

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 1st October 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

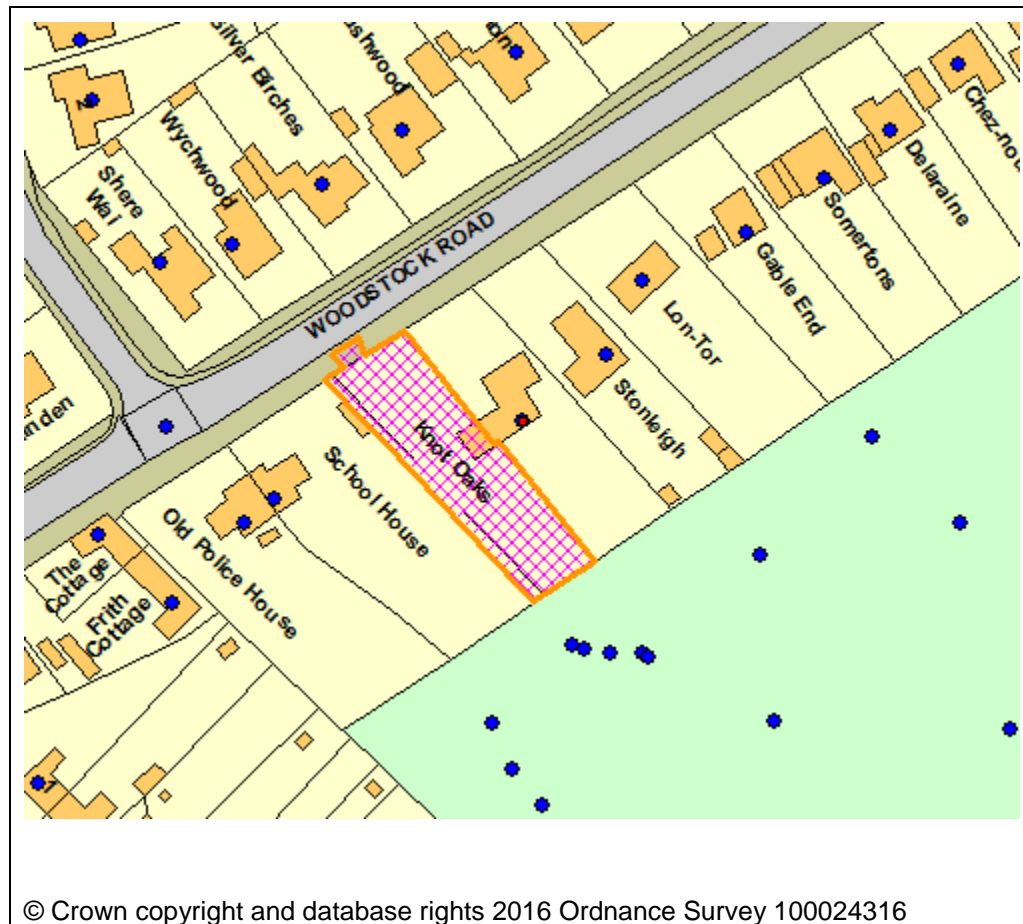
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Application Number	Address	Page
17/03671/FUL	<u>Knott Oaks, Woodstock Road, Stonesfield</u>	3
18/01461/HHD	<u>19 Sandford Rise, Charlbury</u>	10
18/02054/FUL	<u>41 Manor Road, Bladon</u>	15
18/02071/HHD	<u>18 Sandford Park, Charlbury</u>	25

Application Number	I7/03671/FUL
Site Address	Knott Oaks Woodstock Road Stonesfield Witney Oxfordshire OX29 8EJ
Date	19th September 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Stonesfield Parish Council
Grid Reference	439684 E 217232 N
Committee Date	1st October 2018

Location Map



Application Details:

Erection of new two storey dwelling with associated parking and new access on land adjacent to Knott Oaks (amended plans).

Applicant Details:

Mr James Wiltshire, Knott Oaks, Woodstock Road, STONESFIELD, OX29 8EJ

I CONSULTATIONS

- I.1 Parish Council
Stonesfield Parish Council like the overall design of this project. There is some concern however of the roof being covered in metal understood to be zinc which would be inappropriate in a rural area. Another concern was that of parking as two spaces would not seem to be adequate.
- Following the amended plans:
When put to the vote Stonesfield Parish Council had three objections on the basis there was still insufficient space for parking and the contemporary design with metal roof was not in keeping with local styles. There were two with no objections and three abstentions.
- I.2 Conservation Officer
No Comment Received.
- I.3 WODC Drainage Engineers
No objection subject to condition.
- I.4 ERS Env. Consultation Sites
Thank you for the opportunity to provide comment on planning application 17/03671/FUL. Review of the records we hold indicate that mine shafts were present approximately 100m to the west of the site. The shafts are seen on the 1875 - 1887 historical map but are no longer present on the 1899 - 1905 historical map. Given the distance from the shaft to the site and the age of any fill they may contain it is unlikely that they pose a risk to the proposed development.
- I.5 ERS Env Health - Uplands
I have no objections and no conditions for this application.
- I.6 OCC Highways
Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
- G28 parking as plan
- G11 access specification
- Prior to the commencement of development, a separate consent must be obtained from Oxfordshire County Council's Road Agreements Team for the proposed access and off site works under Section 278 of the Highway Act 1980. For guidance and information please contact the County Council's Road Agreements Team
roadagreements@oxfordshire.gov.uk

2 REPRESENTATIONS

2.1 3 letters of objection and 1 letter of comment has been received. These were received before and 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:

- The details in the design and access statement are not accurate.
- The materials proposed are not in keeping with the village.
- The front of the development is too close to the street and poses a risk to traffic.
- The development does not provide enough room for parking.
- Development should be pushed back in to the site.

3 APPLICANT'S CASE

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

3.2 The proposed new dwelling is a high quality bespoke design, tailored to respond to the particular constraints and opportunities of its context. Its use helps address a clear demand within the area for distinctive modern housing. The size of the proposal is carefully considered to ensure there is a balance between the amount of accommodation proposed, the size of the site and the prevailing density. The architectural form, materiality and landscape setting has been moderated to ensure the proposal addresses both the constants and the variations in the streetscape and is in keeping with the scale and character of properties in the immediate area.

3.3 The site is a residential side garden between 2 existing residential properties Two separate Pre application views from the WODC Planning department (Reference 14/01638/PREAPP and 15/03767/PREAPP) offered the opinion that the new development 'would constitute infill development, the principle of which is supported within Policy H6 of the existing Local Plan and Policy H2 of the emerging Local Plan.

3.4 A 2 storey dwelling is proposed on a plot of 607m² Pre application advice noted that; 'the size of the existing plot would appear to be adequate to accommodate a new dwelling of an appropriate scale without producing cramped development which could impact negatively on the existing dwelling or adjoining streetscene'. In addition, the advice noted that; 'the proposed dwelling would appear to have sufficient amenity space provided'.

3.5 To the east, the existing building line is set back further from the street than to the west. The proposed building line to the west has been revised at the planners request to align somewhere between the established building line of Knott Oaks to the east and the established building line of the adjacent School House to the west. The proposal reinforces this break by presenting two distinct building elements, each composed of a simple traditional form with gables addressing the street.

3.6 The scale of the proposal is moderated to ensure the proposal sits harmoniously with and reflects the street and adjoining properties. The building form adjacent to Knott Oaks aligns with, and is of similar scale to the gable of Knott Oaks whilst the form to the west is of smaller scale with lower ridge and eaves lines reflecting the adjacent 'school house' to the west.

3.7 The established landscape character of the street will be unaltered with generous garden ground proposed to the front and rear. Existing trees will be retained and protected through the

duration of the works. Hard-standing area is proposed to provide access to the garage from the street. Boundary treatments to the south and west will be as existing. The hedge to the north (street) elevation will be re-established with openings for access. A new hedge will be provided to delineate the gardens to the north and a timber fence will be provided to delineate and provide privacy for the gardens to the south.

