

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 5th August 2019

**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

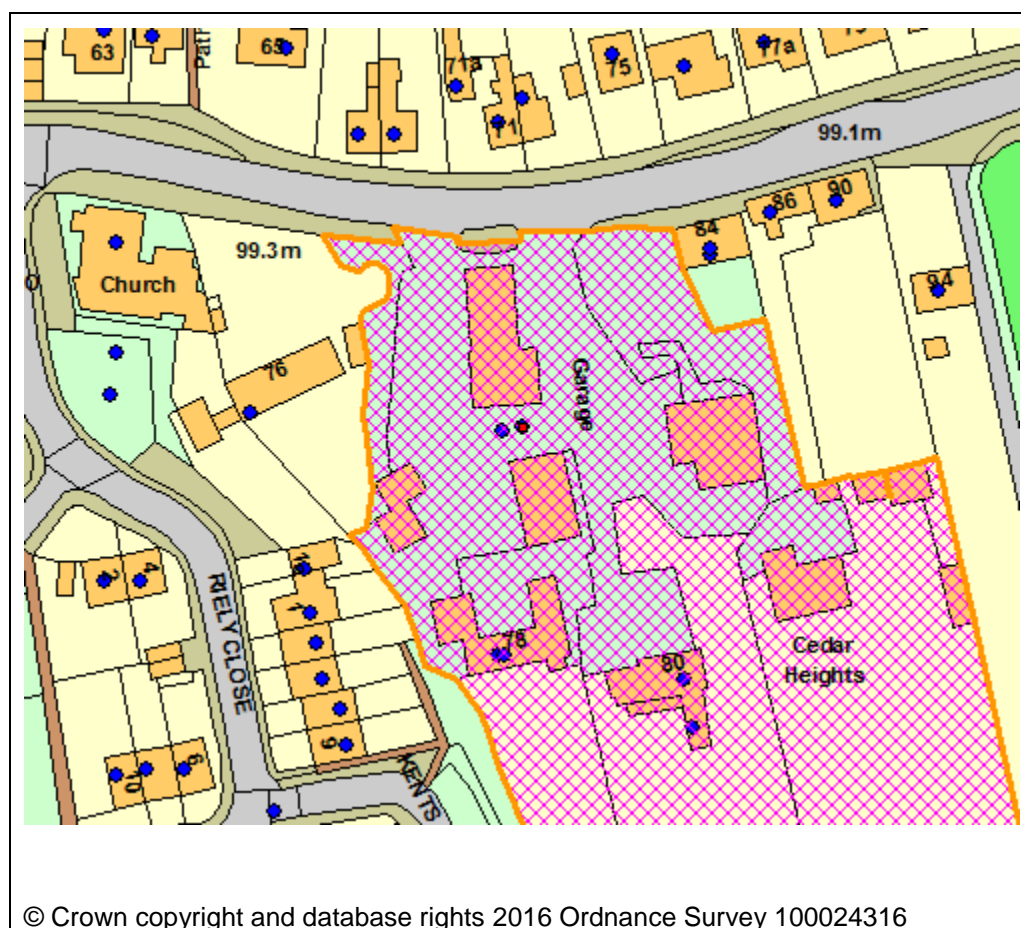
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

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
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19/01305/FUL	<u>The Heyes, Churchill Road, Kingham</u>	24
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Application Number	18/03403/FUL
Site Address	Olivers Garage 80 - 82 Main Road Long Hanborough Witney Oxfordshire OX29 8JY
Date	24th July 2019
Officer	Abby Fettes
Officer Recommendations	Provisional Approval
Parish	Hanborough Parish Council
Grid Reference	442197 E 214112 N
Committee Date	5th August 2019

Location Map



Application Details:

Demolition of all existing buildings, formation of a new access from Main Road and erection of 25 new houses and apartments with ancillary car parking and garaging.

Applicant Details:

Ms Jolande Bowater, Rectory House, Thame Road, Haddenham, Aylesbury, Buckinghamshire, HP17 8DA

I CONSULTATIONS

- I.1 Major Planning Applications Team Highways - No objection subject to conditions and obligations.
Education - No objection subject to S106 Contributions.
- I.2 WODC - Arts No Comment Received.
- I.3 Conservation Officer Suggested minor design amendments (which have now been received). No objection.
- I.4 Biodiversity Officer I am satisfied with the updated ecological survey report submitted with the above planning application and confirm that no further surveys are required. As no European protected species were found to be present, the LPA does not need to consider the 3 derogation tests.
I therefore recommend that my comments on the previous application (ref. 17/00309/FUL) are still relevant and I have taken them into account as part of this response.
- I.5 ERS Air Quality No Comment Received.
- I.6 ERS Env. Consultation Sites The site has been used for vehicle engineering and in particular fuel storage and dispensing and with this as background it is reasonable to expect that there will be some hydrocarbons present in the ground from its former uses, especially in the vicinity of the fuel forecourt and tank farm. Aside from any identification and treatment of contaminated ground, there will need to be advance works to safely decommission the fuel storage infrastructure, if this has not already been carried out, and no evidence has been offered to show that this has been completed.

I have reviewed the report accompanying the application:

Report Provided: The Brownfield Consultancy, Site Investigation Report, ref: BC259 RE001 14.9.16

This is incomplete, as appendices referred to in the report and containing data from site investigation have not been supplied with the application. However I note that a full report was supplied with an earlier application for this site (17/00309/FUL). The reference for this report was:

' The Brownfield Consultancy, Site Investigation Report, Olivers Garage, 80-82 Main Road, Long Hanborough, Witney, OX29 8SX, Ref: BC259 RE001 RevB 31.10.16.

This report appears to a more recently dated version of the one submitted to support the current application and thus I must assume that it supersedes the earlier version.

Before I can provide further comment and thus confirm no objection to the development in principle, I will need the Applicant to supply a full, and most up-to-date version of the Site Investigation Report for the development site.

For the 2017 application report BC259 RE001 RevB was reviewed by my colleague at the time of that application and various comments were made:

' Justification for intrusive investigations was not provided and not related to known contaminative features such as the location of the fuel infrastructure

' The report recommends further site investigation following demolition of the buildings on-site. Remedial measures will be required when the current condition of the site is known.

The comments concluded that demolition may commence on site however no construction work, including the digging of footings, should be permitted until further investigation has been undertaken and the Local Planning Authority has agreed the works are satisfactory and the Remedial Strategy is accepted.

If this technical report is to be resubmitted to support this application those comments would still be relevant. Currently I do not have sufficient information to provide definitive comments. Once the extent of available information is confirmed I can provide planning condition wording if appropriate.

I.7 WODC Env Health - Uplands

For the other new build developments in Long Hanborough we requested a noise report assessment. Whilst I appreciate it is likely that only the nearest facades fronting Main road will need special acoustic treatment/design, I don't think this should be a reason for the omission of an assessment and acoustic design report. Traffic flows through Long Hanborough are now much higher than some 3-5 years ago.

I.8 WODC - Sports

No Comment Received.

