

Friday, 16 July 2021

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UPLANDS AREA PLANNING SUB-COMMITTEE

You are summoned to a meeting of the Uplands Area Planning Sub-Committee which will be held at the Council Chamber, Woodgreen Witney on **Monday, 26 July 2021 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Uplands Area Planning Sub-Committee

Councillors: Councillor Jeff Haine (Chairman), Councillor Julian Cooper (Vice-Chair), Councillor Andrew Beaney, Councillor Nathalie Chapple, Councillor Merilyn Davies, Councillor David Jackson, Councillor Alex Postan, Councillor Geoff Saul, Councillor Dean Temple and Councillor Alex Wilson

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the start of the meeting.

AGENDA

1. **Minutes of Previous Meeting (Pages 3 - 4)**
To approve the minutes of the meeting held on 28 June 2021.
2. **Apologies for Absence and Temporary Appointments**
3. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
4. **Applications for Development (Pages 5 - 88)**
Purpose:
To consider applications for development, details of which are set out in the attached schedule.
Recommendation:
That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.
5. **Applications Determined under Delegated Powers and Appeal Decisions (Pages 89 - 110)**
Purpose:
To inform the Sub-Committee of applications either determined under delegated powers and any appeal decisions.
Recommendation:
That the reports be noted.

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of Decisions of the meeting of the
Uplands Area Planning Sub-Committee
Held in the Council Chamber at 2.00 pm on **Monday, 28 June 2021**

PRESENT

Councillors: Councillor Jeff Haine (Chairman), Councillor Julian Cooper (Vice-Chair), Councillor Alaa Al-Yousuf, Councillor Andrew Beaney, Councillor Nathalie Chapple, Councillor David Jackson, Councillor Alex Postan, Councillor Geoff Saul, Councillor Dean Temple and Councillor Alex Wilson.

Officers: Abby Fettes (Principle Planner) and Kim Smith (Principle Planner (Enforcement)), Michelle Ouzman (Strategic Support Officer), Amy Bridgewater-Carnall (Senior Strategic Support Officer)

6 Minutes of Previous Meeting

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 1 June 2021, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

7 Apologies for Absence and Temporary Appointments

Councillor Alaa Al-Yousuf substituted for Councillor Merilyn Davies.

8 Declarations of Interest

There were no declarations of interest received.

9 Applications for Development

The Sub-Committee received the report of the Business Manager – Development Management, giving details of an application for development, copies of which had been circulated.

21/00494/FUL – Wigwell House, Banbury Hill, Charlbury

The Principle Planner (Enforcement), Ms Kim Smith introduced the retrospective application for the erection of a new dwelling (amendments to previously approved application 18/01583/FUL).

Ms Smith outlined the previous approvals on site, advised that the Parish Council had objected and she read out further comments received that day. Ms Smith advised that there was an eight degree difference in the orientation of the dwelling from the approved plans, along with a slight increase in width and length.

The following people addressed the Committee:

Mr Tony Merry on behalf of Charlbury Town Council - supporting, a summary of his submission is attached as an appendix to the original copy of these minutes.

Following questions from Councillors Temple and Postan regarding the access gate, the officer clarified that the conditions placed on the application would ensure the access gate installed at the southern end of the boundary fence would be provided in a useable condition and retained hereafter.

The Principle Planner (Enforcement) then presented her report containing a recommendation of approval subject to the conditions outlined.

Uplands Area Planning Sub-Committee

28/June2021

Councillor Beaney proposed that the application be granted and noted that there were no solar panels detailed on the plans. The Committee hoped they would see these added in due course, as per the original plans.

This was seconded by Councillor Cooper.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

21/01445/FUL – The Pentacle, Enstone Airfield North, Banbury Road, Enstone

The Principle Planner (Enforcement), Ms Kim Smith introduced the retrospective application for the conversion of existing buildings for the use of repair and upgrading of motor vehicles, vehicle storage and coach building.

She advised that there had been no objection received from the Parish Council and confirmed that a response had now been received from the County Highways department who had raised no objection.

The Principle Planner (Enforcement) then presented her report containing a recommendation of approval subject to the conditions listed in the report. She signposted Members to condition 2 which removed permitted development rights for other uses.

Councillor Beaney raised a query relating to the proximity of the car storage to a recent aircraft crash site, which could be an issue with regards to fuel storage. He also queried how close the shooting school was and was advised that the Environmental Health Officer had raised no objection.

Councillor Beaney therefore proposed that the application be granted and this was seconded by Councillor Postan.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

10 Applications Determined under Delegated Powers

Councillor Beaney raised a query relating to 'Diddly Squat' farm which had been the subject of a recent television documentary. He queried if the restriction on selling goods outside a sixteen metre radius had been investigated, following some of the statements made on the programme. Ms Smith confirmed that a number of planning breaches were being investigated on site.

Councillor Postan raised the issue of aerial photographs of the site recently visited by Members. He asked if any recent aerial surveys had been undertaken, for archaeological purpose or at low light. Mrs Fettes advised she would look into this.

The report giving details of applications determined under delegated powers was received and noted.

The Meeting closed at 2.38 pm

CHAIRMAN

WEST OXFORDSHIRE DISTRICT COUNCIL UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 26th July 2021

REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



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.