- 3.8 There is little uniformity of materials within the street. Neighbouring properties are in smooth render, pebble dash render, reconstituted stone, stone and brick of various types. A restricted palette of materials is proposed here. Walling will be in timber or stone rubble, selected and detailed to match the district's vernacular. The roof will be high quality standing seam metal. Doors and windows will be painted aluminium/timber.
- 3.9 Separate vehicular and pedestrian access is proposed. No pedestrian rights of way exist across the site.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE4 Cotswolds Area of Outstanding Natural Beauty
OS2NEW Locating development in the right places
H2NEW Delivery of new homes
OS4NEW High quality design
T4NEW Parking provision
EH1A AONB

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

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for new dwelling with associated parking. The application site is located within the built up limits of Stonesfield and within the Cotswold AONB.
- 5.2 Some concern was raised over the layout of the position of the dwelling with the initial application. 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 The Emerging West Oxfordshire Local Plan 2031 is at an advanced stage following acceptance by the Planning Inspectorate on the 24 August 2018. The report concludes that the West Oxfordshire Local Plan 2031 provides an appropriate basis for the planning of the District subject to a series of main modifications. It is anticipated that this plan will be presented for formal adoption in September 2018. Substantial weight can now be applied to the policies within this plan for the decision-making purposes.

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

Siting, Design and Form

- 5.6 The site is within the Cotswold AONB. Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance the proposal is a new dwelling within the built up limits of a residential area and therefore it is not considered it would be harmful to the AONB.
- 5.7 The application site is located in a highly visible position on the street scene. The dwelling is considered to be in keeping with the pattern of development in the street scene as it would be located in a logical position between the two neighbouring properties following the main building line.
- 5.8 The massing and scale of the dwelling is considered to be in keeping with the surrounding properties and the size of the plot. The dwelling will feature two main projecting elements and varying ridge heights which have resulted in a scheme which has an appropriate scale and massing.
- 5.9 The dwelling features a more modern design which is expressed in the fenestration details as well more modern materials such as standing seam metal for the roof and rubble or timber cladding. A number of the representations state that the materials are not in keeping with those of the village. Officers are of the opinion that the more modern materials would be in keeping with the modern design. In addition whilst the materials may not be typical of the area the colour pallet is likely to be similar given what is proposed. A condition requiring samples of the materials has been added to ensure that the materials used will be in keeping with the street scene.
- 5.10 Officers are of the opinion that on balance the scale, design and massing would not be harmful to the visual appearance of the area and therefore the dwelling is considered acceptable on design grounds.

Residential Amenities

- 5.11 The dwelling will be located between two residential properties. The new dwelling will be close to the boundary the site shares with the neighbouring properties. The neighbouring property 'School House' is located away from the boundary and benefits from a good size garden. Knotts Oak has recently been extended and will be in close proximity. The new dwelling will extend past the gables of Knotts Oak but due to the combination of the modest depth and the separation distance, the dwelling is not considered to be overbearing or adversely impact the outlook. The dwelling will be sufficiently separated from School House so not to be considered overbearing.
- 5.12 The dwelling proposes a number of new windows which will primarily be located in the front and rear elevation. Whilst there will be some level of overlooking by the nature of introducing

new openings, the primary windows are located in logical positions and are not considered to introducing unacceptable levels of overlooking. There a few windows proposed to the side elevation at first floor level and a condition will be added to ensure that there is no perceived overlooking from the development given the proximity to the boundaries.

Highways

- 5.13 The application includes an integral garage as well as parking space to the front. A number of the objections refer to the lack of parking and manoeuvrability within the scheme. Oxfordshire County Council Highways have been consulted on the application and raise no objection subject to conditions. Given that the County are satisfied with the parking arrangement on site, the scheme is acceptable on highway safety grounds.

Conclusion

- 5.14 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 Cotswold AONB and would be in compliance with the NPPF 2018.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 5 Prior to the commencement of development, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

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

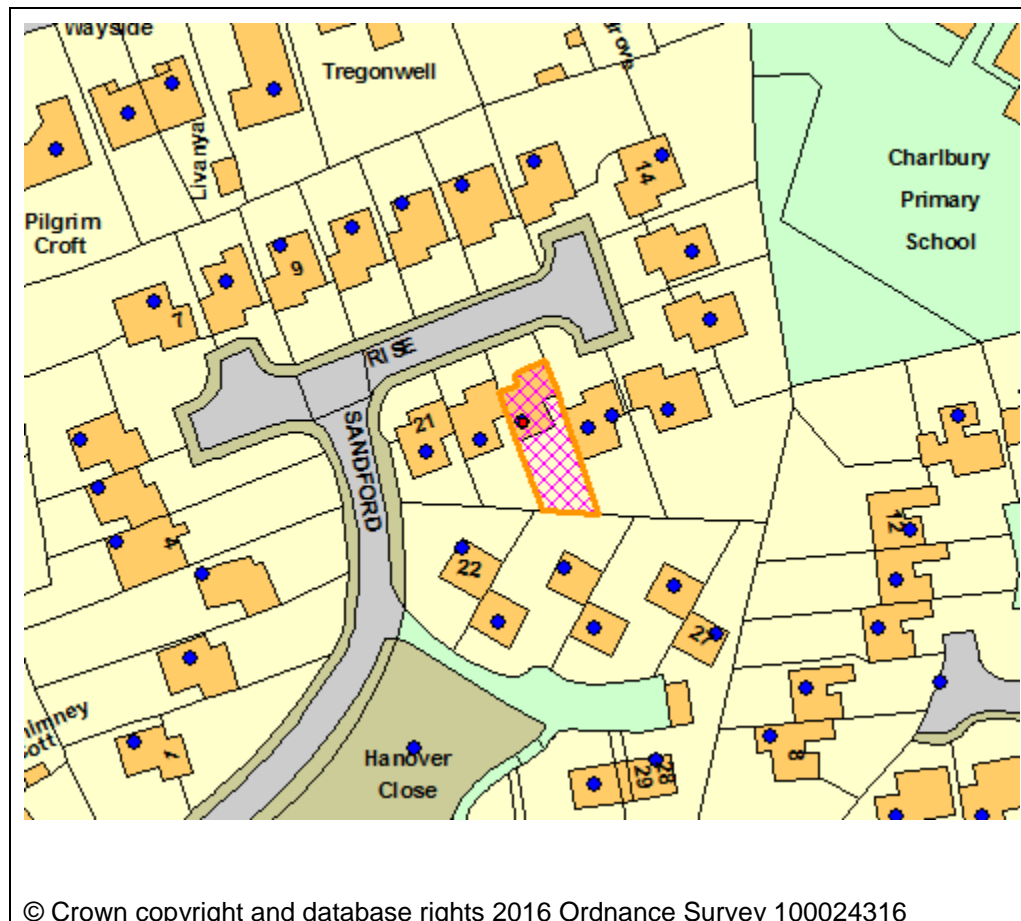
- 6 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
- 7 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 8 Before first occupation of the dwelling hereby permitted the window(s) at first floor level in the (rear side) West elevation serving the bedroom shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.

NOTES TO APPLICANT

- 1 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))
 - CIRIA C753 SUDS Manual.
 - The forthcoming local flood risk management strategy to be published by Oxfordshire County Council sometime after March 2015. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)).
- 2 Prior to the commencement of development, a separate consent must be obtained from Oxfordshire County Council's Road Agreements Team for the proposed access and off site works under Section 278 of the Highway Act 1980. For guidance and information please contact the County Council's Road Agreements Team roadagreements@oxfordshire.gov.uk

Application Number	I8/01461/HHD
Site Address	19 Sandford Rise Charlbury Chipping Norton Oxfordshire OX7 3SZ
Date	19th September 2018
Officer	Sarah De La Coze
Officer Recommendations	Approve
Parish	Charlbury Town Council
Grid Reference	436051 E 219451 N
Committee Date	1st October 2018

Location Map



Application Details:

Single storey front and rear extensions.

