted an extension which projected 10 metres beyond the rear wall of the existing property and sat at 6 metres high. It is noted in the Officers report for the 2015 application that the extension is substantially large and an on balance decision was made to approve the application on the basis that the extension would not be visible in the street scene or have any neighbours to impact on. It is also noted that the decision was made to remove permitted development rights for extensions for the reason that further alterations could be harmful to the character of the building, the character of the area and could represent over development.
- 5.10 In this case, Officers are of the opinion that the proposed development represents a significant extension at two storey level above and beyond the scale of the development previously permitted which, by reason of its siting, excessive scale and massing, fails to appear as a secondary or subservient addition to the host dwelling. As such, the proposed extension will appear overly dominant and will form a contrived relationship with the existing dwelling.

Highways

- 5.11 Officers do not consider that the extension will have a detrimental impact on highways safety or the local road network due to the existing available off street parking provision on the site.

Residential Amenities

- 5.12 In terms of residential amenity, Officers note the approved layout of application 17/00578/RES for 169 dwellings on the site adjacent to The Old Police House. The approved layout plan indicates that the dwelling on Plot 1 will be sited to the east of The Old Police House and will form a shared boundary with the site. The new dwelling on Plot 1 only benefits from a modest and limited area of outdoor amenity space and the proposed blank wall of the extension, the subject of this application, will project along the entire boundary of the plot sitting less than 2m from the boundary at 7.3m high. By reason of its siting and scale, Officers consider that the two storey extension will have an overbearing, oppressive and dominant impact on the neighbouring property and associated amenity space. In addition, due to the siting of the two dwellings, the increase in height to the extension will result in the further loss of afternoon and evening sunlight to the detriment of the occupants of the neighbouring dwelling on Plot 1.
- 5.13 The new windows in the east elevation are proposed to be obscurely glazed. However, in the appeal decision on application 17/01532/FUL the Inspector clearly states that he does not consider the use of obscure glazing in the proposed dormer windows in the east elevation to sufficiently address the perception of being over-looked given the closeness of the windows to the boundary. Whilst this application proposes only one dormer window and two windows in the second floor of the extension Officers also consider that there is an unacceptable level of perceived over-looking given the closeness to the boundary. As such, the application is considered to be unacceptable in terms of neighbouring amenity.

Conclusion

- 5.14 In light of the above consideration, the application is recommended for refusal.

6 REASONS FOR REFUSAL

- 1 The scale of the proposed extension would be unduly dominating and insufficiently secondary or subservient to the host dwelling and fails to respect the character and form of the host dwelling. As such the proposed extension would fail to constitute good design and would be contrary to the provisions of Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011; Policies OS4 and H2 of the emerging West Oxfordshire Local Plan 2031; Paragraphs 14.2 and 14.3 of the West Oxfordshire Residential Design Guide 2016; and the provisions of the NPPF in particular Paragraphs 17 and 64.
- 2 The proposed extension, by reason of its scale and siting, would result in a loss of light to, and have an oppressive and overbearing impact on, the neighbouring dwelling (plot 1) consented under planning application 17/00578/RES. Furthermore, by reason of their siting, the windows in the east facing elevation of the proposed extension, would result in an unacceptable level of perceived overlooking to the detriment of this neighbouring property. Consequently the development as proposed would be contrary to the provisions of Policies BE2 and H2 of the adopted West Oxfordshire Local Plan 2011; Policies OS4 and H2 of the emerging West Oxfordshire Local Plan 2031; and the provisions of the NPPF in particular Paragraphs 17 and 64.