I.9 Thames Water

The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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

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|------|-----------------------------------|--|
| I.10 | WODC Env Services - Waste Officer | No Comment Received. |
| I.11 | Wychwood Project | No Comment Received. |
| I.12 | Parish Council | Thank you for consulting Hanborough Parish Council (HPC) on this submission for a 25 dwellings development on the Oliver's Garage site. HPC continues to be in favour of a good quality housing development in this prominent village-centre location. We are therefore disappointed not to have seen any evidence of the applicant and the Local Authority having reached a mutually acceptable position on the matter of a contribution towards affordable housing. Hence, once again, there appears to be potential for a conflict with West Oxfordshire's Local Plan policies H3 and EW10. |

2 REPRESENTATIONS

- 2.1 No third party representations have been received.
- 2.2 The Local County Councillor has commented as follows:

No objection but I have outlined a few points for consideration below:

- On the Transport Statement document on Table 5.1 about local Public Transport it states that the Stagecoach 233 bus is every hour. The bus in fact runs every 30 mins and I would like to see some developer contribution to help in getting this service to every 20 minutes.
- I am unsure that there is a bus stop for Westbound buses on the A4095. I would like to see a bus stop and bus shelter installed as part of the development and preferably near the entrance to the new site.
- I ask whether the developer would help in leading the way with electric car charging points. I would be keen to see charging points installed either for each property or as part of the street furniture or visitor parking spaces that would be designated for electric charging.
- Long Hanborough has recently seen a huge increase in new build properties with the development of 3 sites in the village. The majority of the sites are building larger homes. I would like to see this development include 1, 2 & 3 bedroom properties to help local younger people in the area get onto the housing ladder and also with helping them to start a new family. The village already has more than enough larger homes available in the village.

3 APPLICANT'S CASE

Several supporting documents were submitted with the application and are available to view online. The Planning Statement is concluded as follows:

- This Statement has been prepared by Rectory Homes in support of a full planning application for the demolition of the existing garage and bungalows and erection of 21 two-storey houses and 4 apartments with associated vehicular access, allocated and unallocated parking, garaging, landscaping and all enabling works.
- The proposed scheme is identical to our previous planning application which was refused permission, a decision which was subsequently upheld by appeal in October 2018 following a hearing in September 2018. This application therefore represents a 'free go' and is part of the same process to seek planning permission for the redevelopment of the site.
- Prior to the appeal, the Council had confirmed that the principle of redeveloping this site for housing to deliver 25 new homes was acceptable. The proposal reflected Policy EW1g in the then emerging Local Plan, which has since been adopted. There were no technical or environmental objections to the proposed scheme. The only issue in dispute was the absence of any affordable housing provision, which itself related to the matter of viability.
- In determining the appeal, the Inspector agreed with Bidwells assumptions, with the exception of those relating to private sales values. Despite the continuing deterioration of the property market and the economic uncertainty that lies ahead, we wish to reach agreement with the Council over this matter and therefore the updated viability report adopts the sales value advocated by Aspinall Verdi whilst maintaining the assumptions advocated by Bidwells.
- The updated viability assessment concludes that the proposed scheme is capable of contributing a commuted sum of £60,015 towards affordable housing without rendering the scheme unviable.
- Based on the evidence set out in Bidwells updated report, the proposed scheme can be assessed as having satisfied the tests of planning policy with regards to affordable housing and scheme viability and on this basis should therefore be considered acceptable.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

EH9 Historic environment

T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
T4NEW Parking provision
EW10 Eynsham- Woodstock sub area
EW7 Land at Olivers Garage, Long Hanborough
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal is a full application for the erection of 25 dwellings on a brownfield, infill site south of Main Road, Long Hanborough. All properties would be 1.5 storey or 2 storey in height.
- 5.2 The site is not within a designated area and lies outside the Millwood End and Church Hanborough Conservation Areas, and the AONB. No.76 Main Road is Grade II Listed and lies immediately to the west of the site.
- 5.3 The site is currently occupied by a former petrol filling station that is now redundant, three separate buildings used for car repair related operations, three detached bungalows and domestic garages. There is a complex planning history associated with the site, but no specific applications are considered to have a bearing on the assessment of this application.
- 5.4 The site is identified as suitable for development in the Local Plan 2031 under Policy EW7, and was subject of an almost identical application in 2017 which was refused and dismissed at appeal on viability grounds only. Viability remains to be the only outstanding matter on this application which is why the recommendation is currently provisional approval. Members are advised to review the previous committee report for application I7/00309/FUL for the full consideration of other matters.

Viability

- 5.5 The requirement for affordable housing in Long Hanborough under Local Plan Policy H3 is 50% (high value zone) subject to viability considerations.
- 5.6 The previous application for 25 dwellings only offered a £150,000 contribution initially in lieu of on-site provision due to viability, and was subsequently refused and dismissed at appeal in October 2018 at which point they dropped the contribution altogether. At that point, the Council had concluded that the site could not bear the full 50% on site affordable housing, but it could achieve 8 units as affordable. The inspector concluded that:

"Aspinall Verdi draw my attention to the sensitivity of sales values in calculating the ability of the site to deliver affordable housing, a point which was discussed at the hearing. Whether the achieved sales value of the properties would be as high as predicted by Aspinall Verdi is difficult to estimate, but it seems to me that there is reasonable potential for the development to provide at least some form of affordable housing contribution, even if it less than the 28% which is currently being sought by the Council.

I therefore conclude on the main issue that the absence of affordable housing provision has not been adequately justified. As such, there would be conflict with Policies H3 and EW1g of the Local Plan."

- 5.7 The revised NPPF at paragraph 64 expects major schemes to deliver at least 10% affordable housing. Officers remain of the view that given that the delivery of affordable housing is a core objective of the adopted Local Plan and the NPPF, it warrants very careful consideration. Departure from the policies in this regard would need to be fully justified. Failure to provide an appropriate proportion of affordable housing across a number of sites would seriously undermine delivery and set a negative precedent.
- 5.8 Despite the inspectors' findings, the applicants resubmitted the scheme offering only a £60,015 contribution towards affordable housing which is considerably below the 28% on-site provision and their previous offer of £150,000 on the last scheme, so a further viability assessment was commissioned. The applicant and the Council have been in discussion over the findings of that report which still considers that on-site provision can be achieved here.
- 5.9 The officer's recommendation will be subject to the outcome of those ongoing negotiations being concluded prior to the August committee meeting.

Conclusion

- 5.10 To summarise the previous considerations, the site is located within the village envelope and within a reasonable distance of the village amenities and facilities. The site is specifically allocated as suitable and available for 25 homes under Local Plan policy EW7. The principle of the proposal is therefore acceptable.
- 5.11 The design and form of the development is acceptable. With regard to siting and design, Officers have amended the scheme so the inter-relationship between some of the units has improved, and to ensure the design features are more vernacular. The appearance would be compatible with the character of the area.
- 5.12 As regards the neighbouring listed building, No.76 Main Road, there is some residual harm to its setting which is judged at the lower end of less than substantial, taking account of the currently compromised setting. This limited harm is outweighed by the public benefit of the delivery of new housing and its associated social and economic benefits.
- 5.13 There is no reason to believe that the residential amenity of existing residents or future residents would be affected to an unacceptable degree by the development. Short-term effects as regards construction traffic and disturbance are to be expected and occur wherever significant development takes place. The development would be subject to a construction management plan. Overall there is likely to be an improvement to residential amenity arising from removal of a non-conforming use.
- 5.14 OCC raises no objection in highways terms and the site is in a sustainable location.
- 5.15 The site is contaminated land and would require remediation and specific construction techniques. No objection is raised by WODC Pollution Control Officer subject to condition.
- 5.16 The site is in Flood Zone I and at low risk of flooding. A suitable drainage scheme can be agreed by condition. No objection is raised by Thames Water as regards foul drainage.
- 5.17 Ecological mitigation and enhancements are capable of being addressed by condition.