Applicant Details:

Mr Peter Smith, 1 Mount Pleasant, Dancers Hill, Charlbury, OX7 3RZ

I CONSULTATIONS

- 1.1 Town Council We have no objection.

2 REPRESENTATIONS

- 2.1 2 letters of objection have been received from no. 18 and 20 Sandford Rise. These can be read in full on the Council's website. The representation received raised the following issues which have been summarised below:

- Impact on light to neighbouring window
- Will cause overlooking/loss of privacy
- Will cause overshadowing
- Will unacceptably increase the size of the dwelling
- Will cause a terracing effect
- Will impact on parking
- No party wall agreement
- Will impact foundations/roof
- Will not allow adequate space for maintenance

- 2.2 Charlbury Conservation Area Advisory Committee commented on the application and stated:

The committee had commented at their December 2017 meeting on the previous application (17/03945/HHD) which had been withdrawn. They did not wish to object to the slightly revised application but continued to regret the infilling of recessed front elevation - a distinctive feature of the estate which helped to articulate its unified design.

3 APPLICANT'S CASE

No supporting statement was submitted with the planning application.

4 PLANNING POLICIES

BE2 General Development Standards
BE3 Provision for Movement and Parking
NE4 Cotswolds Area of Outstanding Natural Beauty
BE5 Conservation Areas
OS4NEW High quality design
H6NEW Existing housing
T4NEW Parking provision
EH1A AONB

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 the erection of a single storey front extension and single storey rear extension. The site is located within the Charlbury Conservation Area and Cotswold AONB.

- 5.2 This application has been called in for consideration by Members of the Uplands Planning Subcommittee by Cllr Liz Leffman.

Background Information

- 5.3 In 2012 planning permission was granted for a similar rear extension ref: 12/0594/P/FP. The scheme was never implemented and has now lapsed.
- 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:

Siting, Design and Form

- 5.5 The property is a bungalow and is located in a visible position on the street scene. The area of the road in which the application site is located comprises of bungalows. The street includes properties of a similar scale, pattern and appearance of the application site.
- 5.6 The property is within the Cotswold AONB. Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance the proposal comprises modest extensions to an existing residential property in a residential area. The proposal is therefore not considered it would be harmful to the AONB.
- 5.7 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.
- 5.8 The front extension would be a modest infill addition which would continue the profile of the roof and would sit in line with no. 20. Whilst this element would change the pattern of development in this part of the roof, the extension is considered to form a visually appropriate relationship with the main house and street scene. Concerns have been raised regarding creating a terracing effect. The dwellings are already in close proximity to each other and therefore there are no meaningful gaps between the properties, and whilst there would be some disruption to the pattern, it is not considered harmful to the character and appearance of this part of the Conservation Area or street scene.
- 5.9 The rear extension would feature a flat roof element immediately behind the garage and would go in to a pitched roof extension. The extension has been designed this way in order to minimise the impact on no. 18. Whilst the design is somewhat contrived, it would form a subservient addition to the main dwelling. Furthermore this arrangement was approved and found to be acceptable in the 2012 permission.
- 5.10 Overall whilst the extensions will increase the scale of the dwelling, the extensions are not considered to overwhelm the host dwelling or be harmful to the street scene.
- 5.11 Given this, the extensions are considered to form a visually appropriate relationship with the main house and are considered to preserve this area of the Conservation Area.

Residential Amenities

- 5.12 The front extension would be located in line with the neighbouring property which does not benefit from any windows on the side elevation. The neighbour at no.20 has raised concerns regarding access for maintenance as well the impact to the adjoining roof. These elements are not planning considerations and are considered civil matters between the home owners. Given this, this element is not considered to have an adverse impact on the amenity of the neighbouring property.
- 5.13 The rear extension will include the flat roof element that will be in close proximity to the boundary and no.18. Due to the pattern of development in the street, the flat roof element will enclose a small area between the application site and the neighbouring property. No. 18 benefits from a front bedroom window that will be in close proximity to this part of the extension. A number of objections have been received from no.18 regarding the proposal and specifically the impact of the development on their amenity - these can be read in full online.
- 5.14 The flat roof extension will be in close proximity to the neighbouring window. This element and arrangement was approved in 2012 and found to be acceptable with regard to neighbouring amenity at the time. The extension in this position is likely to have an impact on the amenity of the neighbouring window due to the proximity. In justifying the assessing the impact of the previous approval the officer stated that the "flat-roofed extension (similar in form to that proposed here) could be built in this location without requiring the consent of the Council. Alternatively, a two metre high fence could be erected in this location along the boundary between numbers 18 and 19 without requiring planning permission, and this would have materially the same impact as the proposed extension on the neighbouring dwelling". Since the permission was granted there have been no material changes to the site with regard to this relationship and therefore officers are of the opinion that the fallback position is still a material consideration. In order to try and reduce the impact of the extension the applicant has set the extension in from the boundary and has reduced the height of the extension to 2.8m from the ground level of next door property. Officers are therefore of the opinion that it would not be unreasonable to expect a boundary wall or fence to be erected in this position and when comparing the impact of a wall or fence against the proposed extension, the impact is likely to be similar. Given this, and given that planning permission was granted in 2012 for this arrangement, this part of the scheme is considered to be acceptable.
- 5.15 The remaining rear element will sit alongside the neighbouring property. As it will not extend further in this position than no. 18, it is not considered to have an adverse impact on neighbouring amenity with regard to being overbearing or impacting the outlook. With regard to overlooking and loss of privacy, given the way the land levels change along the street, there is likely to be some levels of overlooking between the properties. There are examples of terraces and decking in the street and due to the levels is considered a logical way to transition between the properties and the gardens. In a residential area there is always the potential for overlooking and therefore given the position and scale of the proposal, the scheme is not considered to give rise to unacceptable level of overlooking or loss of privacy.
- 5.16 Other concerns were raised with the proposal which are not planning considerations and therefore have not been addressed as part of this report.

Highways

- 5.17 The application seeks to retain the garage and the parking space to the front. The scheme would comply with Oxfordshire County Council parking standards and is therefore considered acceptable

