

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 3rd December 2018

**REPORT OF THE HEAD OF PLANNING
AND SUSTAINABLE COMMUNITIES**



**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

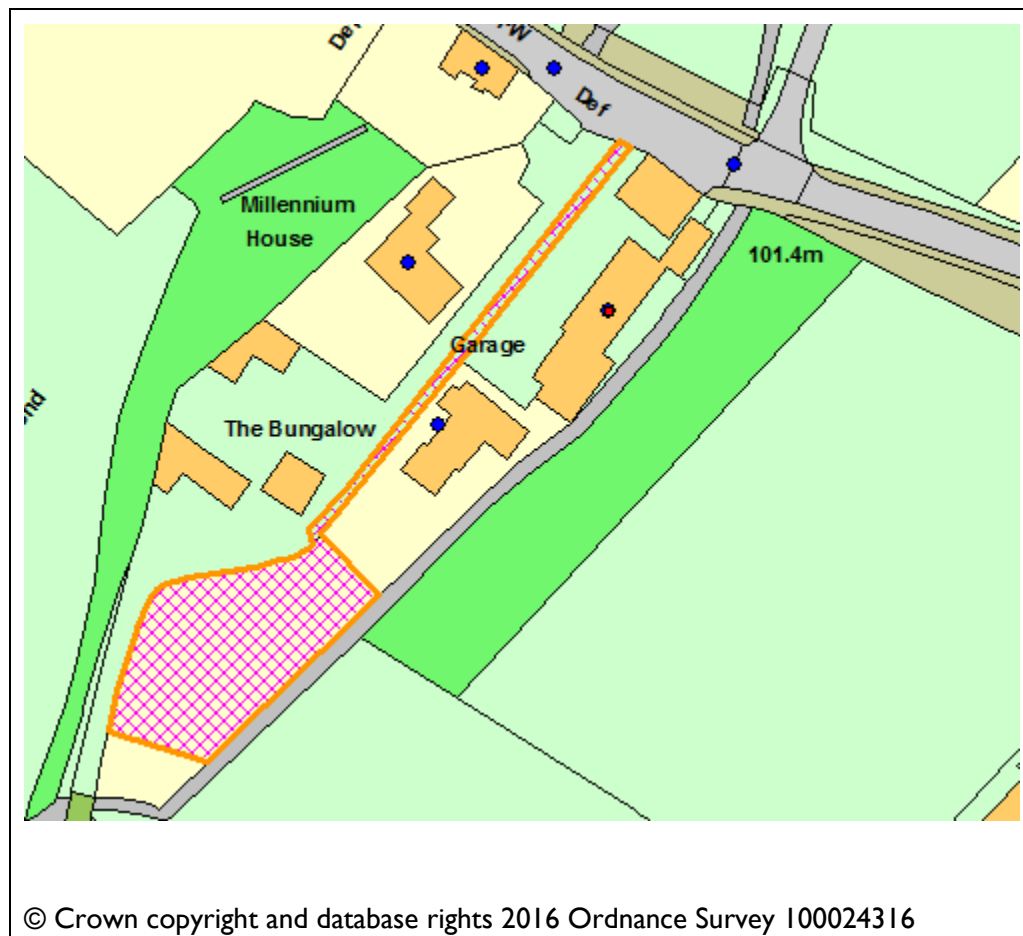
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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

Item	Application Number	Address
	18/02387/FUL	Milton Service Station Shipton Road
	18/02459/HHD	36 Bear Close Woodstock
	18/02738/FUL	Land East Of 26 The Slade
	18/02911/FUL	18 High Street Woodstock
	18/02912/LBC	18 High Street Woodstock
	18/02834/FUL	The Unicorn High Street
	18/02835/LBC	The Unicorn High Street

Application Number	18/02387/FUL
Site Address	Milton Service Station Shipton Road Milton Under Wychwood Chipping Norton Oxfordshire OX7 6JS
Date	21st November 2018
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427194 E 218083 N
Committee Date	3rd December 2018

Location Map



Application Details:

Erection of dwelling with associated works.