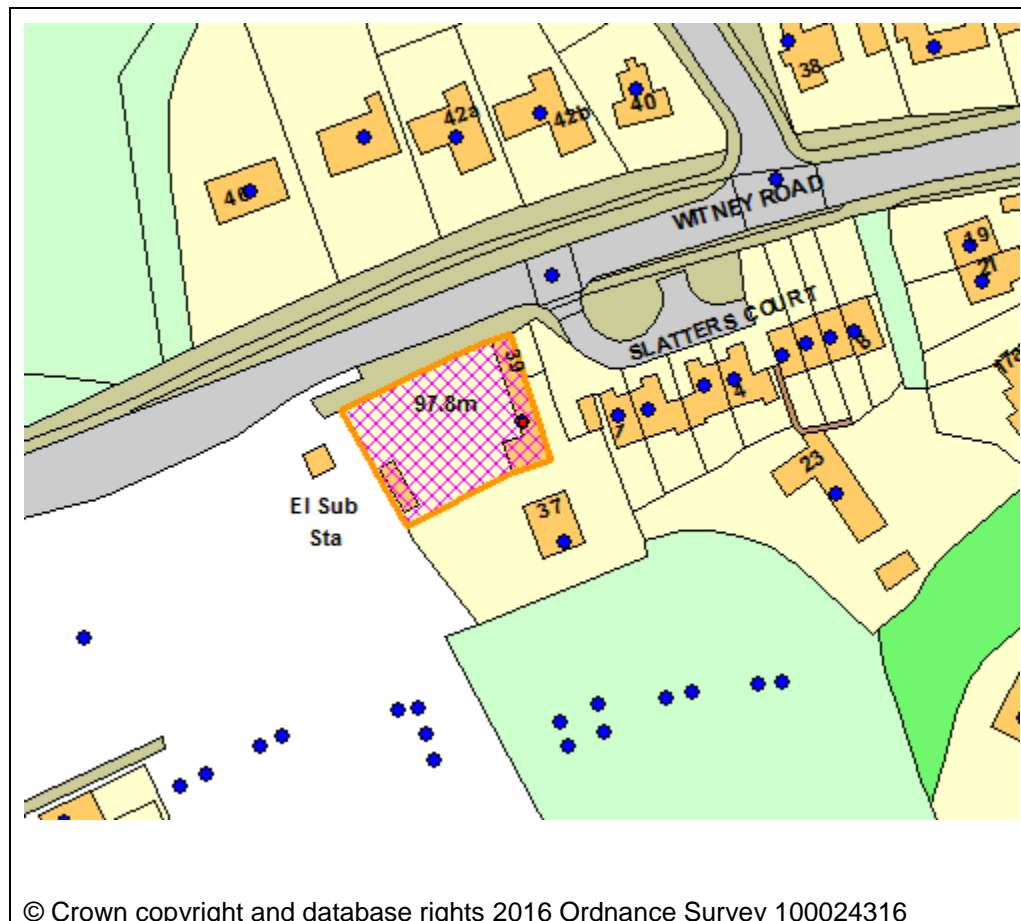
5.18 Therefore, as with the previous application the outstanding issue is the affordable housing provision and this is still being negotiated. Members will be updated at committee on the final recommendation and conditions/reason for refusal as required.

6 CONDITIONS

Conditions to be considered once viability is resolved.

Application Number	19/01077/FUL
Site Address	39 Witney Road Long Hanborough Witney Oxfordshire OX29 8BH
Date	24th July 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	441297 E 214139 N
Committee Date	5th August 2019

Location Map



Application Details:

Convert existing dwelling into three one bed flats, erection of four one bed flats, re-sited access, associated car parking and bio-diversity enhancement scheme.

Applicant Details:

Mr Luke Carter, South Lodge, Barnard Gate, Eynsham, OX29 6XD

I CONSULTATIONS

- I.1 WODC Drainage Engineers No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.
- 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 condition.
- I.3 WODC Planning Policy Manager No Comment Received.
- I.4 Biodiversity Officer No ecological assessment report has been submitted with the application, but the aim to enhance biodiversity as part of the proposed development is welcomed.

It is not clear whether the existing garage building will be demolished to facilitate the construction of the new flats, but it is considered to be likely. From the image of the building available on Google Street View, it appears to have limited potential for roosting bats. The conversion of the existing dwelling into flats will not impact upon the roof structure of the building. The floor plans do not show any habitable rooms within the roof space/attic as they are only proposed as being 1 bedroom flats. Therefore, I recommend that no bat survey is required in this case. An informative should be attached to planning consent with regard to the low risk that bats may be present.

I note that the description of the proposed development includes a "bio-diversity enhancement scheme", but there is limited information submitted with the application. The site is small and there is limited opportunity for enhancement for biodiversity, but it appears that the applicant is willing to create new habitats, including a small pond, wildflower area and tree/hedge planting. However, I do not agree with the assertion that 'BAP habitats' would be created, as shown on the Proposed Site Layout Plan, apart from the small pond and the native hedgerows, depending on how they are created. I recommend that the landscaping of the site needs more thought and a landscaping scheme should be submitted for approval as a condition of consent.

The small pond will need to be carefully designed to incorporate shallow margins to ensure that hedgehogs and other wildlife can escape from the pond. The details of the pond could be included within the landscaping scheme with pond profile drawings to

demonstrate the shallow edges. It can be left to colonise naturally for 2 years and then planted with marginal and aquatic plants if necessary after this period. Native plants from a reputable supplier would need to be guaranteed to ensure that non-native invasive species are not inadvertently introduced. Guidance on this issue is available on the Non-Native Invasive Species website.

Hedgerows should be planted as native and species-rich habitats (containing at least 6 woody tree/shrub species) along the southern, western and northern boundaries with wildflower meadow strips alongside (probably only the western and southern boundaries) rather than a small rectangular area of wildflowers. Hedgerow shade-tolerant wildflowers could be used. I would recommend that the "wildlife area" be located within the southwestern corner/part of the site rather than next to the car parking area (as there may be issues for operational management).

The 1.8 metre high fencing proposed along the southern boundary would need to incorporate hedgehog gaps beneath or holes through to ensure permeability for this species to be able to continue to access the neighbouring gardens. A hedgehog box could be installed in the southwestern corner of the site within/next to the hedgerow.

Bird and bat boxes should be incorporated within the walls (side elevations) of the new building and externally mounted onto the rear elevation of the existing converted building. Details can be submitted as a condition of planning consent.

The existing trees along the frontage of the existing property (on the northern boundary) are considered to have low value for biodiversity, as they are non-native conifers forming a domestic boundary. However, they do have potential for nesting birds.

There are existing records of hedgehogs and reptiles (e.g. slow worms) being present within local area and there is potential for nesting birds, so a precautionary approach to site clearance and vegetation removal should be taken.

1.5 Parish Council

Hanborough Parish Council (HPC) objects to planning application 19/01077/FUL in its current form, but not to the principle of allowing a few single-bedroom dwellings (e.g. 2 from converting the existing house and 2 new builds in sympathetic materials) on the proposed site.

A local Strategic Housing and Development Officer has identified "reasonably healthy demand" for such dwellings in the surrounding area, although it is unclear how much demand there is in the parish of Hanborough itself. We have found no evidence to suggest that the situation is such that desperate measures are required, so we cannot support the applicant's high density of development and its

concomitant sacrifices: inadequate parking, recycling and rubbish areas, combined with meagre amenity space and no commitment to sustaining green areas after planting.

If single-bedroom dwellings were to become available for affordable rent in Hanborough, demand would probably be much higher than it would for market sales: the Homeseeker system has recorded 123 people, who have selected Long Hanborough as one of their preferred locations, interested in renting a single-bedroom home. For that reason, there has been recent interest from housing associations in purchasing entire developments for affordable housing.

However, HPC believes planning application 19/01077/FUL would fail to meet housing association standards for the same reasons as those mentioned above and because indoor living space would not compensate for external restrictions.