Conclusion

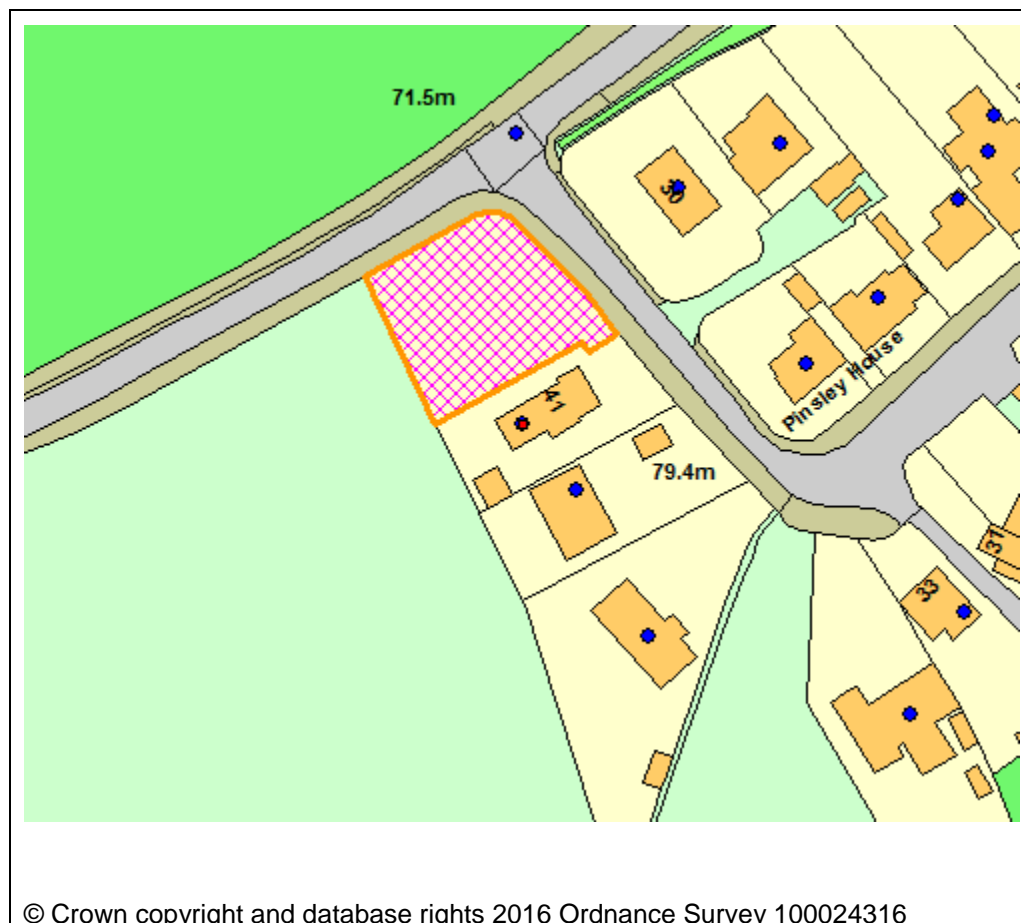
- 5.18 In light of these observations, having considered the relevant planning policies and all other material considerations, your officers consider that the proposed development is acceptable on its planning merits, would preserve this area of the Conservation Area and Cotswold AONB and would be in compliance with the NPPF 2018. The dwelling would not have an adverse impact on neighbouring amenity and officers are therefore recommending that the application is approved.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The materials to be used for the external walls and roofs shall be of the same colour, type and texture as those used in the existing building.
REASON: To safeguard the character and appearance of the area.
- 4 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 additional windows/rooflights shall be constructed in the East elevation of the extension.
REASON: To safeguard privacy in the adjacent property.

Application Number	I8/02054/FUL
Site Address	41 Manor Road Bladon Woodstock Oxfordshire OX20 1RY
Date	19th September 2018
Officer	Phil Shaw
Officer Recommendations	Provisional Approval
Parish	Bladon Parish Council
Grid Reference	444646 E 214516 N
Committee Date	1st October 2018

Location Map



Application Details:

Two semi detached dwellings with associated new access

Applicant Details:

Mr David Dunphy, 122 Woodstock Road, Witney, OX28 1DY

I CONSULTATIONS

- I.1 Parish Council Full objections have been filed separately with the planning dept at WODC. (NB- They may be viewed in full on line).
In summary however the current application is a continuation of a string of applications all of which have been refused due to the proposals failing to complement the existing pattern of development and the character and appearance of the area, and to the density and form of development amounting to an over development of a site which lies within a Conservation Area. It raises environmental issues, a large number of the existing trees and hedges and large sections of the front banking would again be removed, there are no details of the levels on a steeply sloping site, and there are adverse impacts on the traffic. The present application does not address any of these issues. In addition the application does not say what the developer's intentions are for the existing house at 41 Manor Road without which information it cannot be meaningfully considered.
- I.2 OCC Highways Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:
G28 parking as plan
G11 access specification
G25 drive etc specification
G35 SUDS sustainable surface water drainage details
No surface water to discharge to the highway
- I.3 Conservation Officer No Comment Received.
- I.4 Biodiversity Officer No objections.
- I.5 WODC Drainage Engineers Soakaways should be designed to withstand a 1 in 30 year + 40% climate change event.

The site should contain surface water for all return periods up to and including the 1 in 100 year + 40% climate change event.

An exceedance flow plan should be provided for storm events in excess of 1 in 100 yr + 40% cc, based on proposed ground levels and directing runoff away from neighbouring properties.
No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
If full planning permission is granted, could you please attach the following condition:-

That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of

the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

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

2 REPRESENTATIONS

17 letters of objection have been received raising the following summarised points:

- Refusal reasons have not been fully addressed
- Site is unsuitable for development
- Site conditions make the site unsuitable
- Existing house may be demolished in future
- This is just a rehash
- Closing existing driveway gives cause for concern at future motives
- Existing house should be restored before further dilapidation occurs
- Traffic concerns remain
- Need more detail about the levels
- Verge does not belong to the applicant
- Churchill would be horrified
- Why has he resubmitted again?
- Retained house has no useable garden
- Loss of wildlife value
- New designs look odd
- Proposed access is too close to the A4095
- Impact on CA and WHS
- Site survey is inadequate
- Road is not suitable to take further development
- Existing house should be re sold with its existing lovely garden
- Houses in Long Hanborough are no longer selling
- Interruption of ground water flows
- Concerns regarding bin collection arrangements
- Loss of trees and screening

3 APPLICANT'S CASE

Writing in support of the proposals the applicant advises that the scheme proposal makes the most of the landscape and the new houses will be of modest size and largely hidden by the slope of the site. They are of appropriate density, design and form and will sit comfortably in the immediate context of the site. They will not be prominent in wider views and would preserve

the character and appearance of the area. Access is adequate and each property has sufficient parking. There will be minimal tree loss and there will be biodiversity enhancement possibilities. The existing property will be unaffected retaining roosting opportunities and the landscaping scheme can ensure biodiversity is enhanced. Best use has been made of the site and views and the scheme will relate satisfactorily to neighbours providing visual improvements and making best use of the plot.

4 PLANNING POLICIES

- 4.1 Dependent upon the decision of Council on 27th September it is likely that the policies of the current Local Plan will have been superseded and the policies of the emerging Local Plan can then be given full weight. In that regard the main housing policy (H2) and the environmental/heritage protection policies dealing with the Conservation Area, Green Belt, World Heritage site (EH7, EH8, EH9, EH12 etc) will be of most relevance.
- 4.2 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to a site that Members will be very familiar with having dealt with a number of proposals in recent months and having undertaken a site visit. Members will recall that the first proposal they considered was for 3 new dwellings and a new access. This was recommended for approval by Officers but was refused (17/04127/FUL) As part of that application a substantial planting belt was proposed adjoining the A4095 which in Officers opinion was a public benefit that would additionally have helped the scheme assimilate into the approach to the village and the setting of the adjoining WHS and Conservation Area. The refusal reason was as follows:

By reason of the scale and siting of the development, the proposals would fail to complement the existing pattern of development and the character and appearance of the area. The proposed density and form of development would also amount to an over development of the site. The proposed development would result in less than substantial harm to the setting of the Bladon Conservation Area and the setting of the Blenheim Palace Historic Park and Garden and World Heritage Site, which would fail to be outweighed by the limited public benefits of the proposed development. The proposals would be contrary to the provisions of Policies BE2, BE5, BE11 and H2 of the Existing West Oxfordshire Local Plan 2011; Policies OS2, OS4, and H2 of the Emerging West Oxfordshire Local Plan 2031: and the relevant paragraphs of the NPPF, in particular 17, 64, 132 and 134.