Milton under Wychwood PC has no objection to this application provided that it does not contravene the principle of coalescence between the villages. We believe its position within the curtilage of the existing property means that it does not. We do have some objection about the form and dimensions relative to the surrounding dwellings

Formal recommendation

REFUSE:

The proposal seeks development of open land that contributes in its undeveloped state to the important gap between Milton and Shipton. The development of the gap has consistently been resisted at appeal and it is considered that the development of this part of the gap would contravene bullet points 1, 2, 3, 5, 6, 9 and 11 of Policy OS2 of the adopted plan along with policies EH1 and H2 and the provisions of the NPPF

By reason of its materials and design the proposed dwelling is not considered to respect the historic, architectural and landscape character of the locality or contribute to local distinctiveness and as such is contrary to policy OS4 of the WOLP and the provisions of the NPPF and West Oxfordshire Design Guide

Applicant Details:

Mr Andrew Prew
C/O Agent

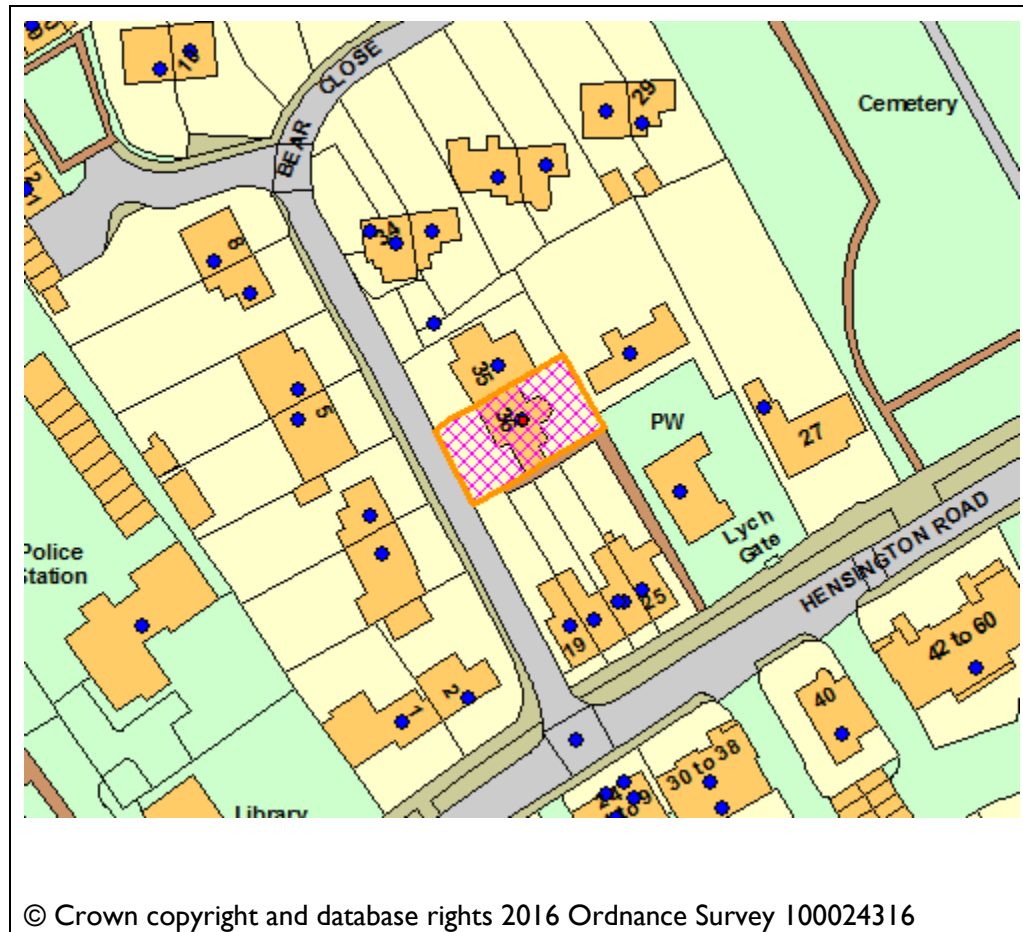
Contact Officer: Phil Shaw

Telephone Number: 01993 861687

Date: 21st November 2018

Application Number	18/02459/HHD
Site Address	36 Bear Close Woodstock Oxfordshire OX20 1JU
Date	21st November 2018
Officer	Declan Jermy
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	444793 E 216862 N
Committee Date	3rd December 2018

Location Map



Application Details:

Conversion of existing garage to create study. (Part Retrospective).