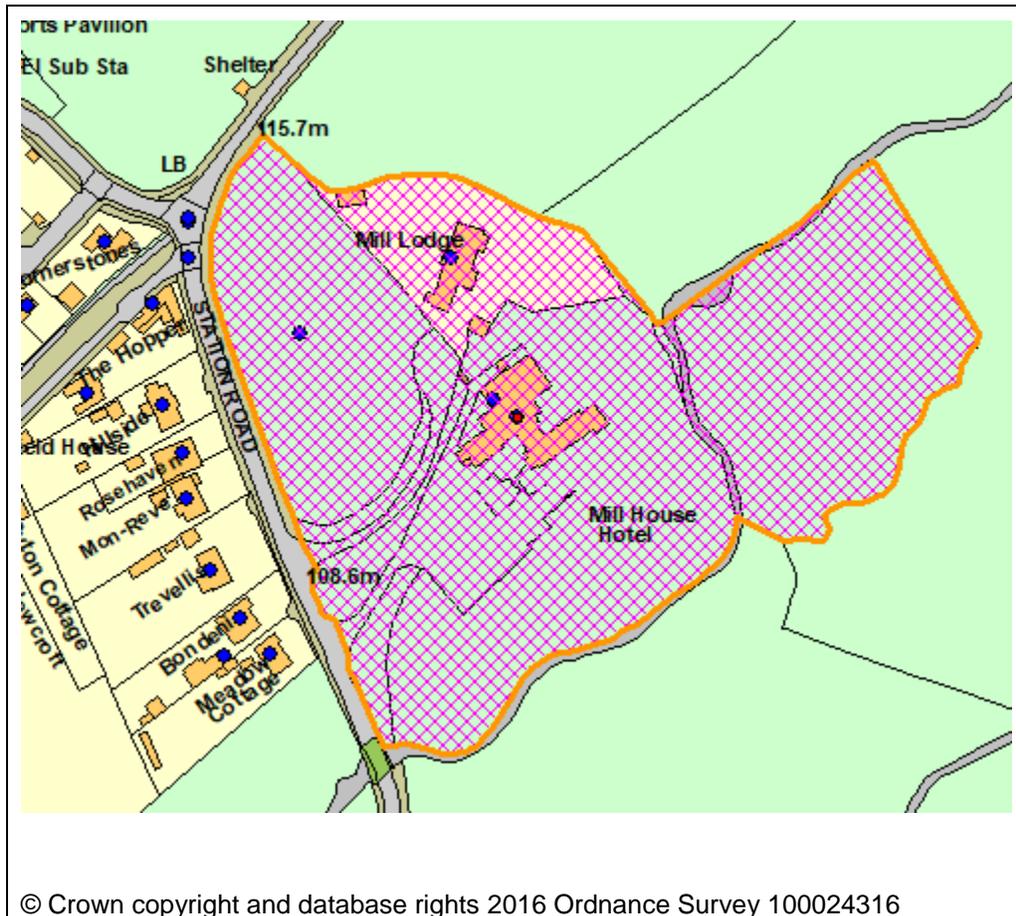
Please note that:

1. 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	Officer
<u>20/01165/FUL</u>	Mill House Hotel Station Road	Officer
<u>21/00898/FUL</u>	Barley Hill Farm Chipping Norton Road	Officer
<u>21/00985/FUL</u>	The Old Bank 16 Market Place	Officer
<u>21/00986/LBC</u>	The Old Bank 16 Market Place	Officer
<u>21/01204/FUL</u>	29 - 30 High Street Chipping Norton	Officer
<u>21/01205/LBC</u>	29 - 30 High Street Chipping Norton	Officer
<u>21/01443/FUL</u>	Land At Enstone Airfield North Enstone Airfield North	Officer
<u>21/01476/FUL</u>	Shabbanoneuk Park Close	Joan Desmond

Application Number	20/01165/FUL
Site Address	Mill House Hotel Station Road Kingham Chipping Norton Oxfordshire OX7 6UH
Date	15th July 2021
Officer	Joan Desmond
Officer Recommendations	Refuse
Parish	Kingham Parish Council
Grid Reference	425911 E 223437 N
Committee Date	26th July 2021

Location Map



Application Details:

Redevelopment of site to provide a new 33 bedroom hotel and ancillary facilities including restaurant, spa, gym, swimming pool, alehouse, bakehouse, and servicing together with associated parking and landscaping and reinstatement of former mill leat. (Amended plans and description).

Applicant Details:

The Mill
c/o agent

I CONSULTATIONS

Major Planning Applications
Team

Archaeology - Objection for the following reason - The results of an archaeological evaluation will need to be submitted prior to the determination of this application in line with the National Planning Policy Framework (2019), paragraph 189.

WODC Landscape And
Forestry Officer

1. Much reliance is placed within the assessment work on the function of the hedgerow growing along the north-eastern boundary as a visual barrier to mitigate the impact of the proposed development in views from within the Conservation Area and expansive views across the wider AONB landscape to the south. However, the detailed layout and mitigation proposals illustrate that due to its close proximity to proposed buildings, and the components of the hedgerow itself, it would be considerably affected by those works. This would lead to it being much less effective at its intended purpose in the short and longer term.
2. The close proximity of development to this vegetation leaves little room for construction activity and would lead to poor relationships between the new buildings and uses and this important vegetation. Notably, in relation to the prominent Oak tree (T52) which would be put at considerable risk. Whilst the Landscape Strategy drawing indicates 'Enhanced boundary screening to mitigate impact of proposed development' in practice there would be little room available in which new tree and hedgerow planting could mature into and reach sufficient scale to contain the development within a strong landscape structure.
3. The prominent row of mature ash trees growing along the western boundary are a characteristic feature of the surrounding landscape. However, the proposed layout sites car parking, an access road and housing immediately adjacent to them and well within the minimum recommended root protection zone. Despite the fact that special 'no-dig' techniques are said to overcome this it is highly questionable that this would result in a satisfactory relationship, even if the trees were to survive the pressures of construction activity. It should be noted that due to their current physical condition and the continued spread of Ash Dieback disease their future is far from certain and their potential absence in the landscape

should be taken into account as part of the overall visual assessment of the proposals.