- 5.2 Subsequently a revised application was tabled which showed three units on site but spread out over a wider area reducing the size of the planting belt. This was recommended for refusal and subsequently refused under ref 18/01532/FUL for the following reason:

By reason of the scale and siting of the development, the proposals would fail to complement the existing pattern of development and the character and appearance of the area. The proposed density and form of development would also amount to an over development of the site. The proposed development would result in less than substantial harm to the setting of the Bladon Conservation Area and the setting of the Blenheim Palace Historic Park and Garden and

World Heritage Site, which would fail to be outweighed by the public benefits of the proposed development. The proposals would be contrary to the provisions of Policies BE2, BE5, BE11 and H2 of the Existing West Oxfordshire Local Plan 2011; Policies OS2, OS4, and H2 of the Emerging West Oxfordshire Local Plan 2031: and the relevant paragraphs of the NPPF, in particular 17, 64, 132 and 134.

5.3 As part of the debate on the applications Members expressed a number of opinions which ranged from the site not being capable of redevelopment to suggestions as to how future schemes could be improved such as to potentially secure an approval. In that latter regard Officers noted the following suggestions:

- Retain existing access to safeguard the bank.
- Retain the existing house and refurbish it with two smaller new units.
- Keep the tree screen as a public benefit.
- Ensure the frontage is less cluttered and easier to use in a car to enable cars to exit site safely.
- Minimise/avoid the need for additional footpaths.

5.4 The scheme as proposed has taken on board some of these suggestions. As tabled it detailed a small pair of semi detached units with a hipped roof form and retention of the extant house on site. The landscape belt is restored to the depth that Officers considered essential to reduce/eliminate undue harm to the heritage assets and to provide a public benefit to the scheme and the footpath arrangements were revised. As will be noted later in this report officers have suggested further revisions that it is hoped will enable more of the above bullet points to be incorporated into the final version of the scheme.

5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are whether the refusal reasons have now been addressed such that approval could be recommended:

Principle

5.6 Members will be aware that 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.

5.7 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.

5.8 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.

- 5.9 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 has produced his final report indicating that the plan is sound. It is likely that the Plan will be adopted later this month.
- 5.10 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 almost full weight can be attached to it and are confident in the supply position. Nevertheless, at the point of agenda preparation and whilst there is still some albeit limited degree of uncertainty in advance of formal 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 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 by way of the adoption of the plan.
- 5.11 The application site is located on the edge of Bladon, which is listed as a village under the provisions of Policy H5 of the Existing Local Plan 2011 and Policy H2 of the Emerging Local Plan 2031. Policy H2 of the Emerging Local Plan is permissive in principle of the residential development of undeveloped sites within an existing settlement or on land adjoining the settlement area, where this is necessary to meet an identified need and where the development is considered to be compliant with the general provisions of Policy OS2 of the Emerging Local Plan. If it is considered that the dwelling falls within the settlement an expected requirement would be that the development should form a logical complement to the existing pattern of development in terms of its siting. The application proposes the retention of the existing dwelling, which is located in a linear position in relation to the two adjacent properties located to the south east of the site and the erection of two dwellings running parallel to Manor Road. In terms of locational siting officers consider that the development would broadly form a logical complement to the existing pattern of development and would be compliant in principle with the provisions of Policies H2 and OS2 of the Emerging Local Plan. Officers consider that the site would represent a reasonably sustainable location for residential development in terms of its proximity to existing services and facilities in Bladon. As such it is not unacceptable in principle.

Siting, Design and Form

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

Residential Amenities

- 5.13 Members will note that there was no residential amenity refusal reason with the previous applications. As previously the siting of the new units is such that the scheme does not give rise

to neighbour impacts such as would warrant a refusal. The retention of the existing plot means the impact on that neighbour is essentially the same as currently and the face to face relationships with the houses opposite are acceptable given the distance and screening. The retention of the existing house has given rise to a new issue in terms of the falling land levels down the site as it features a number of windows designed to take advantage of the garden and where the new houses would now be built. However there is no direct overlooking from the existing property and the majority of rooms affected in the extant house have other windows that would retain amenity. Where that is not possible they are secondary rooms such as lobbys/hallways/study etc. The proposed gable end windows could be conditioned as being obscure glazed and there is sufficient retained garden to serve that property.

Impact on Conservation Area

- 5.14 Within a Conservation Area, decision makers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further, in accordance with the provisions of the NPPF an assessment must be made as to the sites significance and specific contribution to the character and appearance of the Conservation Area. Officers consider that the sites specific contribution to the Conservation Area would be as an area of open space which provides an open aspect, particularly in views from the A4095. The existing property is considered to be of no architectural merit and the contribution of this building to the Conservation Area is considered to be at best neutral. If it is to be retained as now proposed it does however set a context for the form that the new units should take as they will be viewed as one context- especially in the views when approaching the village. This advice has been followed as there will now only be one new building(albeit it will comprise a semi detached pair) and its hipped form and scale will read as subordinate to the retained house with more of the site retained as open land or as part of the landscaped buffers.
- 5.15 In contrast with the last refused proposals the current scheme now provide the area of open space fronting the A4095. This is a very prominent public view and as such is of some significance in relation to the degree of openness as experienced within the context of the immediate area but which with the landscaping proposed would in your officers assessment now preserve the character of the Conservation Area.
- 5.16 There are also important wider views of the site from the North West on approach to the village, though officers note that the two new dwellings would be set against a backdrop of the existing dwellings on the settlement edge. There would also be some opportunity to provide landscaping along the north western boundary of the site, which would help to lessen but not obviate the impact of the siting of the dwellings when viewed within the public realm from this wider viewpoint. Again with the reduction in the scale and number of buildings this is now considered acceptable.
- 5.17 In accordance with the provisions of the NPPF and having given special attention to the sites contribution to the character of the Conservation Area, giving great weight to the need to preserve the character of the Conservation Area, the level of harm must be assessed in relation to the public benefits of the proposed development, which in this instance would principally be the development of two additional dwellings, alongside the provision of a landscaped area to the front of the site Whilst the Council are confident that they can demonstrate a five year supply of housing, this is not conclusive at the time of agenda preparation and even within a

context where the Council can demonstrate a five year housing land supply there would still be a requirement for the provision of windfall housing development on suitable sites. Officers consider that in this instance the public benefits of the proposed development, including the provision of two additional dwellings and the landscaping would outweigh any less than substantial or nil harm to the Conservation Area. Members may of course reach a different assessment.

- 5.18 Notwithstanding this assessment Officers have been seeking to secure further improvements to the scheme. Suggested improvements have included revisions to the design of the houses, siting the bin enclosures in a less prominent position, rationalising the car parking arrangements, removing parking spaces from under tree canopies to give a greater opportunity for their long term survival, repositioning the pedestrian egress to minimise tree loss and connect to the existing footpath network and perhaps most beneficially retaining the use of the existing access to avoid the need to punch a new hole through the bank thereby further reducing the visibility of the site and retaining the screening impact to the neighbours opposite. The applicant has agreed to these changes and it is anticipated that subject to the receipt of satisfactory amended plans the impact on the Conservation Area will be reduced even further such that the public benefits will clearly outweigh any harms.

Impact on Blenheim World Heritage Site and Historic Park and Garden

- 5.19 The boundary of the Blenheim World Heritage Site and Historic Park and Garden extends up to a position to the north of the site on the opposite side of the A4095. The application site would therefore be within the setting of the Blenheim World Heritage Site. When assessing the development in accordance with the provisions of the NPPF, officers consider that with the planting belt the level of harm in relation to the World Heritage Site would be nil.

Green Belt

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

Highways

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

Impact on Trees

- 5.22 The proposals would result in the removal of a number of trees on the site, which are of poor or moderate value. Officers consider that the removal of the trees would not have a significant adverse impact on the character of the area, providing an acceptable landscaping scheme is provided, which would be required by way of condition. The proposals include the retention of the existing boundary hedges, with the exception of where removal of the hedgerow would be required to necessitate means of access to the site. This would (subject to the receipt of the amended plans) no longer involve removal of part of the characteristic bank that currently forms the front boundary of the site. The retention of the boundary hedges would be controlled by way of planning condition.