Applicant Details:

Mrs Elizabeth Kirtby

36, Bear Close
Woodstock
Oxon
OX20 1JU

I am not aware of any correspondence with Woodstock Town Council with regard to this application.

36 Bear Close is within easy walking/cycling distance of the town centre where there is a range of services and access to public transport.
Notwithstanding the above adequate parking exists on the existing property to serve the dwelling in the event of the garage being converted.

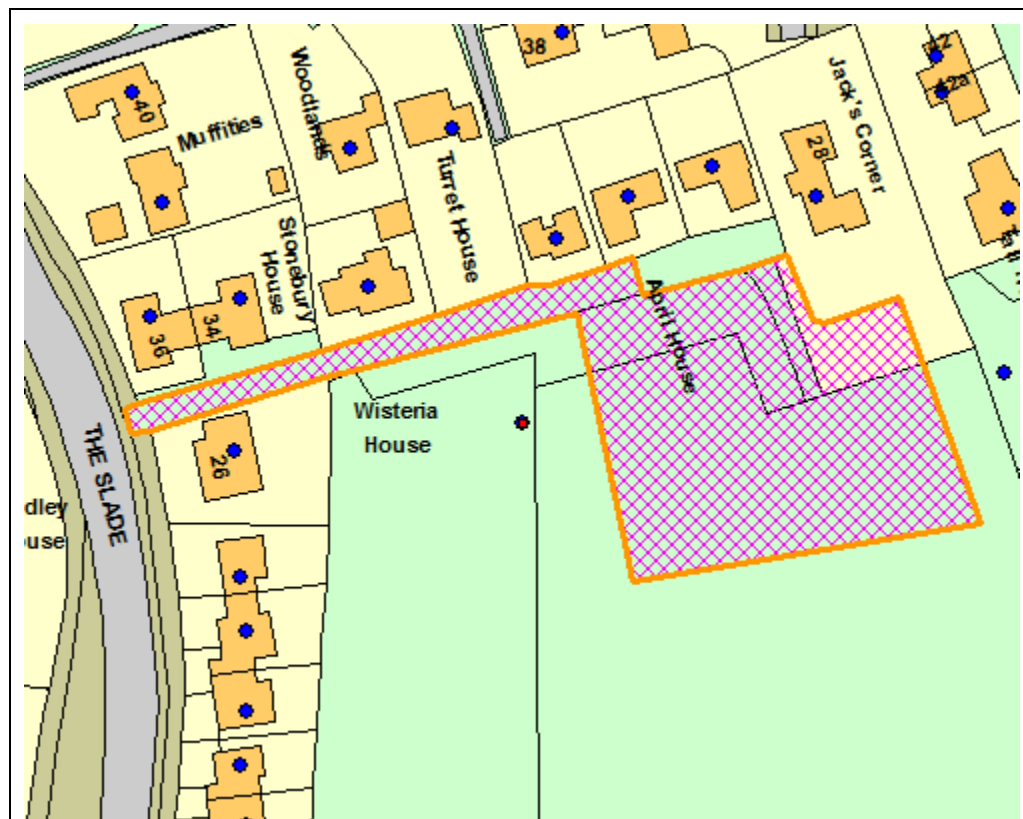
It is my view that any refusal of the application for reasons of highway safety and convenience would be overturned at appeal with a good chance of the issue of an award of costs.

Kevin Batchelor

Contact Officer: Declan Jermy
Telephone Number: 01993 861712
Date: 21st November 2018

Application Number	18/02738/FUL
Site Address	Land East Of 26 The Slade Charlbury Oxfordshire
Date	21st November 2018
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Charlbury Parish Council
Grid Reference	436264 E 219537 N
Committee Date	3rd December 2018

Location Map



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Application Details:

Erection of three dwellings and associated works
Erection of three dwellings with associated works.