While WODC's Local Plan tells us to expect a modest amount of "windfall" housing, we should not like to see the applicant's proposed level of density and compromise set a precedent.

The applicant has reportedly been canvassing opinion on the development of another confined site in the parish. Neighbours of the 19/01077/FUL site have expressed considerable concern about the potential adverse impact on their amenity (e.g. parking overspill into Slatters Court) and about wider issues, such as having several vehicles emerging from an entrance-cum-exit close to an increasingly busy new junction that serves the adjacent Hanborough Gate development.

HPC urges WODC to refuse permission for this overly dense development, which would be unlikely to provide a "good standard of amenity for all existing and future occupants" as the NPPF requires, and which is anticipated to have a negative impact on neighbours, other residents in the nearby streetscape and road users.

2 REPRESENTATIONS

2.1 There have been a number of objections to the proposed scheme. The objections are as summarised:

- Will increase traffic issues along the A4095.
- Too many dwellings are proposed for the size of the site.
- Proposal would allow for inadequate standards of living space.
- Not enough parking both on site or nearby, this would lead to people parking in the medical centre or bus lay by.
- Not enough space on the site for parking spaces and an adequate turning area.
- Not all 3/4/5 bedroom houses are being built at the PYE Homes development. There are 6 1-bed houses (low cost) on the site.

- If this project gets the go ahead can the boundary fence be made of sound proofing materials as some of the parking bays will be close to two of our bedrooms.
- Long Hanborough cannot manage anymore pressure on the local amenities, on the utilities, water, sewers, doctors and schools.
- The environment from air pollution is getting worse every day due to queueing traffic- this will get worse.
- The development would be overcrowded.
- The density of dwellings and the attendant lack of space would cause problems for residents of the site and surrounding neighbourhood.
- Where would visitors of the residents park?

2.2 There have also been a number of support comments in relation to the application. These comments are as summarised:

- The distance between the proposed flats and neighbouring dwellings across the road exceeds the Council's informal guidelines of 21 metres and measures at approximately 36 metres.
- County Highways in their parking standards state 1.2 spaces for each one bed flat, which is a total of 8.4 in this case, and they advise to round this figure down to 8. We believe the car space provision satisfies this requirement.
- There is a need for more small houses.
- There is a need of more lower cost housing for starter homes, for local young people and couples.
- Small affordable flats are needed everywhere.
- Support for the application of smaller starter properties being built.
- I can't see any issues with developing this proposal for smaller more affordable housing and given the disruption and cost of the large new housing developments with minimum affordable housing options on these current sites it only seems logical.
- This proposal gives the younger generation the chance to get on the housing ladder without being supported.
- These are to be built out of natural stone too so often flats are poorly built but this look like a quality building.

2.3 Full comments can be found on the council's website.

3 APPLICANT'S CASE

3.1 In support of the proposal the agent has provided a Design and Access Statement as part of the application. This document concludes:

The aims of this application are to seek a viable, and planning compliant scheme that results in 7 small scale homes where at present only one exists.

The submitted scheme is the result of listening to the advice of the case officer supported by the team leader. With time to consider the suggested changes by the case officer, we fully acknowledge that though this will add to sale prices, the quality for living and the impact upon the neighbour and the natural environment have all been improved as a result.

3.2 The NPPF supports the view that encouraging housing mix is good for social cohesion in local communities. The case officer also mentioned that in principle the provision of good quality smaller homes was supported by the District Council. An article in "The Planner" magazine for April 2019 commented on the provision of smaller scale one bed homes, and their attractiveness both for economic and life style reasons. Whether for first time buyers or renters, or downsizers, this addition to the housing mix, the demand for small scale flats and apartments is a growing trend across the UK.

3.3 With brief reference again to the 2031 Local Plan, we fully support the case officer whose overall advice could be said to be echoed in these statements:

"Policy OS4 - High Quality Design

"High design quality is central to the strategy for West Oxfordshire. New development should respect and contribute to local distinctiveness ..."

Policy CO4 - "Locate new residential development where it will best help to meet local housing needs and reduce the need to travel."

3.4 The applicant is willing to accept all relevant planning conditions, where needed. On this basis we hope to achieve a highly sustainable development.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H4NEW Type and mix of new homes

H6NEW Existing housing

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH2 Landscape character

EH9 Historic environment

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks planning permission for the redevelopment of no.39 Witney Road, Long Hanborough. This redevelopment includes the conversion of the existing dwelling at no. 39 Witney Road, into three one bed flats and for the erection of a new building to accommodate four one bed flats. Included within this application is the re-siting of the access, associated car parking and a bio-diversity enhancement scheme.

5.2 The application site is located on the southern side of Witney Road (A4095), the main distributor route between the A44 and Witney. The site is roughly square and comprises mainly

the garden area for the existing host dwelling no.39 Witney Road, the host dwelling is sited hard against the eastern boundary with its northern gable-end fronting immediately onto Witney Road. The dwelling is understood to date from the 19th century and has a traditional vernacular cottage appearance. The principle elevation fronting onto the garden contains two front door openings, indicative that the current property was formerly two conjoined dwellings; there is a modern two-storey extension to the southern end.

- 5.3 The site is within the built up residential area of Long Hanborough with Nos.1-7 Slater's Court to the east of the site, No37 to the rear, and to the west is the previously consented development of 170 dwellings which is currently under construction.
- 5.4 Vehicular access is taken from the north-western corner and comprises a shallow driveway leading to a detached garage. Pedestrian access is via a short stretch of public footpath along the length of the gable-end which culminates at a footpath leading into the site from the public highway to the front of the host dwelling. The remainder of the frontage is unmade grass verge.
- 5.5 The site falls outside the Long Hanborough Conservation area and there are no listed buildings nearby. Except of the neighbouring development site, the wider landscape particularly to the north comprises a high degree of openness though typically edge of settlement in feel and appearance, comprising a mix of rural and built form.
- 5.6 Members will be aware that this application was deferred at the previous Uplands Sub Committee Meeting held on the 1st July for a site visit.
- 5.7 Since the previous committee, the agent has submitted amended plans.
- 5.8 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle
 - Siting, design and scale
 - Neighbouring amenity
 - Highways
 - Biodiversity
 - Affordable housing
- 5.9 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
- 5.10 The current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2031 which was adopted on 27 September 2018 and must therefore be given full weight. For the purposes of housing delivery the site falls within the Eynsham and Woodstock Sub area the total anticipated housing delivery for this sub-area is 5,596 homes. In accordance with the overall housing strategy additional housing development in this sub area will be focused primarily at designated Rural Service Centres with any additional development steered towards the larger villages. It is anticipated that this overall level of provision will be met through a combination of

inter alia homes already completed, existing commitments, non-strategic housing allocations and windfall development, which are of relevance to this proposal.