Ecology

- 5.23 The proposals have been subject of consultation with the Councils Ecologist, who has raised no objections to the previous development, subject to conditions.

Conclusion

- 5.24 The proposed development no longer includes the removal of the existing property, which is of no especial architectural merit and the provision of two new dwellings which are considered to be of an appropriate design and scale. Officers acknowledge the sensitivities of the site and its overall contribution to the Conservation Area, particularly the contribution of the extended existing garden as an area of open space that has a positive role in the approach to the settlement and the setting of the CA and WHS. Officers consider that the revised proposals have now appropriately mitigated the scale of harm when compared with the earlier refused schemes and that the public benefits of the proposed development would outweigh any residual harms which in any event are negligible/nil. That position would be improved further with the amendments secured by way of the amended plans. Officers consider that the development would not have a significant adverse impact on the residential amenity of existing occupants or highway safety or amenity.
- 5.25 Officers consider that the proposed development with the revisions made is now acceptable and overcomes the concerns expressed by way of the already refused schemes and in that regard it is considered that the development is now compliant with the provisions of the Existing and Emerging Local Plan as regards the impact on heritage assets and the NPPF. Subject to the receipt of the amended plans it is anticipated that approval subject to conditions will therefore be recommended.

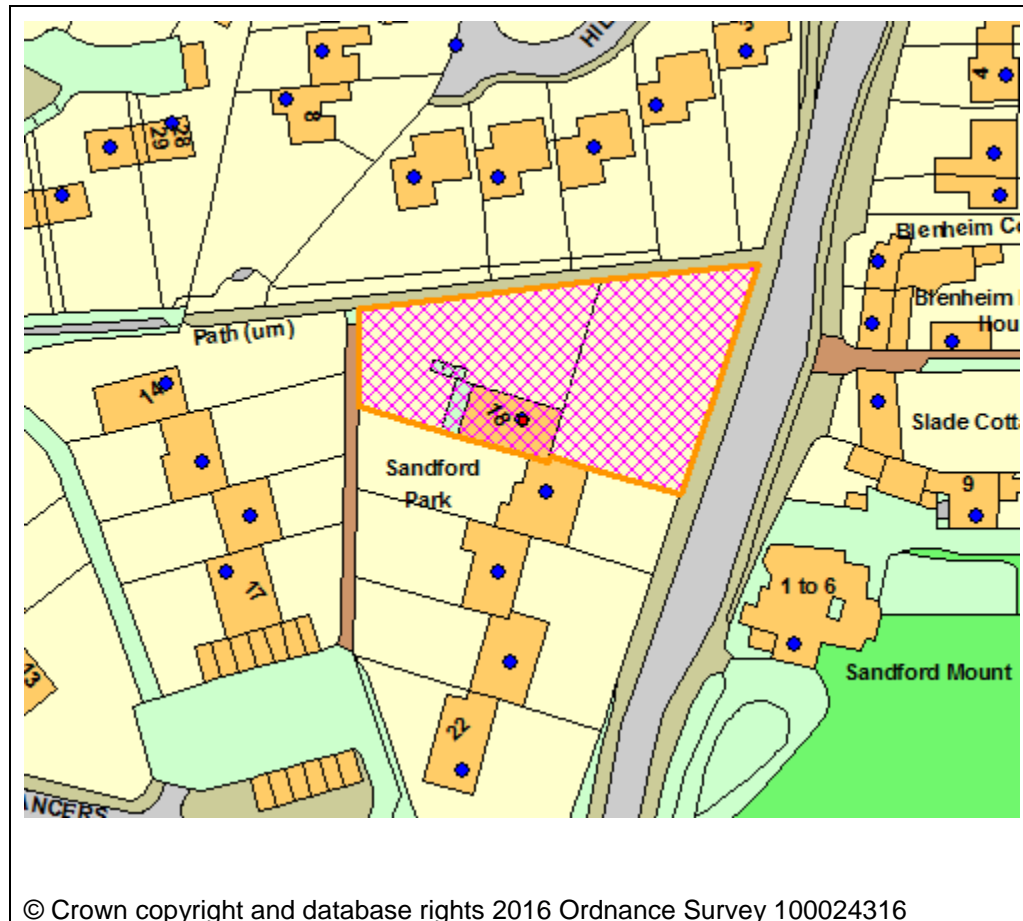
6 RECOMMENDATION

At the time of agenda preparation amended plans are under discussion which would improve the scheme further to seek to address some of the concerns previously raised by Members and by objectors. Subject to the receipt of satisfactory amended plans it is likely that the scheme will be brought forward with a verbal recommendation for approval with conditions to cover the following matters:

Time limits
Amended Plans
Ecology
Tree protection
Levels
Materials
Obscure glazing
Removal of pd rights
Landscaping
Maintenance of the landscape belt
Access and parking
Drainage
Etc

Application Number	I8/02071/HHD
Site Address	18 Sandford Park Charlbury Chipping Norton Oxfordshire OX7 3TH
Date	19th September 2018
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Charlbury Town Council
Grid Reference	436131 E 219346 N
Committee Date	1st October 2018

Location Map



Application Details:

Proposed extension to existing house and new vehicular access.

Applicant Details:

Mrs B Gorton, 18, Sandford Park, Charlbury, OX7 3TH

I CONSULTATIONS

I.1 Town Council

1. The application form has been filled in incorrectly in relation to new access and tree works i.e. not making it clear that there are associated works.

2. This is in fact an extension to an existing property with provision for parking and access already in place. We object to the provision of and question the need for a new access at all as there is no longer a separate dwelling proposed for this site. An access to The Slade is extremely dangerous at this point and should not be allowed.

3. Can this go to committee please.

4. The applicant does not appear to have taken the pre application advice given by planners and indeed written on the form that none was taken.

I.2 OCC Highways

My comments for the previous application 16/03856/FUL remain relevant.

Records show there have been no recordable injury accidents for the 5 year period to the end of April 2018.

In regards to application REF: 16/03856/FUL OCC Highways commented:

'I travel along The Slade on a regular basis and know the surrounding area well. Prior to assessing this application and the previous application (16/00233/FUL) I visited the proposed site point of access during the peak hours (am and pm) and at times off peak. The site visits were timed to coincide with school drop off/pick up times to include observing pedestrian movements adjacent to the site.

Adjacent to the proposed access to the site The Slade is a 'B' class road that carries approximately 5700 vehicles AADT (Annual average daily total).

Vehicular speeds approaching the proposed site access were measured in accordance with guidelines given in TA22/81. Surveys were carried out with a dry carriageway surface and 2.5 mph deducted from the amounts to give the 85%ile wet weather speeds of vehicles under free flow conditions. The 85th%ile wet weather speed of vehicles approaching the proposed access was calculated as 30.5mph from the south and 29.5 mph from the north.

Manual for Streets (MfS) gives guidance for visibility splays for lightly trafficked roads (Inspectors at appeal accept < 10,000 vehicles AADT to be lightly trafficked). MfS accepts visibility splays of 2.0 x 43m for an access point such as that proposed.

Vision splays from the proposed access measure 2.0 x > 100m in the leading direction to the south and 2.0 x > 43m in the trailing direction to the north (with minor trimming of overhanging vegetation).

Visibility at the proposed access complies with standards.

During my site visits I observed numbers of pedestrians walking along the footway across the proposed point of access. These included accompanied/unaccompanied children and younger children in buggies and pushchairs. I note the proposed site plan PSA-03 shows the removal of frontage hedge that will permit pedestrian awareness visibility either side of the proposed access in order that there is intervisibility between drivers of vehicles and pedestrians. The pedestrian awareness vision may be conditioned.