Applicant Details:

Mr Gomm
C/O Agent

Letter from the agent in support of the application:

- The current application follows an earlier application 18/01466/FUL for 3 dwellings which was withdrawn following the advice of your officers. Further discussions were then held with your officers to arrive at a more acceptable layout which is that now under consideration and attached.

Principle of housing development in the AONB

- The previous refusal did not relate to the principle of 5 dwellings and indeed the appeal Inspector concluded that there would not be adverse harm to either the character of the Conservation Area or AONB.
- Notwithstanding the AONB designation, Policy H2 permits new dwellings within the built up area of Charlbury as windfall development.
- The site lies between new dwellings under-construction and those at 40 Ticknell Piece such that it is within the built up area and does not extend into the countryside.
- The proposal accords with the housing policies of the newly adopted Local Plan and there is no requirement for a local housing need to be demonstrated.
- Local Plan policies do not require an affordable housing contribution for schemes of 5 dwellings or less.

Amenity impact concerns

- There are no windows in this gable elevation and the separation is in excess of 20m. This is in excess of the normally acceptable standard back to side separation of 14m.
- The nearest habitable room window facing 28 The Slade is in excess of 24m from the property.
- A landscape buffer (comprising trees and hedging) of almost 6m is proposed to be retained and enhanced between Plot 5 and 28 The Slade, providing screening between these two properties. Further details can be secured as a condition.

Landscape impact

- The previous appeal Inspector concluded that development on the site would not harm the character and appearance of the Conservation Area or AONB
- The development would not be prominent from vantage points, would be seen against a backdrop of development and would provide dwellings of one and a half storey in height constructed of sympathetic materials.
- The new layout does not represent a significant change from that assessed by the appeal Inspector.
- It does create a larger central greenspace, north of unit 3, reducing the density of development and incorporating more landscaping within the core area.

Representations against the application:

2 letters of representation received (with photographs) against the application from Ms Helen Warren and Ms Claire Wilding highlighting:

- The new property has a large, side-facing bedroom window on the upper level. This would directly face the main bedroom window of 28 as well overlooking the entire garden, conservatory and kitchen/dining area.
- Overlooking from large set of side-facing bifolding doors on ground floor level despite planting.
- All parts of the garden at number 28 would be overlooked.
- Plot 5 is in fact built on top of the line of trees. It is not possible to retain the trees with the development as currently drawn.
- the application because it will cause unjustifiable harm to the Grade II listed Thatched Cottage and the Charlbury Conservation Area.
- As a result of the rising topography of the site the proposed dwellings will be located higher up in a more visually prominent position.
- Compared to the previously consented scheme (17/00832/FUL) the development will have a greater impact upon the Grade II listed Thatched Cottage, its grounds and the Charlbury Conservation Area.
- The current application does not satisfy these statutory considerations or policy requirements and should therefore be refused.
- No heritage impact assessment has been provided to accompany this application, despite the site falling within the Charlbury Conservation Area and three listed buildings lying within a 250 metre search radius of the site boundary.
- The accompanying Planning Statement identifies the Grade II listed Blenheim Farmhouse and Blenheim Cottage, but concludes that due to distance from the site their settings would not be impacted by the proposed development.
- It fails to consider factors such as views, noise, vibration, odour and historical and cultural associations, which also contribute to how an asset is experienced.
- No adequate assessment has been made regarding the contribution of the site to the significance of these assets.
- The application fails altogether to identify the Grade II listed Thatched Cottage, which sits adjacent to Blenheim Farmhouse, on the opposite side of the valley and which has clear views of the site from both within the building and its grounds.
- The undeveloped fields to the east (including the Site) represents the last remaining part of these buildings' historic agricultural setting which makes a strong contribution to their significance.
- The Brewers Bottom footpath is a public right of way which lies within the Conservation Area. The revised layout and red line boundary pushes the development higher up the hill eastwards and it will therefore appear more prominently within views from The Thatched Cottage.
- It is not appropriate to apply his 2016 conclusions to the current application.
- It is clear that the public benefits do not outweigh the increased, aggregate harm caused to the Grade II Thatched Cottage through development within its setting and the Conservation Area, considering the great weight that their conservation should be afforded in compliance with the NPPF.