- 5.11 Policy OS2 of the Local Plan Locating Development in the Right Places sets out the overall spatial strategy for the District including the distribution of new development over the plan period to 2031, focusing the majority of new homes, jobs and supporting services in these main service centres. Given that the site is located within Long Hanborough, a designated Rural Service Centre (as identified in Policy OS2), further housing as indicated within the enquiry, would accord with policy EW10 of the Local Plan and would contribute towards the general level of housing delivery and the mix of housing provision within the sub area.
- 5.12 As set out in Policy H2, windfall housing development is supported in the main service centres on previously developed land within or adjoining the built up area provided that: the loss of any existing use would not conflict with other plan policies; and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan. In this case there would be a continued residential use on the site, albeit the replacement of the bungalow with flats requires consideration in the context of meeting specific housing needs as explained above.
- 5.13 The particular general principles of Policy OS2 relevant to this case include the requirement that development:
- (i) Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
 - (ii) Form a logical complement to the existing scale and pattern of development and/or the character of the area; and be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants.
- 5.14 The sub-division of the no. 39 Witney Road would be subject to Policy H6 which supports development that respects the character of the surrounding area and that will not unacceptably affect the environment of people living in or visiting that area. Officers consider that the principle of new development is acceptable in this sustainable location. Whilst officers had concerns at pre-application stage, the scale of the flats has now been decreased.
- 5.15 Policy H4 of the Local Plan requires developers to demonstrate how their proposal helps to create a more balanced housing stock and meet the needs of a range of different groups having regard to specific local needs. Officers consider that the chosen scale is acceptable and will meet the needs of a range of different groups, and as such compliant with the proposal.
- 5.16 Policy H3 requires schemes in areas of the district outside of the Cotswolds AONB to provide affordable housing on-site only where a minimum of 11 dwellings, or a maximum combined gross floor space of more than 1,000m² is proposed. As this scheme proposes the development of 7 flats, the applicant is not required to make a contribution towards the provision of affordable housing.
- 5.17 On the basis of the policies outlined above, the principle of development of the site is considered to be acceptable. The development proposes the reuse an existing housing site within a Rural Service Centre, the proposed development would therefore comply with the locational requirements of the plan.

- 5.18 That said, the council has recently adopted the West Oxfordshire District Council Local Plan (2018) and can demonstrate a 5 year housing land supply targets, plus surplus. The Council is not therefore obliged to support housing development that would not represent good quality design and provide high quality residential accommodation for its occupiers, neighbours and visitors. In bringing forward a development proposal for residential accommodation, the applicant is strongly advised to give particular regard to policies of the local plan with a particular regard to policies OS2 and OS4 of the local plan.

Siting, Design and Form

- 5.19 In terms of the design, there are two aspects of the planning application to consider, the conversion of no.39 Witney Road and the proposed new building. Policy OS2 serves to elucidate the design aims of the plan with respect to the appearance and the impact of development upon the character and appearance of the location. With regard to the aims of the policy it is acknowledge that the linear form of Long Hanborough and the wider street scene context varies considerably and comprises a mix of building types, heights and materials, such that there is no established architectural language.
- 5.20 No. 39 readily divides into 3 flats. The scheme does not propose any major external changes other than the addition of one door to the front elevation. No other changes are proposed as part of this conversion. Given that there is little proposed by way of alteration or reconstruction, officers are of the opinion that the proposed development would not alter significantly the appearance of the dwelling and given its tradition appearance, its retention and reuse would be welcomed in preserving the character and appearance of the street scene.
- 5.21 The second part of the development relates to the proposed new building. This has been designed to have a similar appearance to that of two, small scale cottages. The external facing and roofing materials of these cottage-style buildings are to be constructed using natural local stone under a concrete tile roof. These materials are considered to be acceptable as they would harmonise with those of the existing dwelling at no.39 Witney Road and within the wider street scene. The new building would be 2 storeys in height and would comprise of 4 flats; 2 to be located at the ground floor level and 2 to be located at first floor. The ground floor flats would be accessed from the front of the dwelling which fronts the Witney Road whereas the 2 flats at first floor are to be accessed at the rear via a staircase.

Highways

- 5.22 Vehicular access would be located centrally between the buildings with new pedestrian access taken directly from Witney Road to the new building. The scheme proposes to create 8 parking spaces to serve the proposed flats. A number of objections have been raised with concerns over the number of parking spaces provided to serve the new flats and that there is little to no space for any visitor parking. The number of spaces and their dimensions of these spaces have been created in line with the parking standards set by OCC Highways. Given that these standards have been adhered to, OCC Highways have raised no objection to the proposed scheme (subject to conditions) and on this basis, officers cannot justify a reason for refusal on the grounds of highways safety and convenience.
- 5.23 Furthermore, public transport and rail is readily accessible from this site, and close by. The footpath outside the site leads to many pedestrian options into and out of the village. On this basis, the scheme is considered to be accessible and therefore is acceptable in terms of access.

Residential Amenities

- 5.24 The proposed flats will have an amenity area which would equate to c. 25 square metres per flat. The 3 flats created from No. 39 would have private areas attached to them. The residents of these 3 flats would also have access to the communal, green areas set out on the western side of the site, and shown marked on the "Proposed Site Plan".
- 5.25 In terms of the impact of the proposed development on neighbouring amenity, this has been carefully assessed. Concerns were raised about the proposed development having car parking up to and against the shared boundary with no37. To address these concerns, the applicant proposes to add additional planting along the south and west elevations in order to create a buffer to mitigate the potential noise and visual impacts to these neighbouring properties.
- 5.26 Overall, it is not considered that the proposed development will have an undue overbearing or loss of light and/or privacy impact on the adjacent properties. There will be a change in outlook from no 39 and no. 37 however, the provision of the additional dwelling would not have such an impact as to justify the refusal of Planning Permission.

Other matters

- 5.27 The application proposes the provision of bin storage and cycle rack facilities to serve the 7 flats. The development provides sufficient space for parking, bin storage and collection points, and amenity space, each of which contributes to the overall well-being of the occupants and creates a proportionate development that is of an appropriate scale.

Affordable Housing

- 5.28 As previously mentioned, Policy H3 requires schemes in areas of the district outside of the Cotswolds AONB to provide affordable housing on-site only where a minimum of 11 dwellings, or a maximum combined gross floor space of more than 1,000m² is proposed. As this scheme proposes the development of 7 flats, the applicant is not required to make a contribution towards the provision of affordable housing.

Ecology

- 5.29 The application includes the provision of biodiversity enhancements including the insertion of BAP habitats, a 25 year environment plan which includes conservation ponds, trees, hedges and a wildflower strip. The WODC Ecologist was consulted as part of the application but had not received comments by the time of writing. Their comments will be added as part of the additional representations prior to Committee.

Conclusion

- 5.30 In light of the above, the location of the development is considered to be acceptable in terms of housing delivery and would comply with the housing strategy for the Eynsham and Woodstock sub area as set out in the Local Plan. It is considered that the proposed development would contribute positively to the range and mix of housing within the area.

- 5.31 With respect to design, the proposed development would preserve the character and appearance of the area and the immediate vicinity and preserve and retain and re-use a historic building of local significance.
- 5.32 Therefore, the application is recommended for approval in accordance with the policies listed, subject to the responses of the Ecology Officer and the Planning Policy Manager.

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 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). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
- 5 The window and door frames shall be recessed from the face of the building to match windows and doors on the existing building.
REASON: To ensure the architectural detailing of the building reflects the established character of the existing building.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

7 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

8 No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

9 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

10 Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, including full details of all biodiversity enhancements (native, species-rich hedgerows, small wildlife pond, wildflower meadow strips/areas and gaps/holes for hedgehogs) and a 5-year aftercare maintenance plan. The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

REASON: To provide full details of proposed landscaping and biodiversity enhancements in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

11 If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure effective delivery of approved landscaping and to secure enhancements for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- 12 No vegetation/site clearance works shall take place until a Precautionary Working Method Statement (PWMS) for reptiles, hedgehogs and nesting birds has been submitted to and approved in writing by the Local Planning Authority. The approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that reptiles, hedgehogs and nesting birds are protected in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 13 Before the erection of any external walls, details of bat and bird boxes into/onto the converted and new buildings shall be submitted to the local planning authority for approval. The details shall include technical drawings showing the types of features, their locations within the site and their positions on the elevations of the buildings, a specification for the types of boxes and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained.