4. In addition to the complications along the north-eastern boundary the landscape framework is quite weak at the point where the proposed development abuts the Conservation Area boundary along Station Road. Whilst a continuation of the existing roadside hedgerow is proposed there is little space for additional tree planting to soften the visual impact of this area and to help set the complex as a whole within a strong structure. Some tree planting is identified but conflicts with proposed car parking which would also be prominent in itself in this sensitive location for some time, until new planting had time to mature. It would appear feasible to relief pressure here, and along the main access road adjacent to the Ash trees, if all parking which is currently squeezed against the hedgerow were re-located to a landscaped courtyard within the open centre of the site.
5. In order to improve the appearance of the street scene around the existing access points there is an opportunity to consolidate the two entrances to one with good vision splays and turning arrangements. This would allow existing native species hedgerows to be linked up across the site frontage resulting in a smarter and less cluttered appearance.
6. I think there has to be some doubt about the feasibility of retaining many of the existing trees shown to be retained along the access drive (G30, G31 and G32). These look to be sited within a new footpath. Whilst clearly not all these trees should be seen individually as a major constraint the loss of many of them would remove a large amount of Day 1 greenery which may have a bearing on the overall assessment of the visual impact of the scheme. Note also the proposed location of a new foul sewer running about 1m parallel to the trees shown to be retained as shown on the proposed Drainage Strategy drawing.
7. If the scheme is to be approved I suggest conditions are required to bring together the various landscape and environmental components into one plan which can be detailed alongside ecological and drainage measures etc.

ERS Env. Consultation Sites

I have looked at it in relation to contaminated land and potential risk to human health. The information submitted with the application suggests that no fuels or potentially contaminating substances have been stored at the site and while I have no major concerns in relation to the land and the proposed development, I see that there is a charcoal yard present and a number of storage

containers within the yard. Given the size and nature of the development please consider conditions relating to potential contamination to any grant of permission.

WODC Business Development No Comment Received.

Parish Council

Overall, the Council welcomes the proposal to develop this site, and has no wish to see the site decay. Its redevelopment as a hotel is appropriate and there are many features to commend it. Other developments locally by Daylesford have been tasteful and ecologically sound, and their approach to this one is similar. We do, however, have significant concerns which should be addressed before any permission is granted.

- I. Scale This is a major development and the number of units is roughly double that of the previous hotel. Most of the development is on the field adjacent to Station Road, which has an existing planning permission for five houses, so 46 units is substantially denser than that. The NPPF (2019), paragraph 172, states that, for developments within an AONB, "Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

The scale is large in relation to a small village (Kingham has only about 350 houses) and hence is a "major development" as defined by NPPF. It will generate significant problems in relation to traffic, parking, sewerage etc. (see below). A reduction in size would make it a more acceptable development (as well as making it a more "boutique" hotel).

2. Parking This appears to be inadequate with 53 spaces for 52 bedrooms (there are 46 units, but six have two bedrooms). There is thus little or no space for staff parking and effectively none for visitors either to the guests, or coming to use the hotel facilities (see paragraph 5 below). In addition, there will be service staff for maintenance of the hotel facilities (plumbers, electricians, etc). The Design and Access Statement (p23) mentions "reducing as much as possible the car parking spaces on site by implementing a

minimum care use access strategy with (i) an electric shuttle bus linking the Railway Station, the centre of Kingham and the Daylesford Farm; (ii) off site car parking and valeting service; (iii) ample provisions of bicycles." There is little real discussion as to how this would work and how staff would travel and the Transport Statement (p8) is no clearer. Despite the laudable attempts to encourage visitors to come by train, many will want to visit local sites (Blenheim, Stratford, other villages etc.) so will want a car accessible. Whilst we welcome the opportunity for more local employment, inevitably many staff will come from other villages, Chipping Norton etc, and locally, public transport is poor. There needs to be a clear statement as to how staff will get on site (eg park on the main Daylesford site and be bussed down). The parking issue illustrates all too clearly the problems of a development on this scale on a relatively small site. It is noteworthy that in the "Hotel Viability Assessment", the comparator hotels are all on much larger sites.

3. Traffic: We are concerned about the impact on traffic through the village. The Transport Statement (paragraph 4.5) proposes a shuttle bus between Daylesford, the Mill House and the station, which would also be available to local residents. This is obviously welcome and would tend to reduce traffic but would need to be backed up with a timetable and a commitment that it would run indefinitely with any timetable changes being agreed with the Parish Council. Despite this, we have concerns about the total impact on traffic. For example:
 - a. Table 5.2 in the Transport Statement predicts for the hotel an additional 236 vehicle movements per day which, given that most would be between 8am and 8pm, amounts to one movement every three minutes, although one of their comparator sites (appendix 5) is a B&B in Arbroath, which to our certain knowledge is a very different environment to a village in the Cotswolds, so their figures are probably an underestimate.

In addition, the Parish Council has recently undertaken a traffic survey (along Station Road, next to the playing field) in which it was clear that the peaks are approximately 7.30am to 9.00 am, and 2.30pm to 5.30pm. The 85 per centile speed was 32mph and there were approximately 775 trips each way every weekday, thus there would be a significant increase in traffic.

- b. on deliveries, the Transport Statement (p8) says: "All deliveries (and refuse) for The Mill will be delivered and stored at Daylesford Organic Farm, located approximately 3.2km (2 miles) to the northwest of The Mill, which is also

within the applicant's ownership. Stock will be transported from the nearby Daylesford Organic Farm site to The Mill in smaller delivery vehicles as and when required. CEC Plan 6855/SPA/202(B): [Swept Path Analysis - Delivery Vehicle] included within Appendix I, shows the swept path for a 4.6t light transit van delivery vehicle, which is the maximum size of delivery vehicle anticipated to service the proposed development. The aforementioned plan demonstrates the manoeuvre for delivery vehicles accessing the site from Station Road, routing to and turning adjacent to the proposed loading/unloading delivery area at the back of house building and egressing the site." This arrangement is confirmed in the Design and Access Statement (p20, section 7). Whilst this is welcome in terms of avoiding a large number of delivery vehicles driving through the village, there is not attempt to quantify how much traffic would be generated by this light transit delivery vehicle - would it be travelling more or less continuously during the working day?