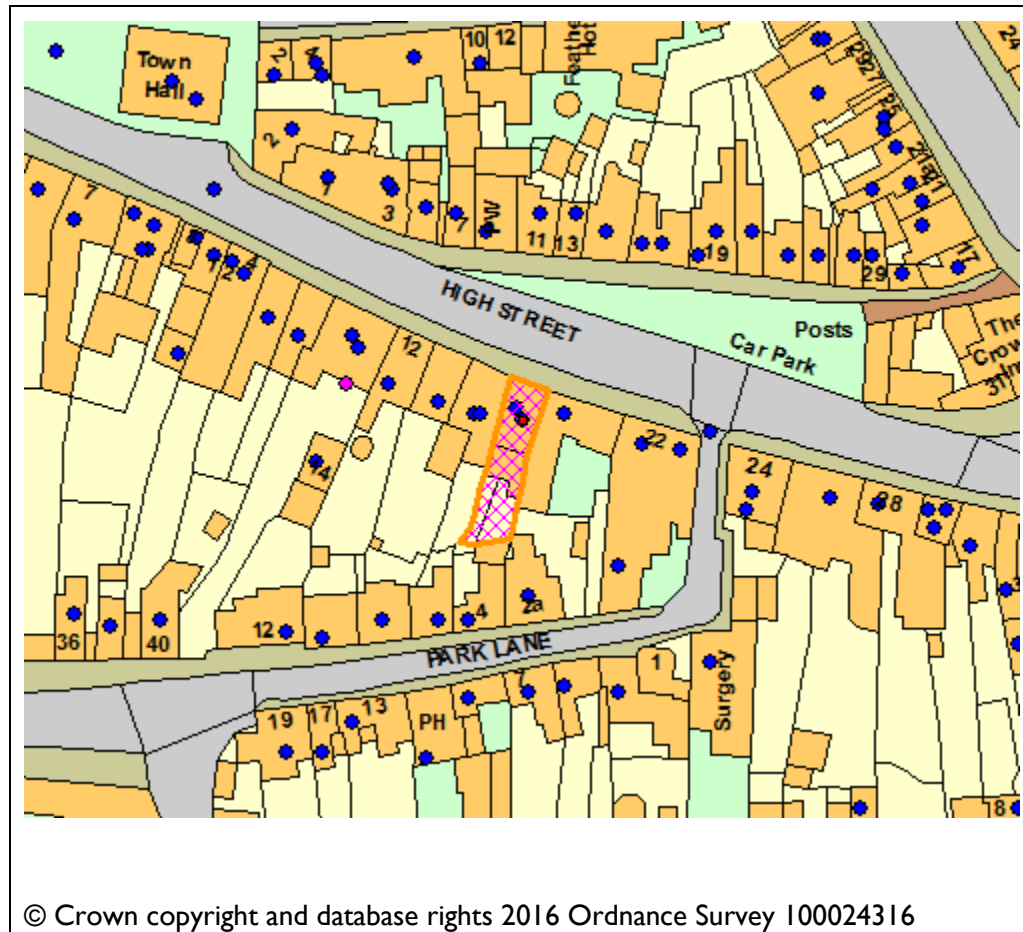
Contact Officer: Chloe Jacobs

Telephone Number: 01993 861697

Date: 21st November 2018

Application Number	18/02911/FUL
Site Address	18 High Street Woodstock Oxfordshire OX20 1TF
Date	21st November 2018
Officer	Declan Jermy
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	444529 E 216683 N
Committee Date	3rd December 2018

Location Map



Application Details:

Conversion of maisonette to form two flats and installation of velux.(Retrospective)

Applicant Details:

Mrs Irene Buckingham

18 High Street
Woodstock
Oxfordshire
OX20 1TF

Consulttee Comment from OCC Highways

The application seeks the change from a 3 bed maisonette to 2 x 1 bed flats.

Parking standards require the same number of car parking spaces for both the existing and proposed – the proposed change requires no additional parking.

Additionally consideration should be made when determining the parking allocation as to the town centre location adjacent to a wide range of services with good public transport links.