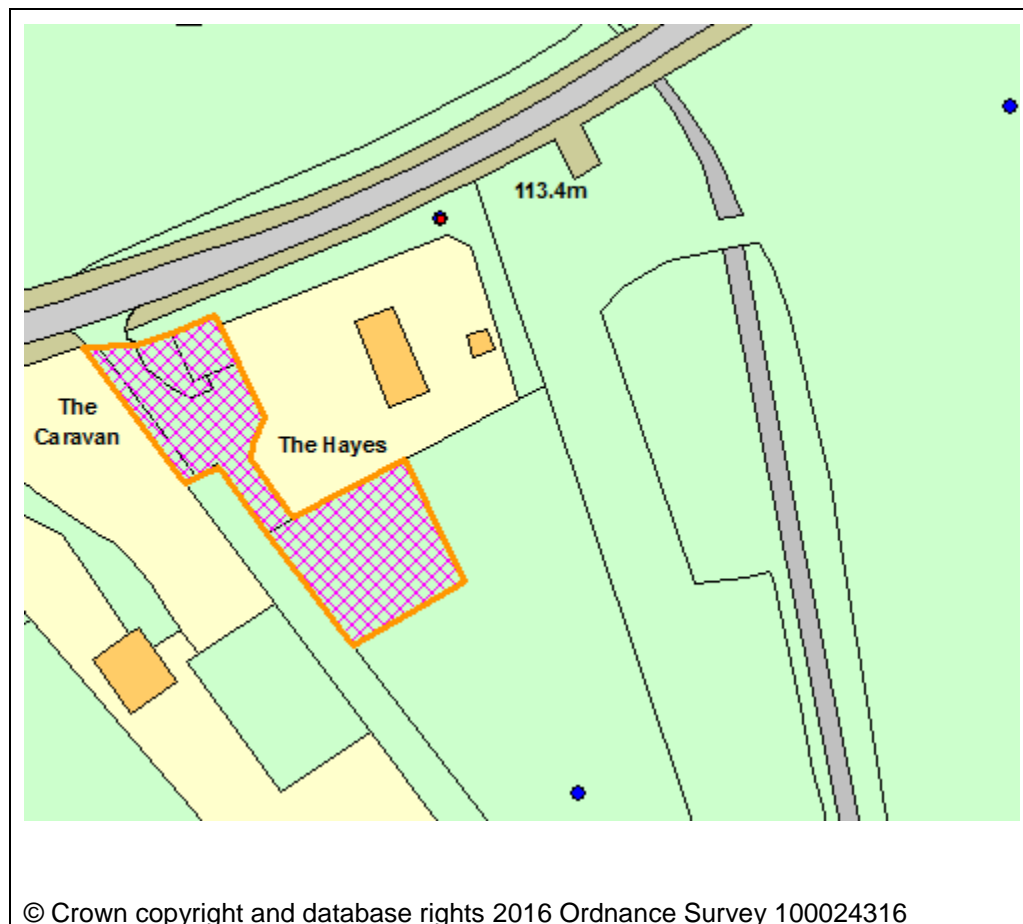
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

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))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
 - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
 - CIRIA C753 SuDS Manual 2015
- 2 Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England (for European protected species such as bats) prior to commencing works.

Application Number	I9/01305/FUL
Site Address	The Heyes Churchill Road Kingham Chipping Norton Oxfordshire OX7 6TA
Date	24th July 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Kingham Parish Council
Grid Reference	426636 E 224351 N
Committee Date	5th August 2019

Location Map



Application Details:

Stables (incl tack room & open store area) for domestic use

Applicant Details:

Mr L Foster, The Heyes, Churchill Road, Kingham, Chipping Norton, Oxfordshire, OX7 6TA

I CONSULTATIONS

- I.1 WODC Drainage Engineers This response will be verbally updated at committee.
- I.2 Parish Council Kingham Parish Council wishes to oppose the above application for the following reasons.
1. The proposal is for a development outside the village boundary within the Cotswold Area of Outstanding Natural Beauty (AONB). This is contrary to both national policy and the Local Plan. In the NPPF, paragraphs 172 and 11a (with subscript 6) make it clear that the AONB enjoys special protection. This is reflected in the WODC draft Local Plan 2031 which clearly shows that any development must be constrained by the need to protect the AONB and is contrary to policies OS2 and H2. National Planning Policy Framework (NPPF) 2018, paragraph 172 "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks."
 2. This area is already overdeveloped with, as the applicant's state in their supporting statement, a large stable and menage on one side and a commercial yard on the other. Thus, the objection as stated above in point 1 becomes even more relevant.
 3. The proposed development seems large for the stated purpose. The supporting statement states that it is "solely domestic", in which case three horse boxes, a tack room, storage area and paved or cobbled yard seems quite a major development.
 4. Unfortunately, we cannot share the applicants' confidence that the area is not in a flood area. The photographs supplied with this application (which were submitted as part of the appeal for an earlier application on the same site) clearly show significant flooding in March 2016.

In summary, this application appears to be a substantial structure for the stated need, within the Cotswold AONB in the vicinity of an already overdeveloped area. It is also prone to flooding.

If, however, the Council grants this application we would strongly suggest that it should be conditional on "the stables hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial

purposes."

- I.3 WODC Env Health - Uplands I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions.

2 REPRESENTATIONS

One letter of objection has been received stating:

- This application is for stables ancillary to a temporary consent for a mobile home conditional on the status of the applicants as Romany Gypsies.
- There is no suggestion in planning precedents and exceptions for Romany Gypsies (now suspended) that entails the granting of consent for stables.
- The site is visible from a wide area coming down from Churchill, by car or on foot.
- It is in the Cotswolds Area of Outstanding Natural Beauty.
- Local Plan Policy identifies the criteria whereby development proposals within the Cotswolds AONB will be considered, stating that the conservation and enhancement of the natural beauty of the landscape and countryside will be given great weight when determining development proposals within or impacting upon the Cotswolds AONB.
- The planning officer noted when granting the consent for the mobile home: 'However, it is the siting of the mobile home and the relationship with the boundary hedge which results in this development being acceptable and not unduly prominent. I would suggest that if development were to encroach further into the open countryside, it would have a very different impact on the landscape and the wider Cotswold AONB'.
- Proposal is further encroachment into the open countryside with a very different impact on the landscape and wider AONB.
- Inappropriate use of agricultural land.
- The application would not conserve or enhance the natural beauty of the landscape and countryside.

3 APPLICANT'S CASE

As part of the application a supporting statement was submitted stating:

- This application is for a stable block located at the top (North) of a paddock to the rear of The Hayes, Churchill Road, Kingham.
- The building will comprise 3no. horse boxes, a tack room, and an open-fronted storage area for equipment and machinery (incl a small tractor).
- The use will be solely domestic in association with the occupation of The Hayes and will not include commercial livery services.
- The building itself has been located adjacent to the paddock entrance in order to minimize hardstanding and driveways for vehicular access (e.g. deliveries) and will be well screened by existing planting (see enclosed images).
- The ridge height is approximately the same height as the eaves on The Hayes and materials have been chosen to minimize the visual impact.
- As the site is bordered on one side (East) by a recently approved and constructed much larger stable (incl a large menage) and on the other (West) a commercial yard it is felt that the visual impact will be minimal and acceptable given this context.

- In summary the proposal is proportionate and appropriate in this location.

4 PLANNING POLICIES

EHI Cotswolds AONB
 H6NEW Existing housing
 OS2NEW Locating development in the right places
 OS4NEW High quality design
 T4NEW Parking provision
 NPPF 2019
 DESGUI West Oxfordshire Design Guide
 EH8 Environmental protection
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of a stable building at The Heyes in Kingham. The site is situated within the Cotswolds AONB, approximately 350 metres to the east of the village of Kingham. It comprises part of a field located to the south of Churchill Road. Between the road and the site stands a prefabricated bungalow (The Heyes) which is owned by the applicant.