4. Effluent and Sewerage This is mostly covered in the "Flood Risk and Drainage Strategy" (FRDS).
 - a. Surface water We have concerns about this. The FRDS states that the buildings will be within flood risk 1 area which we accept, but the lower parts of the site (including the car park) are within flood risk 2 (annual risk of flooding between 0.1% and 1%) - we suspect that this underestimates the risk since they mention the 2008 flood without mention of subsequent flooding which has occurred since. They do, however state (paragraph 3.19) that in the event of a surface water flood the parking areas might be involved. The car owners deserve more reassurance than they seem to provide.

b. Foul water Paragraph 4.18 of the FRDS states that foul water would be discharged into the existing public sewer and that there will be discussions with Thames Water. Thames Water indicated that the recent building of Bury Road houses could be accommodated within the existing system, but residents of both Field Road and Station Road (living in the house opposite the Mill House) say that they smell of sewerage and the risk of back flow have increased and despite complaints over many years, Thames Water has not resolved the issues.

We recommend that discussions with Thames Water occur prior to permission being given and that a joint robust plan to deal with the sewerage issues is developed before the development is permitted.

5. Access There needs to be clarity on whether the hotel would be entirely restricted to guests or whether and which

parts would be open to non-residents. The Transport Statement (paragraph 5.6) states, "The development proposals also include a restaurant (80 covers), ale and bake house, spa, gym and swimming pool. All of these proposed uses will primarily be ancillary to the proposed hotel for the primary use of guests staying in the hotel. As such, these proposed uses are unlikely to generate a significant volume of vehicle trips in their own right." The Planning Statement (paragraph 9.40) says, "The bake and ale house will be open to local residents, providing alternative and expanded retail and public house facilities to those existing in the village." The Hotel Appraisal (p32) implies that the spa would be for hotel guests only but "in a similar vein the restaurant should compliment (sic) the holistic nature of the resort and can serve not only as the dining point of convenience for hotel guests but also a dining option for day visitors and the local community." The hotel could make a very real contribution to the local community and we would suggest that there be a clear commitment that the bake and ale house as well as the restaurant are open to local residents and that consideration be given to opening the spa and pool to local residents, perhaps on a membership basis.

6. Staff As previously stated, we welcome the employment opportunities that this hotel will offer. From the documentation, we are uncertain how many staff will be required - the Planning Statement (paragraph 9.59) says 33, the Hotel Viability Assessment (p48) says 80. We have little expertise in this area, but suspect it will be closer to the latter figure. Clearly most will not be existing Kingham residents (albeit hopefully some will), but they will have to live in the area. Daylesford already owns a considerable number of properties in the village, either as supplementary accommodation for the Wild Rabbit or staff accommodation. Given that there are also many second homes in Kingham, the lived-in character of the village that is the attraction for visitors (including those coming to the Daylesford properties), is endangered. We therefore hope that the Daylesford Estate could enter into a dialogue with the village (through the Parish Council) to address the very real problems of finding affordable accommodation for their staff.

7. Construction This will be a major construction site and will need a detailed construction plan. We are pleased to see a commitment in the Transport Statement that all construction traffic should be directed to enter the village from the south and so avoid the centre of the village. From experience with previous construction sites within the village, we would wish that there was a clear plan as to how this will be policed as well as a clear commitment that all construction traffic will park on-site (Station Road is entirely unsuitable for parking on). Even with this traffic plan there would be

significantly increased traffic through other villages (eg Churchill and Bledington) and this would need to be managed.

Cotswolds Conservation Board

Unfortunately, the Board does not have capacity to comment on this planning application at this time.

This should not be taken as an indication that the Board does not consider that the proposed development would have any adverse impacts on the Cotswolds AONB.

In making your decision on this planning application, please have regard to:

- The statutory duty of regard (S.85 of the Countryside and Rights of Way Act 2000)
- The policies of the Cotswolds AONB Management Plan 2018-2023
- Relevant guidance and position statements published by the Cotswolds Conservation Board.

WODC Env Health - Uplands

There is no noise assessment of mechanical plant (HVAC) or kitchen extract noise and no assessment of the filtration methods to abate commercial kitchen cooking odours. Some commentary on both would be very useful to inform a consultation response. Could this be requested?

Biodiversity Officer

Further information is required.

Thames Water

No objection subject to conditions.

Conservation Officer

No Comment Received.

Environment Agency

Object - In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

We object to the proposed development as submitted because it involves the use of a non-mains foul drainage system but no assessment of the risks of pollution to the water environment has been provided by the applicant. We recommend that planning permission should be refused on this basis.

Newt Officer

Further information is required to assess the potential impacts of the proposed development on great crested newts (GCN).

Major Planning Applications Team

No Comment Received.

Conservation Officer

No Comment Received.

WODC Landscape And Forestry Officer

No Comment Received.

Parish Council

No Comment Received.