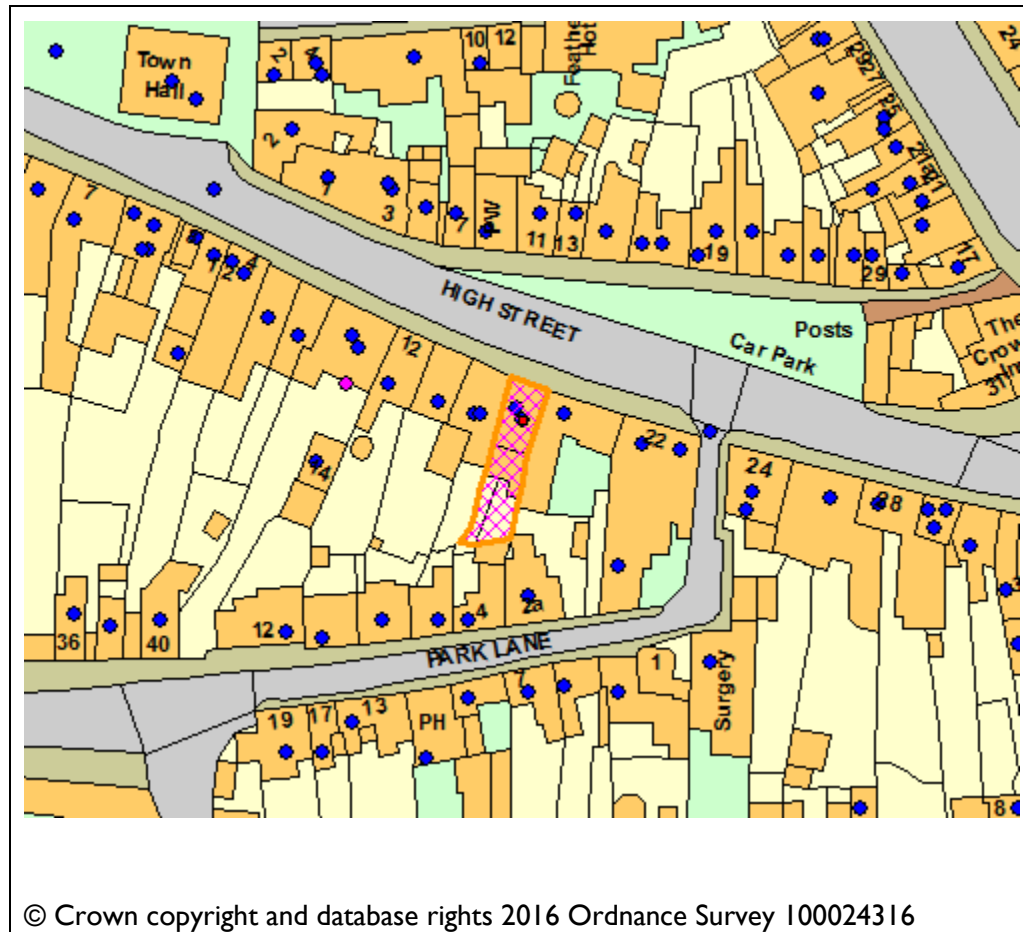
Regards

Kevin

Contact Officer: Declan Jermy
Telephone Number: 01993 861712
Date: 21st November 2018

Application Number	18/02912/LBC
Site Address	18 High Street Woodstock Oxfordshire OX20 1TF
Date	21st November 2018
Officer	Declan Jermy
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	444529 E 216683 N
Committee Date	3rd December 2018