Planning History

- 5.2 The change of use of land to touring Caravan Park to accommodate up to 12 pitches and associated washroom and reception block- 15/00606/FUL- Refused at committee and taken to appeal where it was dismissed. The inspector reported that:
- 5.3 The stationing of touring caravans would prove an intrusive and discordant feature, quite out of character with the attractive rolling landscape, which is largely devoid of built development. The effect would be particularly alien due to the stark, typically white or cream colour of touring caravans; a matter over which the appellant would have no control. The tendency of caravanners to erect awnings and/or wind shields would add to the urbanising effect, as would the substantial amenity block building, which would remain as a permanent feature out of season. I also share the view expressed by third parties that the amenity block appears disproportionately large for a site of the scale proposed. Light pollution would further intrude into the largely unspoilt rural landscape, particularly at either end of the season when the trees and hedgerows on the surrounding fields are not in full leaf.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
 Siting, design and form,
 Impact on the AONB
 Landscape impact
 Residential amenity

Highways
Flood risk

Principle

- 5.5 The application site is located within the Cotswolds Area of Outstanding Natural Beauty. Policy EHI of the WODC Local Plan 2031 states that in determining development proposals within the Cotswolds Area of Outstanding Natural Beauty (AONB) and proposals which would affect its setting, great weight will be given to conserving and enhancing the area's natural beauty, landscape and countryside, including its wildlife and heritage. This will include consideration of any harm to the contribution that the settlement makes to the scenic beauty of the AONB. The Cotswolds Conservation Board's Management Plan and guidance documents are material considerations in decision making relevant to the AONB.
- 5.6 The weight of the impact of the proposed development on the Cotswolds AONB will be assessed throughout the report.

Siting, Design and Form

- 5.7 The proposed stable block has been designed as an 'L' shape and would be constructed out of dark stained timber board under a plain concrete tile roof. The stable building would accommodate 3 horse boxes, a tack room and an open fronted storage area for equipment and machinery. The stable is to be single storey with a maximum height of 4 metres.
- 5.8 The proposed stable block would be tucked within the north of the paddock, to the rear of The Heyes where given the well-established landscaping boundary treatment the proposed stable block would not be visible on the street scene. As identified in the 2015 appeal decision:
- 'The site is bound on its eastern side by a mature hedgerow. A solid wooden fence separates it from the Heyes on its northern side, beyond which is a further mature hedgerow running parallel to Churchill Road. The western side is marked by a post and rail fence, immediately beyond which is an access track which has a row of mature trees is running along the side. These hedgerows and trees restrict direct views into the site. Public vantage points are largely confined to Churchill Road and a public footpath which runs from that road to the east of the site, rising across fields in a south easterly direction towards the village of Churchill.'
- 5.9 In comparison to the previously refused/dismissed application, the proposed stable building would be low lying and would be constructed using materials that would harmonise with the surrounding area. The waney-edge board is proposed to be painted black so that it would assimilate within the wider landscape and thus would not detract from the landscape and countryside. Furthermore, it is to be sited close to the existing residential curtilage of 'The Heyes' where it would be read in conjunction with the existing dwellinghouse. The previous scheme for the caravan site was more spread out within the site. The proposed stable building is to be located close to the existing field access and dwelling, keeping it tucked away and screened from views from wider vantage points. Given this the proposed stable block would not be visible on the street scene and therefore would not give rise to any adverse impacts in regards to visual amenity.

Impact on the AONB

- 5.10 Paragraph 172 of the NPPF 2018 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. It has been highlighted from the inspector's appeal decision that 'from the elevated vantage point in the field to the west of Churchill village, just beyond the point where the houses fronting Kingham Road terminate, the application site is visible in the valley bottom, as part of the wider panorama'.
- 5.11 Whilst the stable building would be visible from further afield, it is considered that given its low key design, appropriate materials and siting the stable building would only be viewed in its immediate context whereby there are similar types of development including the existing larger stable and horse ménage to the East and a commercial yard to the West of the site. Furthermore, it is more natural to view equestrian development within the AONB than the previous application for white touring caravans and other camping paraphernalia which the inspector felt would be incongruous in the landscape. On these grounds this proposal is not considered to have a detrimental impact on the wider Cotswold AONB.

Landscape impact

- 5.12 The site is currently a pasture field with few features that sits within a valley in the AONB. The West Oxfordshire Landscape Assessment identifies this area as the Upper Evenlode Valley Character Area, which is divided into nine Landscape Types. This site itself lies within the Valley Floor Farmland, which is defined as intimate, semi-enclosed and pastoral character with moderate to low intervisibility, with some open views into the valley from above and some filtered longer views along the valley floor.
- 5.13 Officers contend that the moderate to low intervisibility is particularly relevant here as the hedgerows will screen views of the site. A landscaping condition to ensure a high level of appropriate landscaping is introduced and maintained can be attached to the recommendation.

Residential Amenities

- 5.14 Given the nature of the proposed stable building officers are of the opinion that the proposed would not give rise to any adverse impacts in regards to neighbouring amenity.

Highways

- 5.15 The stable building has been located adjacent to the existing entrance to the paddock in order to minimize the need for additional hardstanding and driveways for vehicular access (e.g deliveries). Access would be via the existing access from The Heyes onto Churchill Road.

Flood Risk

- 5.16 The Parish Council have raised concerns in relation to the site falling within a flood risk area especially following a flood in March 2016. The area of the site where the stable building is to be sited falls within the Flood Zone 1 as identified by the Environment Agency flood maps. Therefore it is considered that a Flood Risk Assessment was not required in accordance with the Environment Agency's standing advice. However, Drainage have been consulted to ensure that there will be no detrimental impact in terms of run off from the development.