Biodiversity Officer	<p>Following on from my previous comments on the above planning application (application no. 20/01165/FUL), I have reviewed the BNG Assessment (prepared by ADAS and dated March 2021), alongside the metric calculations, as well as the amended Preliminary Ecological Appraisal (prepared by ADAS and dated July 2019) and Ecological Impact Assessment (prepared by ADAS and dated April 2020). Additional information is still required.</p>
Environment Agency	<p>The amended details satisfactorily address our earlier concerns. Subject to recommended conditions, we therefore withdraw our previous objections. Our previous objections related to increases in flood risk and lack of detailed information on foul sewer network capacity.</p> <p>The updated Flood Risk Assessment (FRA) is supported by detailed fluvial modelling. Due to characteristics of the development site and the development being proposed, we have taken a decision in this individual case that it is not necessary for us to undertake a detailed review of the hydraulic modelling.</p> <p>We are satisfied that the FRA has considered the likely impact of increased flood levels as a result of climate change and that the built development being proposed lies outside of the 1% annual probability flood extent with a 35% allowance for climate change and therefore no loss of floodplain storage is expected. The bridges that were previously proposed to cross the Cornwell Brook have been removed from the submitted plans which further reduces the risk of flooding both to and from the development site.</p> <p>The FRA also includes details of Thames Waters' confirmation that there is sufficient capacity in the foul network to receive foul drainage from this development.</p>
Major Planning Applications Team	<p>OCC Highways - No objection subject to legal obligations and planning conditions as detailed in the county council's original response.</p> <p>LLFA - No objection subject to conditions</p>
Parish Council	<p>No Comment Received.</p>
Conservation Officer	<p>This latest amended scheme is certainly the most promising yet, with a somewhat reduced amount of new building - although it remains a very significant development in a somewhat sensitive location.</p> <p>Dealing first with the impact on the historic mill, I think that stripping away of the various accretions is very much to be welcomed, as is reinstatement of the mill leat. I also think that the</p>

proposed new additions are along the right lines, with main addition being set to the north. However, in my view the thatched reception building is too tall - the ridge being higher than that of the mill - and it needs lowering considerably. I also think that the ale/bake house is too tall - and in addition its tall and long glazed south-east elevation will be prominent day and night in views from the south. Also in fairly close proximity is the sizeable spa building, although now somewhat lower, and making less of an impact than previous iterations.

Turning to the wider site, I note that the built development has been kept away from the lower riverside land, which is to be welcomed - although the car park remains to the south-west of the mill and prominent - and I still think that this should be set within the built development to the north, reducing the urbanising effect. The proposed development along the west boundary to Station Road is of two storey, with neo-cottage forms, and it arguably equates to the approved dwellings here. However, it returns parallel to the recreation ground at the north end, and returns into the site at the south end, where there is a further sizeable 'V' plan range - again of two-storey neo-cottage form. Arguably, it is this development in the core of the site that is most problematic, tending to urbanise what is currently a largely open area. So, I would tend to diverge from the HS conclusions below. With respect to the historic mill, I think that as currently proposed the scheme replaces one set of compromising additions with a new set – although if the proposed buildings were significantly lowered, and the south-east facing glazing mitigated, as above, I think that the change might be supportable, subject to details. With respect to the impact on the CA and the wider area, accepting that buildings have been approved along the west boundary of the site, it nonetheless seems likely that the proposed buildings within the site would be transformative of the largely rural views from the south boundary of the CA to the south, and of views towards the CA from the southern approaches, and across the river valley.

WODC Landscape And
Forestry Officer

No Comment Received.

Cotswolds Conservation
Board

I have still not had capacity to provide a full response to this consultation. As the next few weeks are looking very busy, I now doubt if I will be able to provide a full response.

Cotswolds Conservation
Board

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.² The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with

relevant national and local planning policy and guidance; and (ii) take into account Board publications.

WODC Planning Policy
Manager

Based on the above, the current proposal (which I note is a scaled down version from the original 46 bed hotel) constitutes major development in my opinion and the resulting impacts remain significant.

Biodiversity Officer

No Comment Received.

Major Planning Applications
Team

OCC Highways - Objection for the following reasons:
- Evidence is required to demonstrate that large emergency vehicles can safely enter and turn within the site, reaching within 45m of the entrance of every building. Without this information it has not been demonstrated that the development provides safe and suitable access, as required under the NPPF, and the county council must object to the application.

LLFA - Objection. Key issues:
None of the comments addressed in the previous submission have been taken into account in the new submission.

County Archaeological Officer - Objection for the following reason:
The results of an archaeological evaluation will need to be submitted prior to the determination of this application in line with the National Planning Policy Framework (2019), paragraph 189.

WODC - Arts

No Comment Received.

2 REPRESENTATIONS

2.1 Full details of all representations received can be found on the Council's website.

2.2 Fifteen Letters have been received objecting to the application, a summary of the objections raised are provided below:

- Inappropriate size and scale
- Shuttle bus service would be of limited use
- Increasing demands on infrastructure such as waste and sewage disposal and flooding risk
- Community will become more transient
- The village is not big enough to have a hotel of this size and all of traffic which would be using it.
- Increase in traffic will affect Kingham and other villages
- lack of on-site parking
- Noise concerns
- Ecological and historical negative impacts
- Over intensification of the use of the site
- Very dense and intense development of an area of land which is not big enough to accommodate so many units without there being a significant impact upon the surrounding area and the village. The

previous development that allowed for detached dwelling houses represented a much more acceptable proposal in keeping with the village identity of Kingham.

- There will be an inordinate influx of people directly to the proposed development based upon the facilities offered, but there will also be a movement within the village between those units of accommodation and establishments as well as those outside the village which will have an impact upon the infrastructure serving the village and affect the amenity and enjoyment of the permanent residents of Kingham.

- Loss of amenity due to noise and traffic
- Contrary to NPPF as major development in the AONB
- Not established a need or benefit to the local community
- Design Concerns as unacceptably high density and over-development of the site
- Road safety concerns
- Harmful to character of the village
- The new hotel is likely to add to the amount of housing stock used to house staff, thus reducing the local resident numbers even further. The overall impact of the housing used for hotel guests plus the housing used for hotel staff plus the second homes, means the number of houses lived in by permanent residents is small and decreasing. The proposed development is likely to increase this problem, damaging further what was once a lively and thriving village community.

- Concern relating to access to the public footpath while construction work is in place
- Will protect and enhance this important part of the village

2.3 Nine Letters of support received, summarised below:

- The existing property at The Mill is derelict and falling apart and has been somewhat of an eyesore on the landscape for a long time now. Kingham is indeed lucky to continually enjoy the interest of the Bamford Family who bring valuable and sensitive development to this part of the world and generate much-needed sustainable employment and high-value tourism with its significant economic multiplier impact which will bring employment and new spending benefits the area.