Location Map



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18 High Street
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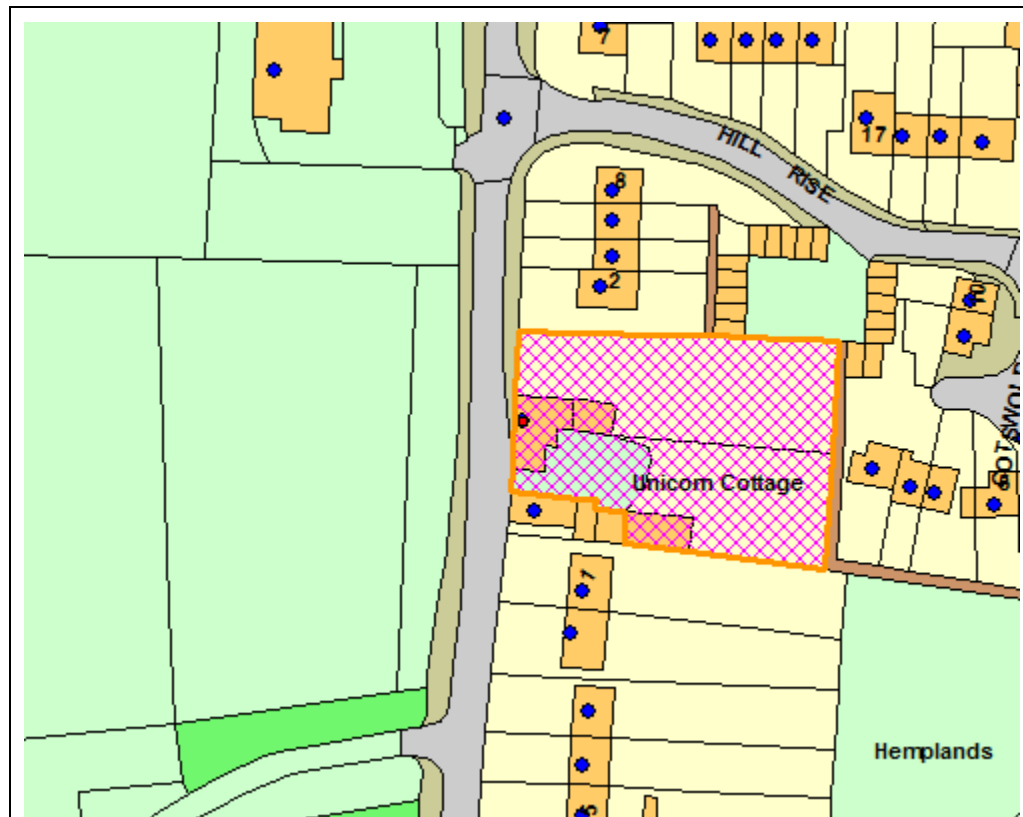
Regards

Kevin

Contact Officer: Declan Jermy
Telephone Number: 01993 861712
Date: 21st November 2018

Application Number	I8/02834/FUL
Site Address	The Unicorn High Street Great Rollright Oxfordshire OX7 5RH
Date	21st November 2018
Officer	Kim Smith
Officer Recommendations	Defer
Parish	Rollright Parish Council
Grid Reference	432261 E 231380 N
Committee Date	3rd December 2018

Location Map



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Application Details:

Conversion of public house to dwelling.

Applicant Details:

Mr A Prindiville
5
New Street Square
London
EC4A 3TW

Since writing the report the applicant has advised that he does not intend doing any further marketing as outlined in the report. In light of this the Officer recommendation will be changed in respect of the planning application verbally at the meeting from deferral to refuse for the following reason:

'It has not been demonstrated to the satisfaction of the LPA that the use of the building as a pub is unviable and incapable of being made viable or adapted to retain a viable service or facility including as a community run enterprise. It is not considered that there is appropriate, accessible and alternative provision particularly by foot. As such, the proposal will result in the loss of an opportunity to provide/retain an important community facility in the village contrary to policy E5 of the adopted West Oxfordshire Local Plan 2031 and relevant provisions of the NPPF in particular paragraphs 91 and 92'

It is also recommended that an informative be added to the decision letter advising as follows:

'Given the poor physical state of the building any further planning applications for a change of use should be accompanied by the following:

- 1. Cost details for the repair works to the building;**
- 2. A marketing exercise with the repair cost details being made available to any party expressing an interest in the sale;**
- 3. There being no unusual 'clawback' provisions as part of the sale.**
- 4. Evidence that the property has been marketed at an appropriate price.'**