Vehicles travelling along The Slade during the AM peak hour do not form a continuous stream. I have observed frequent gaps in the platoons of vehicles that would permit turning movements to/from the proposed access without undue haste or excessive waiting. Vehicles exiting the accesses on the opposite side of the road do so safely and easily.

Records show no accidents within the last five year period adjacent to the proposed access.

Concern has been expressed at the lower level within the site, the need for vehicles to accelerate up the drive to road level and the effect on safety to passing pedestrians. The application drawings show an open frontage adjacent to the point of access that would permit pedestrian/driver intervisibility.'

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network

Recommendation:

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions:

- o G11 access specification
- o G32 turning facility

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 REPRESENTATIONS

2.1 There have been a number of letters of representation raising objections to this application. Full comments can be found on the West Oxfordshire District Council website.

2.2 Objections refer to:

- The deemed unsuitability of the access causing a potential hazard for pedestrians and road users.
- The access would be located in a dangerous position within the dip of an unsafe, slopping road.
- There is a lack of visibility due to the high hedges and trees along this side of The Slade.
- A restrictive covenant is placed on the estate preventing further development.
- The existing properties in Sandford Park do not have direct vehicle access and utilise shared parking. The formation of the access would be detrimental to the character of the estate.
- Any overlooking of properties in Hill Close must be carefully considered.
- The development would cause harm to the setting of designated heritage assets (listed buildings) located opposite and would conflict with Paragraphs 128, 129 and 132 of the NPPF. The development would affect the following listed buildings: Blenheim Farmhouse, The Thatched Cottage; and Blenheim Cottage.
- The existing trees and vegetation provide an important contribution to the rural character of The Slade and the setting in which these listed buildings are experienced. The loss of the trees and vegetation in order to create the access will impact negatively on the setting of the heritage assets.
- The development would result in overlooking of existing properties in Hill Close, particularly numbers 5 and 6. The development would have a visually overbearing impact on the properties in Hill Close.
- The removal of the existing trees on the site would have a harmful impact on the character of the Conservation Area. There are large trees in the area with large crowns and a sizeable root structure. There are concerns that the development could have a detrimental impact on the root structure of these trees and subsequently the safety of the occupants of the houses in Hill Close, an arboricultural survey is requested.
- The orientation of the property would result in the overlooking of adjacent properties.
- The addition of 14 windows to the west elevation will result in overlooking and lack of privacy.
- The development would have a huge impact on the existing Ash trees sited in local properties.
- A new development would have detrimental impact on the water tables and drainage in the area.
- Plan includes the addition of a garage but property already benefits from a garage and shared parking facilities.

3 PLANNING POLICIES

EH1A AONB

EH7NEW Historic Environment

EH8 Conservation Areas

EH9 Listed Buildings

OS2NEW Locating development in the right places

OS4NEW High quality design
 NE6 Retention of Trees, Woodlands and Hedgerows
 NE4 Cotswolds Area of Outstanding Natural Beauty
 BE8 Development affecting the Setting of a Listed Building
 T1NEW Sustainable transport
 T3NEW Public transport, walking and cycling
 T4NEW Parking provision
 BE2 General Development Standards
 BE3 Provision for Movement and Parking
 BE5 Conservation Areas
 BE4 Open space within and adjoining settlements
 H2 General residential development standards
 H7 Service centres
 OS1NEW Presumption in favour of sustainable development
 The National Planning Policy framework (NPPF) is also a material planning consideration.

4 PLANNING ASSESSMENT

- 4.1 The application relates to the erection of an extension to the existing house of no. 18 Sandford Park, Charlbury. The property is situated within the Charlbury Conservation Area and the Cotswold Area of Outstanding Natural Beauty.
- 4.2 The application has been brought before Members of the Uplands Planning Sub-Committee for consideration as Charlbury Parish Council have requested this application goes to committee.
- 4.3 Taking into account planning policy, material considerations and the representations of the interested parties your officers are of the opinion that the key considerations of the application are:

Principle
 Siting, Design and Form
 Impact on the Conservation Area
 Impact on Cotswold Area of Outstanding Natural Beauty
 Impact on the setting of the Grade II Listed Buildings
 Residential Amenity
 Highways Safety
 Impact on Existing Trees

Background Information

- 4.4 The application relates to the erection of a single storey extension to the side elevation of the existing house at 18 Sandford Park. The extension will provide for an enlarged living space, providing an improved standard of bedrooms and sanitary facilities. The application also seeks permission for a new means of vehicle access from The Slade to 18 Sandford Park.
- 4.5 The application site is located at the end of a terrace of single storey bungalows in Sandford Park. Sandford Park consists of 1960's bungalows of a distinct character which are stepped according to the steep gradient of the land sloping from the north boundary of the site. The existing houses front a footpath which runs through the estate to a public footpath sited to the north of the site.

- 4.6 18 Sandford Park is situated within the Charlbury Conservation Area, the Cotswolds Area of Outstanding Natural Beauty and lies within close proximity to 3 Listed Buildings which are located opposite the proposed access to the site and front The Slade. The listed buildings in question are the Grade II listed Blenheim House, Blenheim Cottage and the Thatched cottage, therefore due weight must be given to the impact of the development on the setting of these buildings.
- 4.7 In 2016 (REF: 16/00233/FUL) planning permission for a new, two storey dwelling adjacent to 18 Sandford Park was refused at committee. This was on the basis that the design of the proposed dwelling, due to its design, scale and siting, failed to preserve or enhance the character of the Charlbury Conservation Area. the development was deemed to be contrary to Policies BE2 (a) and (b), BE5 and H2 of the Existing West Oxfordshire Local Plan 2006; Policies OS2, OS4 and H2 of the Emerging West Oxfordshire Local Plan 2031; and the provisions of the NPPF, namely Paragraphs 17 and 64.
- 4.8 A second application was then submitted for the erection of an attached dwelling (REF: 16/03856/FUL). This development was of a notably reduced scale compared to the previously refused scheme and was approved at by members of the committee subject to conditions.

Principle

- 4.9 In the previously approved application for the erection of an attached dwelling with new vehicle access REF: 16/03856/FUL committee members assessed Highways comments and deemed the application, including the new access route was acceptable subject to conditions being met. Therefore, the applicant has a fall-back position and could carry out the proposed new access as the previous scheme was approved.
- 4.10 The proposed extension is of a notably reduced scale in comparison to the previously approved attached dwelling. The extension tries to replicate the existing pattern of development that currently exists at Sandford Park.
- 4.11 In light of the above, the principle of the extension and new access is considered to be acceptable.

Siting, Design and Form

- 4.12 The Sandford Park estate has a distinct character in terms of the layout, design and form of existing dwellings and consists exclusively of single storey split level, stepped bungalows. The proposed extension follows the pattern of development on the site and has been designed to reflect the style of the existing houses in Sandford Park.
- 4.13 The proposed extension is of a notably reduced scale in comparison to the previously approved attached dwelling and replicated the scale and form of the surrounding properties. The proposed extension would follow the stepped down nature of the site and would therefore exploit the levels of the site.
- 4.14 The proposed extension would be of a modernist design to reflect the style of the existing house at Sandford Park. The proposed use of matching materials such as stone, white weatherboarding and plain grey interlocking tiled roof materials are considered to be reflective of the modernist design and are in-keeping with the surrounding dwellings.

- 4.15 Given its location, the proposed development will be sufficiently set back from The Slade, minimising the impact on visual amenity.
- 4.16 Despite the proposal removing a small section of the existing hedgerow which fronts The Slade and defines the western/rear boundary of 18 Sandford Park, the application proposes to retain the majority of the hedgerow to create an audio and visual barrier from the highway. This barrier would minimise visual intrusion and would maintain privacy from the highway. Therefore, given that the proposed extension will be set back and will be relatively screened from the highway, officers consider that the proposed development would not have a significant adverse impact on the street scene.