- The design and layout of the proposed development will blend in with the village

- Adequate parking appears to have been provided and the site is easily accessed and located outside the centre of the village of Kingham (and close to the station) and should thus have a low level of impact on the traffic in this area.

- Landscaping proposals thoughtfully conceived and will enhance the built form of the development and upgrade the site substantially from the current state of neglect and disrepair.

- For this proposition to be viable, one needs to develop the number of rooms that have been applied for, along with the other attractions that will make The Mill development a destination that will attract the support and customers looking for a high-quality experience that does not currently exist on a viable scale in Kingham and surrounds.

- In this terrible post COVID-19 environment that we are entering now, it is my firm belief that we desperately need the job creation and economic stimulus that such a development will contribute to this region.
- The free electric bus service to the station from Daylesford via the Mill House is welcome

2.4 One letter has been received that is generally in support of the application but raises a number of queries relating to additional land ownership and potential further expansion proposals and other matters such as provision for staff accommodation and parking.

2.5 A further letter has been received with the following comments:

- This revised proposal which does not address any of the objections made to the earlier proposal.
- Purchase of cottages by Daylesford interests for holiday accommodation leading to congestion and parking problems. More cottages that were previously used for staff are now being emptied. We are told these staff cottages are also to be converted to holiday cottages. The overall effect of all this on Kingham village is sadly negative.
- several major instances with sewage problems in the village. Until Thames Water get a grip on pumping capacity so they can guarantee there will no longer be overflows into the brooks from West End/Cozens Lane, and from the Mill Hotel pumping stations, no further development should be allowed.
- One of our major concerns about the plans last summer related to lack of onsite parking and staff accommodation. We cannot see that the revised plans have addressed those concerns at all.
- The current application is clearly only a small part of the scheme envisaged in the feasibility study. The plans do not detail all the land owned by the applicants.
- There can be doubt that the development being proposed of a 33 bed hotel still constitutes a major development on the edge of Kingham and in the AONB. It should therefore be rejected. The only grounds for accepting it would be if the development met a local need. It clearly does not do that. Kingham and area are already suffering from the effects of too many hotel and self-catering beds; the area does not need more. There is already a shortage of staff, made worse by the loss of European staff, and the proposals will compound that problem. This is bad for other local businesses in hospitality (all facing staff problems) and for care homes and social services, all also struggling to recruit. The proposals do nothing to alleviate the problems for housing demand by creating lots of new jobs with no provision for staff accommodation or parking.
- We have noted the objections on environmental and archaeological grounds, none of which are addressed in this new application.
- We have also noted the suggestion that Section 106 money be devoted to improving the bridle path from Daylesford to Kingham. Unless this is made into a footpath only, we oppose any such move.

3 APPLICANT'S CASE

3.1 The submitted Planning Statement concludes:

The principle of redeveloping the site for hotel and associated hospitality uses is acceptable in policy terms and given the site's existing hospitality use and previous planning permissions for the expansion of the hotel.

It is not considered that the proposal constitutes major development in the Cotswolds AONB, given the existing and consented uses and built form of the site, the scale of additional development proposed and the site context. However, the exceptional circumstances and public benefits of the proposals have been set out and the three criteria set out in paragraph 172 of the NPPF are met. The principle of the redevelopment of the site is therefore acceptable.

The design of the proposals has been carefully considered, taking into account the site's characteristics and surrounding context. The scale, form and layout are appropriate to these characteristics and will create a high-quality development in design and sustainability terms.

The proposed development has appropriately considered the significance of heritage assets and will not cause any harm to the identified significance of designated or non-designated heritage assets.

The proposed development responds to its local landscape context and the characteristics of the AONB and incorporates landscaping to mitigate any potential landscape impact. It will not cause harm to the special landscape qualities or scenic beauty of the Cotswolds AONB.

Transport, flood risk and drainage matters have been appropriately assessed by technical consultants and there are no issues which would preclude development. The development will not have an unacceptable impact on highway safety and will not increase flood risk on the site or surrounding area.

The ecological potential of the site has been identified through habitats and species surveys, and appropriate mitigation and enhancement measures will ensure there is no harm to protected species and that an overall biodiversity enhancement can be achieved on the site.

A tree survey and Arboricultural Impact Assessment has been carried out to identify the potential impacts on trees. Minimal tree removals are proposed, and tree protection measures will ensure the protection of retained trees on the site which may be impacted by the proposals.

The public footpath will remain in situ and will not be affected by the proposals.

The planning application includes all the technical and environmental reports required to appropriately assess the proposed development, and the Planning Statement provides the assessment of the proposal against the Development Plan. Overall, the proposed development is in accordance with the Development Plan and the NPPF.

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

E4NEW Sustainable tourism

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH1 Cotswolds AONB
EH3 Biodiversity and Geodiversity
EH7 Flood risk
EH9 Historic environment
EH10 Conservation Areas
EH8 Environmental protection
EH3 Biodiversity and Geodiversity
EH13 Historic landscape character
NATDES National Design Guide
DESGUI West Oxfordshire Design Guide
EH7 Flood risk
EH8 Environmental protection
EH9 Historic environment
EH10 Conservation Areas
EH12 Traditional Buildings
EH13 Historic landscape character
EH16 Non designated heritage assets
DESGUI West Oxfordshire Design Guide
NATDES National Design Guide
EH11 Listed Buildings
E5NEW Local services and community facilities
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

5.1 The application seeks planning permission for the redevelopment of the site to provide a new 33 bedroom hotel (Class C1) and ancillary facilities including restaurant, spa, gym, swimming pool, alehouse, bakehouse, and servicing together with associated parking and landscaping and reinstatement of the former mill leat. The application has been amended to reduce the amount and size of guest accommodation; changes to the spa building (B); reduction and reconfiguration of the parking provision and omitting the new bridges and leat connection to the Brook. The leat will be reinstated but it will be ornamental.