The Unicorn 18/02835/LBC –Internal and external alterations

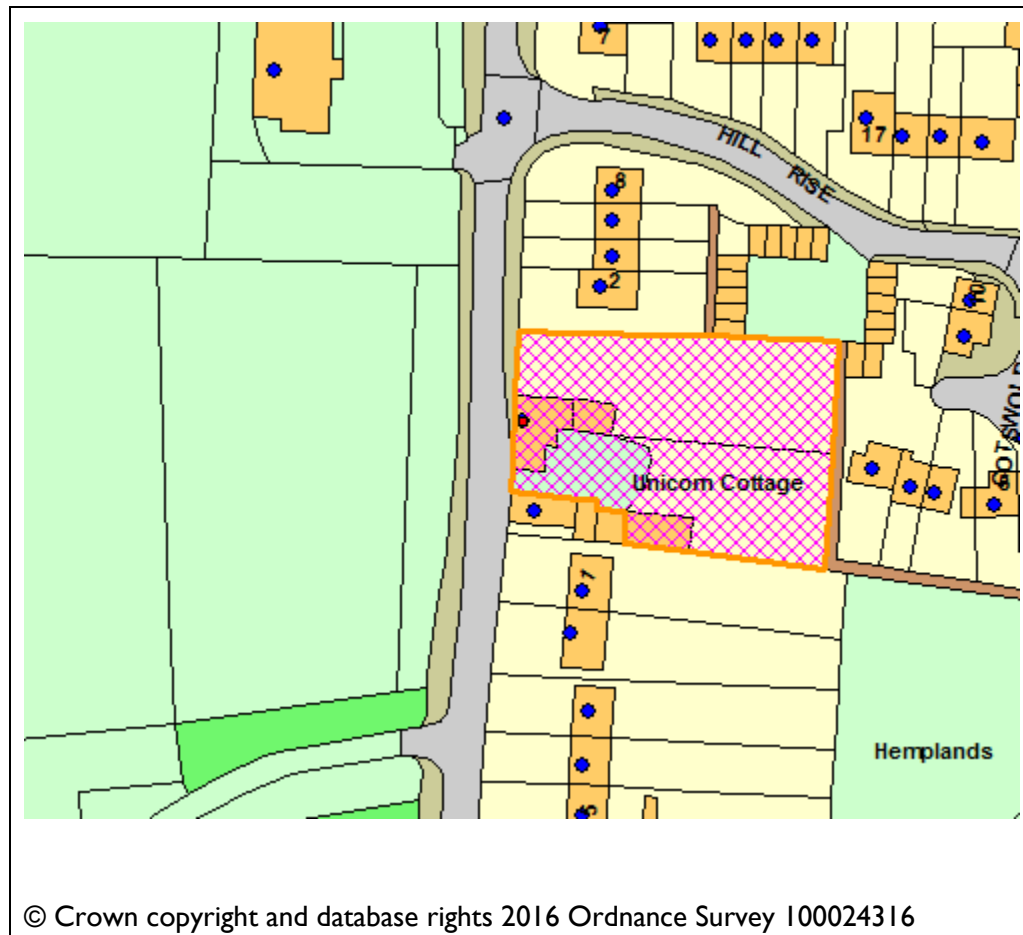
The report recommends that the application be deferred in order that structural details in respect of the requisite repairs to the roof and floor structures could be submitted prior to determination. In light of the applicants response to the provision of a further marketing exercise Officers do not anticipate that these details will be submitted. As such, the application is recommended for refusal as follows:

'By reason of the poor state of repair of the listed building and the lack of structural details submitted with the application, particularly in respect of the roof and floor structures ,it has not been demonstrated to the satisfaction of the LPA that the proposed internal and external alterations will conserve or enhance the historic interest of the buildings fabric, appearance and character .As such the proposals are considered contrary to policy EH11 and EH9 of the adopted West Oxfordshire Local Plan 2031 and relevant paragraphs of the NPPF.'

Contact Officer: Kim Smith
Telephone Number: 01993 861676
Date: 21st November 2018

Application Number	18/02835/LBC
Site Address	The Unicorn High Street Great Rollright Oxfordshire OX7 5RH
Date	21st November 2018
Officer	Kim Smith
Officer Recommendations	Defer
Parish	Rollright Parish Council
Grid Reference	432261 E 231380 N
Committee Date	3rd December 2018

Location Map



Application Details:

Internal and external alteration.

Applicant Details:

Mr A Prindiville
5
New Street Square
London
EC4A 3TW

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Contact Officer: Kim Smith

Telephone Number: 01993 861676

Date: 21st November 2018