Conclusion

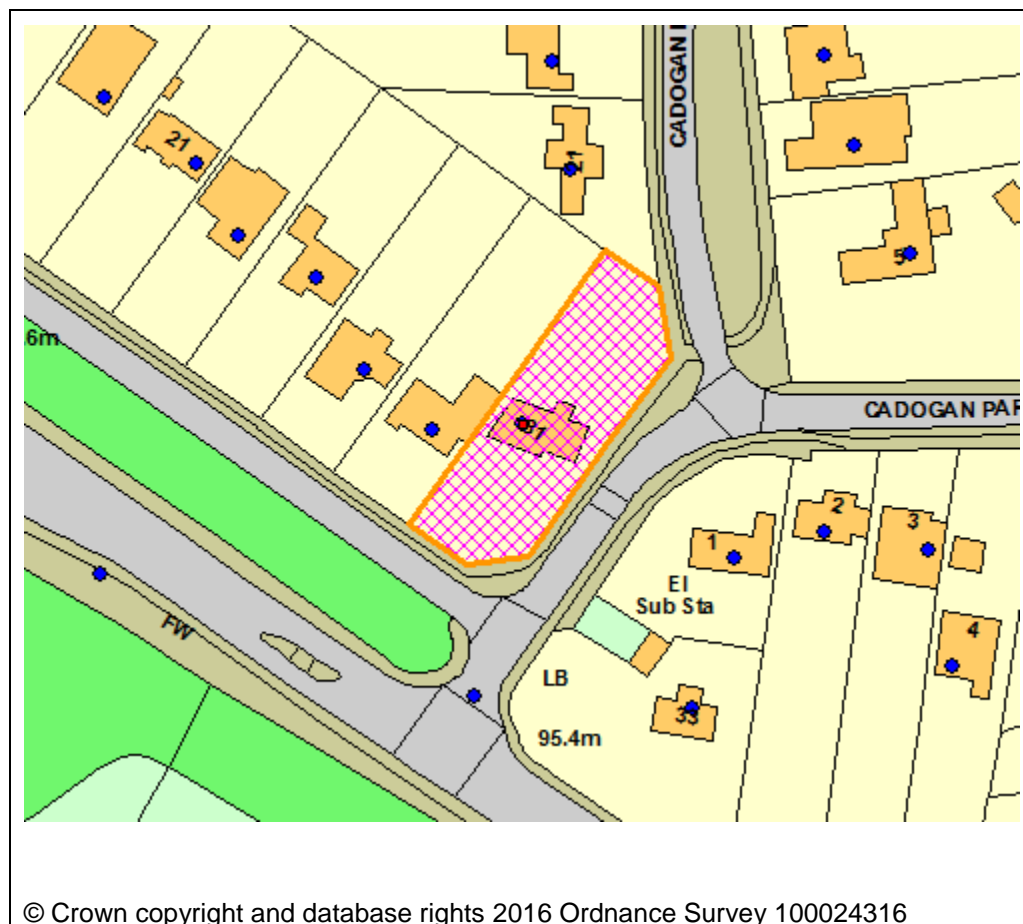
- 5.17 Subject to the drainage comments taking into account the above matters the proposal is considered acceptable on its merits and is therefore recommended for approval. The application complies with Policies OS2, OS4, EH1, EH8, H6 and T4 of the West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 The development shall be constructed with the materials specified in the application.
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
- 4 The stable building hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial purposes.
REASON: The application is not specific as to the proposed use and to prevent an unsuitable use in this location.

Application Number	19/01622/FUL
Site Address	31 Oxford Road Woodstock Oxfordshire OX20 1UN
Date	24th July 2019
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Woodstock Town Council
Grid Reference	444964 E 216511 N
Committee Date	5th August 2019

Location Map



Application Details:

Erection of replacement dwelling. (Amended)

Applicant Details:

Mr And Mrs Carlo Soave, 40 Common Road, North Leigh, Witney, Oxfordshire, OX29 6RB

I CONSULTATIONS

- 1.1 Town Council Woodstock Town Council object to this application as the roof line is considerably higher than the surrounding dwellings and the appearance disproportionate. They also made comment that the mature 2 trees in situ should be preserved.
- 1.2 WODC Drainage Engineers No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- 1.3 Conservation Officer Comments based on new plans submitted 23.07.19:
The main house is now somewhat improved, but I remain uneasy about the garage wing for two reasons, viz: 1) the stepped link remains, which is somewhat fussy - they need just one element here, and note that it could be wider than the narrower part; 2) the dormers need to be omitted from the garage - as they draw attention to what should be a secondary feature, and as they make the garage look like a stunted version of the main house.
- 1.4 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.
- 1.5 WODC Landscape And Forestry Officer No Comment Received.

2 REPRESENTATIONS

No representations received.

3 APPLICANT'S CASE

The overriding aim has been to design a new house of vernacular design and form, particularly incorporating features common to Woodstock. This includes steep gables, stone window surrounds on the front elevation and road side flank elevation and stone entrance porch. The resulting house is well-balanced, well-proportioned and of pleasing and harmonious appearance in the landscape.

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
T4NEW Parking provision
NPPF 2019
DESGUI West Oxfordshire Design Guide
EHI I Listed Buildings
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks permission for erection of a replacement dwelling
- 5.2 The application has been brought before Members of the Uplands Planning Sub-Committee for consideration as the Town Council objected on the grounds that the proposed is too high.

Background Information

- 5.3 The site is located on the main road into the historic town of Woodstock although separated from the main road by a line of mature trees and green open space. It is adjacent to the boundary wall of Blenheim Palace which is a World Heritage site and designated Park and gardens. The wall of Blenheim palace is listed in its own right.
- 5.4 The Council must have regard to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal which affects a listed building or its setting. Further to this the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application. In this regard the proposed alterations are not considered to have a detrimental impact on the setting of the listed building, given the nature of what is proposed and its location. As such, the setting of the listed building is preserved.
- 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:

Siting, Design and Form

Impact on the character of the area

Impacting on the setting of a Listed and Locally Listed Buildings

Principle

- 5.6 A large dwelling already exists on the site and this is considered to be a like for like replacement which is compliant with policy H2. Therefore, the principle of development is considered acceptable subject to design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031.

Siting, Design, Form and Impact on the character of the area

- 5.7 The proposed replacement dwelling lies predominately on the footprint of the existing dwelling, albeit rotated slightly so it is set square within the plot which officers consider acceptable.
- 5.8 In terms of design, the proposed two storey dwelling with dormers in the roof scape, with double garage attached by a link to the front of the property . The new property sits 1m higher than the existing dwelling however this increase is mainly due to the greater pitch to the roof which is a feature of the local vernacular of the West Oxfordshire District. Officers consider that due to the corner location and spacious plot size, this would not read as excessive in height or massing in comparison to the other dwellings in the immediate vicinity or out of character for the area and is therefore acceptable. Whilst the application does not specify a singular material , the two proposed materials of either stone or buff brick are considered to be

acceptable as both are found within the street scene surrounding this property and a condition has been added accordingly.

- 5.9 Following officers initial concerns regarding the rear elevation the applicant revised the scheme so that the east side elevation, which is most visible within the street scene, reads as a traditional gabled property with the roof lights also removed to ensure a simple design and form. Therefore in terms of design, officers consider the proposals to be acceptable.

Impact on the character of the area

- 5.10 The Town Councils objection is noted in regards to the proposed dwelling being too tall however the vernacular of the properties in the area varies widely and whilst this will be taller than its immediate neighbour, officers consider the property will not appear out of place within the street scene or within the setting of the Listed Building (the boundary wall of Blenheim Palace) because of the variation in form and height in the vicinity and the proposed vernacular steep pitch roof structure.
- 5.11 The spacing between properties, mature trees and boundary treatments (between the properties themselves and fronting the road), coupled with the varied build line means that the properties are read as separate and singular, with no direct comparisons between them as you travel the length of the street. Therefore on balance, officers consider the vernacular design and spacing between properties and the increase in height will not have a negative impact on the street scene or the Listed Building opposite and is therefore acceptable.

Highways

- 5.12 Highways raised no objection to the proposal as the plot offers an acceptable level of off street parking and garage spaces for a property of this size. Therefore is considered acceptable in this regard.

Residential Amenities

- 5.13 In terms of neighbouring amenity, the proposed replacement dwelling does not cause any additional adverse impact on the neighbouring properties or introduce any new opportunities for overlooking. Due to the orientation of the proposed new dwelling on the plot, it is considered not to cause any loss of light or overshadowing on the neighbouring property. Officers therefore consider the proposals acceptable in this regard.
- 5.14 There are several mature trees to the front of the site which make a positive contribution towards the street scene and the area as a whole. It is noted that the main trees are being maintained and protected during construction as advised within the tree report should be followed.

Conclusion

- 5.15 In light of this assessment, taking into consideration all of the above, this proposal is acceptable in accordance with policies OS2, OS4, H2, EH11 and T4 of the adopted Local Plan 2031, Relevant sections from the NPPF and West Oxfordshire Design Guide 2016.

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 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 development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
- 5 The development shall be carried out in accordance with the recommendations in Section 10 and 11 of the Tree Report SB/JS/587/TR by Sacha Barnes Ltd. No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with the report which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction'. The 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.
REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.