5.2 The site is located on the south western side of the village of Kingham and is approximately 3.1Ha in area. It comprises the former Mill House Hotel, the Mill Lodge which is in residential use and surrounding land including a field to the east. The site is located within the Cotswolds AONB and adjoins the Kingham Conservation Area. Parts of the site lie within Flood Zones 2 and 3. The Cornwell Brook, a tributary of the Evenlode River crosses the site. A public footpath (267/1) runs through the site from south east to north west round the front of the existing hotel and Mill Lodge.

Planning background

5.3 There is a detailed planning history for the site which principally relates to works/extensions to the hotel premises and conversion of The Mill Lodge to be used as conference rooms, expanding the hotel facilities on the site.

5.4 An application for demolition and redevelopment to provide a care community within Use Class C2, comprising 85 care apartments, together with communal facilities, landscaping, parking and other associated works (17/04022/FUL) was withdrawn in 2018.

5.5 The north western part of the site has an extant planning permission for five dwellings (16/01522/FUL).

5.6 This application has been submitted following pre application advice for the redevelopment of the Mill House Hotel site to provide a new hotel and associated facilities (Ref: 19/02229/PREAPP).

5.7 An extension of time for the determination of the application has been agreed to allow amended plans and additional information to be submitted and considered to try and resolve issues raised. The application was initially brought before the sub committee on 1st June 2021 where a site visit was proposed to allow Members to consider the issues on the ground. This took place on 24th June 2021.

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
- Layout, design and scale
- Impact on the Cotswolds AONB
- Impact on Heritage Assets
- Accessibility/Highway Issues
- Flood Risk/Drainage
- Neighbouring amenity
- Biodiversity

Principle

5.9 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.

5.10 In terms of the principle of this development, the main relevant policies are OS2 (Locating development in the right places) and E4 (Sustainable Tourism). Policy OS2 states that villages, such as Kingham, are suitable for limited development which respects the character and local distinctiveness and would help to maintain the vitality of these communities. 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.
- (iii) Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- (iv) As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
- (v) Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- (vi) Not be at risk of flooding or likely to increase the risk of flooding elsewhere;

- (vii) Conserve and enhance the natural, historic and built environment;
- (viii) In the AONB, give great weight to conserving landscape and scenic beauty and comply with national policy concerning major development

5.11 Policy E4 seeks to support tourism and leisure development which utilises and enriches the natural and built environment. Proposals in the Cotswolds AONB should conserve and enhance the landscape quality and biodiversity of the area and support the objectives of the Cotswolds AONB Management Plan and Sustainable Tourism Strategy. The design approach to the redevelopment scheme is influenced by the historic importance of the original mill building which it is intended to retain.

5.12 On the basis of the policies outlined above and given the existing use of the site as a hotel (albeit presently unoccupied), the principle of the re-development of the site to provide new hotel facilities is considered to be acceptable. The main issue relates to the scale of the proposed development, given its location within the Cotswolds AONB, which is addressed in more detail below. The detail of the proposal is also assessed against the general principles of Policy OS2 of the Local Plan below.

Layout, Design and Scale

5.13 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policy OS2, as detailed above, sets out general principles for all development including that it should be proportionate and appropriate in scale to its context having regard to the potential cumulative impact of development in the locality. Policy OS4 of the Local Plan encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the recently published National Design Guide.

5.14 The Design and Access Statement (DAS) advises that the layout has been developed by retaining the Mill building and enhancing it by removing all recent extensions; siting the front of house facilities to the south as a series of interlinked buildings located around the Mill building and siting the accommodation and the back of house facilities building to the north west of the site. The Planning Statement advises that the layout of the development has taken into account the characteristics and topography of the site and existing and extant built form with sensitive areas of the site with high landscape and ecological character being avoided, such as the area south of the Mill House buildings and the eastern field. Previously developed areas of the site including around the Mill House building and Mill Lodge and along the north western part of the site where the extant planning permission are the focus for the built form of the development.

5.15 The number of guest bedrooms has been reduced from 46 to 33 with additional facilities provided including a spa, pool, restaurant, alehouse and bakehouse. The main changes to the plans include:

- o Removal of guest accommodation block E.1B
- o Reduction in size of guest accommodation blocks E.1A and E.1C
- o Splitting guest accommodation block E.1D into two
- o Changes to spa building (B) - removal of majority of first floor, reduction in height
- o Reduction and reconfiguration of parking

5.16 The DAS advises that the main site axis will run north-south along the route of the public footpath with a secondary axis running west east complimenting the existing site access. A route will also run around the edge of the accommodation blocks to allow access and servicing of these buildings. The existing car parking area is to be reconfigured with car parking provision off the access road along the western edge of the site. The historic elements of the Mill House Building are at the centre of the proposed development and the proposal seeks to enhance the site's links to its past uses by retaining the Mill House building and public footpath link to the village and the reinstatement of the leat. It is also stated that the proposed development is reflective of the local context in terms of materials and form.

5.17 Notwithstanding, the amendments to the scheme including a reduction in the amount of guest accommodation, the scale of the development is not considered to be proportionate and appropriate to its context. The proposal would introduce a significant amount of built form onto land that is largely devoid of structures. The presence of the buildings and access roads, associated lighting, activity and vehicles would dramatically change and diminish the open character of the northern part of the land. Whilst it is acknowledged that there is an extant planning permission for 5 detached dwellings on the north western part of the site, this development is more centrally spread out on the land. In contrast the new development is more continuous (terracing) and runs along the whole of the western edge of the land (along the roadside) and turns the corners extending along the southern and northern boundaries. Similarly, the present low key bungalow (Mill Lodge) located on the north eastern part of the site will be replaced with a terrace of buildings of greater height (Two storey) close to the boundary with limited open space remaining.