Impact on Heritage

- 4.17 In terms of the impact of the development on the Charlbury 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. In addition regard needs to be had to section 66 of the Act in terms of the effect on the setting of Listed Buildings. Special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 4.18 In this regard the proposed extension and new access would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed, its scale and its location. The proposals are therefore considered to respect the local area and the development would not be materially harmful. It therefore complies with policies BE2 and BE5 of the adopted Local Plan and EH7, EH8 and OS4 of the emerging Local Plan and relevant paragraphs of the NPPF.
- 4.19 As 18 Sandford Park lies within the setting of three listed buildings due weight must be given to the subsequent impact of the development on the setting of these buildings.
- 4.20 Whilst the hedgerow and the proposed means of access lie within the wider setting of the listed buildings, officers consider that given the development will be set back from The Slade and remains sufficiently separated from the listed buildings by the retained hedgerow, the development would not have a significant adverse impact on the street scene and thus the setting of these buildings. There would be no material harm. Therefore the proposal complies with policies BE2 and BE5 of the adopted Local Plan and EH7, EH9 and OS4 of the emerging Local Plan and relevant paragraphs of the NPPF.

Impact on Cotswold Area of Outstanding Natural Beauty

- 4.21 In terms of the impact on the Cotswolds AONB, the provisions of paragraph 172 of the NPPF 2018 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. The proposed extension and new means of access will only be viewed in its immediate context and will therefore conserve the wider Cotswolds AONB. It is not therefore considered that the development will not be of material harm to the AONB given its design form and setting is of a reduced scale and seeks to replicate the development within the immediate vicinity.

Highways

- 4.22 A new means of access is proposed on to The Slade, a 30mph section of the main road running through Charlbury. The access point lies in a considerable dip in the road which restricts visibility in a southerly direction at the proposed entrance to the site for vehicles exiting the site.
- 4.23 There have been a number of objections raised in regards to concerns about the lack of visibility and the potential danger which could arise subject to the new means of access being approved. The means of access has been previously assessed by Oxfordshire County Council Highways for previous applications at this site which proposed the development of a new means of access within the same or similar position. Oxfordshire County Council Highways have been consulted and raise no objections to the proposed development. The OCC Highways Officer has reiterated their comments from the last application REF: 16/03856/FUL stating that the access would meet the DFT Manual for Streets standards for visibility splays and would not have a significantly detrimental impact on highways safety or amenity.
- 4.24 Following on from this, if planning permission was to be refused then the previously approved application remains extant until 2020 and the new means of access can be implemented under this decision notice. On this basis, officers could not justify a reason for refusal and are therefore of the opinion that this application is acceptable on balance.

Residential Amenities

- 4.25 In terms of the impact on neighbouring amenity, the proposed extension is not considered to give rise to significant adverse harm. Officers note that the proposal includes the addition of 14 windows and 2 access doors to the west elevation. This western elevation faces opposite residents at properties nos. 14 and 15 Sandford Park. Although there is a relative large increase in access to this elevation, officers consider this to not give rise to significant harm given that the neighbouring properties are sufficiently separated at least 35 metres apart. Officers also note that there is a separation distance of at least 25 metres is to be retained between the proposed extension and the existing properties to the North of the site at Hill Close. The additional windows proposed within the western elevation are not considered to give rise to any adverse neighbourly impacts due to the sufficient separation distance and the screening of trees.
- 4.26 Further to this, the proposed extension and new access route are sufficiently separated from neighbouring properties and so are not considered to give rise to any loss of light or privacy nor would the development be considered to give rise overlooking. Due to the changes in land levels at Sandford Park whereby no 18 sits at the lowest point, the proposed extension and access is not considered to be overbearing.

Impact on Existing Trees

- 4.27 18 Sandford Park has a relatively large garden space which is bounded by a hedgerow to the western elevation which bounds the rear of the property, a mixture of shrubs and a number of trees which run along the gardens of Hill Close which bounds the western elevation. Officers note the raised concerns regarding the removal of the hedgerow and trees and the impact of the proposed development on the existing trees.

- 4.28 It is proposed that a 5 metre section of the western boundary hedgerow which currently fronts the highway, The Slade will be removed as part of the application. The removal of this hedgerow would be required in order to provide a new means of access onto The Slade. Whilst a section of the hedgerow would be removed from the site, the majority of the hedgerow would be retained alongside three trees close to the boundary. The existing hedgerow provides an attractive frontage to The Slade and forms a relatively extensive area of rear boundary screening along the row of adjacent properties. Whilst contributing to the setting of the public right of way and general character of the Charlbury area, officers note that the existing trees have been significantly compromised in the past through lopping of the upper branches. Given this, officers consider that the removal of a proportionally small section of the hedgerow would not amount to harm to the Conservation Area and the setting of the Listed Buildings.
- 4.29 It has been noted that residents have requested that an Arboricultural survey is conducted prior to the determination of the application. Regarding this request, officers would note that there is a significant distance between the side wall of the proposed dwelling and the existing trees, which lie within the garden of the adjacent properties and also lie on the opposite side of both a public footpath and stream. The existing trees are within the Conservation Area and consideration should be given as to the contribution of the trees to the character and appearance of the immediate area.
- 4.30 Given that there is a significant distance between the side wall of the dwelling and the existing trees in the gardens of the properties in Hill Close and factoring in the condition of the existing trees, the landscape and tree officer considers that there would be insufficient planning grounds to refuse the application on the basis of potential harm arising to these trees, notwithstanding the fact that an arboricultural survey has not been provided at the present time. Further to this, officers consider that there are no major changes in regards to the trees and landscaping shown in the proposed scheme in comparison to those previously approved. Therefore on this basis, officers could not justify a reason for refusal. Notwithstanding this, officers consider it appropriate to condition that an Arboricultural Method statement should be provided prior to the commencement of development to ensure that the existing trees are afforded an adequate degree of protection during and following construction.

Conclusion

- 4.31 In light of the above observations, officers consider that the proposed side extension and access route are of a reduced scale to the previously submitted attached dwelling and access route that was approved in 2016. The overall design proposed in terms of its scale, form and general character is to be in-keeping and reflects the distinct character and appearance of Sandford Park.
- 4.32 Whilst the development proposes the removal of part of the boundary hedgerow, officers consider this to have a non material impact on the Conservation Area. The proposed development is considered to preserve the character and appearance of both the Charlbury Conservation Area and the AONB, and the setting of the nearby listed buildings.
- 4.33 Having considered the relevant planning policies and all the relevant material considerations, your officers consider that the proposed development is acceptable on balance. Officers consider that the development would preserve the Conservation Area, Listed Buildings and the AONB and would not cause significant detrimental harm in regards to visual or neighbouring amenity. Therefore, officers are recommending this application is approved subject to the following conditions.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 Except insofar as may be necessary to allow for the construction of the means of access, the existing hedge along the whole of the highway boundary of the land shall be retained and any plants which die shall be replaced in the next planting season with others of a similar size which shall be retained thereafter.
REASON: To safeguard a feature that contributes to the character and landscape of the area.
- 5 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 extension hereby approved.
REASON: To ensure a safe and adequate access.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) no extension (or alterations) otherwise approved by Classes A, B, C or E of Part I of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.
REASON: To avoid over-development of the site and maintain the visual amenity of the area
- 7 Development shall not begin until a construction phase traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.
REASON: In the interests of Highway safety.
- 8 The extension hereby permitted shall not 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.

- 9 No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed dwelling and proposed access have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
REASON: To safeguard the character and appearance of the area and living/working conditions in nearby properties.
- 10 Prior to the commencement of development details of an Arboricultural Method Statement shall be submitted to and approved in writing by the local planning authority. The statement shall include a tree protection plan which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction'. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area. The development shall be carried out in accordance with the details approved.
REASON: To ensure the protection of nearby trees.