5.18 The resultant scale of development on this sensitive outer edge of the village which adjoins open countryside to the south and east and the recreation grounds to the north would be harmfully and inappropriately disproportionate to the existing built form and character of this part of the village.

Impact on the Cotswolds AONB

5.19 The site lies within the Cotswolds AONB, a nationally important designation, where great weight should be given to conserving and enhancing landscape and scenic beauty. This duty is reflected in policy EHI of the local plan and the NPPF which require great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. This duty is also embodied in the Countryside and Rights of Way Act 2000. The Cotswolds Conservation Board's Management Plan and guidance documents are also material considerations in decision making relevant to the AONB. The Cotswolds Conservation Board has been consulted but has advised that it does not have capacity to comment on this planning application at this time.

5.20 Paragraph 172 of the NPPF advises that 'The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.' Consideration of such applications will need to include an assessment of the following:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Exceptional circumstances case

5.21 In this case, the agent has sought to argue that the proposed development is not 'major', given the existing and consented uses and built form of the site, the scale of additional development proposed and the site context. The NPPF sets out that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. The applicant has submitted Counsel's opinion which advises that 'net scale' should be considered in the light of existing development on the site including elements to be removed/replaced. However, in the officers opinion, this would not include extant or previously consented schemes that have now expired as the applicant is seeking to argue. Given the nature, scale and sensitive rural setting of this site, it is Officer opinion that this development is 'major' and as such exceptional circumstances would need to be demonstrated.

5.22 Notwithstanding the applicant's view that the development is not 'major', the case put forward in support of the application is summarised below:

a) Tourism is a key contributor to the Oxfordshire economy and the Cotswold AONB Management Plan identifies that it is of major importance to the economy of the Cotswolds AONB. Sustainable tourism is also supported by Local Plan policy and the proposed development will conserve and enhance the qualities of the Cotswolds AONB. The existing hotel is not viable and the need for further development to secure the long-term viability of the hotel has been evidenced. Will deliver significant economic benefits and will assist in meeting strategic tourism objectives. If development is not permitted to secure the viability of a hotel business in this location, then the site will likely be repurposed for alternative uses and the economic benefits that the overnight accommodation brings to Kingham and the wider local economy will be lost.

b) There is sustained and continued demand for tourist accommodation in West Oxfordshire and the Cotswolds AONB which is only likely to increase. Identifying suitable sites to provide such accommodation within these areas is extremely difficult. The site is a rare brownfield site with significant potential to be redeveloped to meet this demand for overnight accommodation. Local Plan policy seeks to resist the loss of employment sites. There is no opportunity to develop outside of the AONB.

c) Various measures will reduce the environmental impact of the development. This includes the use of Daylesford Farm as a hub for the servicing of the site, reducing the number and size of vehicles needing to access the site for delivery, laundry, and refuse purposes. Guests will be encouraged to take advantage of discounted rates for not travelling by the private car, and significant bicycle parking provision will facilitate this as a mean of transport. The proposed redevelopment is unlikely to significantly affect the wider landscape setting or indeed Kingham itself. The scale of the change is not perceived as being of a level to create a significant effect on the special landscape qualities of the Cotswolds AONB. It is also argued that wider recreational opportunities will be increased by the development by use of the free shuttle bus.

5.23 The evidence on viability depends on a report prepared in 2017 relating to a scheme to redevelop the site for a Care Home. No updated viability evidence to support this application has been provided. The only document submitted is a feasibility study for a hotel concept such as a health/lifestyle retreat. Even this study does not accurately reflect the development being proposed and is based on a different scheme and site of 40 acres (16 ha) whereas the application site measures only 3.1ha. The Design and Access Statement (DAS) also appears to provide conflicting evidence in that it states that an independent study to assess what would be required to transform the existing Mill Hotel into a commercially viable rural hotel identified a minimum amount of accommodation that would need

to be provided would be 46 rooms/suites. Despite this study the application has been amended to reduce the number of rooms/suites from 46 to 33 which raises queries over the viability issues raised. Viability issues have been queried with the agent but no response has been received. In terms of point b) the arguments focus on the benefits of the existing site and no consideration has been given to why the scale of this development is necessary in this AONB location nor whether there are alternative sites that could accommodate this form of development. The agent has submitted Counsel's opinion which argues that factors such as the need to undertake the overall balancing exercise weighing both positive and negative features; the 'previously developed' nature of the site and the support for tourism development in principle in the AONB, may mean that little weight should be given to any alternative site search outside the AONB and that such a failure to look outside the AONB is not a matter which should weigh strongly against the proposal in the overall 'exceptional circumstances' balance. Whilst this may be the case in terms of the consideration of alternative sites, there has been no response on why the scale of this development is necessary in this AONB location. In terms of point c), various measures are suggested to reduce the environmental impact of the development and increase recreational opportunities but no mechanism for the delivery of these measures has been suggested or agreed. For instance, it is argued that Daylesford Farm would act as a hub for the servicing of the site but it is unclear how such a servicing arrangement would be controlled and managed should permission be granted. Similarly, OCC as detailed below in the highway section, has raised queries over the proposed shuttle bus service. The argument that the proposed development is unlikely to significantly affect the wider landscape setting or indeed Kingham itself is also disputed as set out in more detail below.

5.24 As well as demonstrating exceptional circumstances, the NPPF also requires that it must be demonstrated that the development is in the public interest. It is argued that the number of benefits that will be secured by the proposals demonstrate that it is in the public interest. These benefits included:

- Retention of this long-standing hospitality use on the site which provides significant employment and economic benefits adjacent to the village. If a commercially viable use cannot be found then the hospitality use will be lost and the existing buildings and site will fall into poorer condition.
- the provision of a free shuttle bus to serve the site, railway station and Daylesford Organic Farm.
- Expanded retail and public house facilities
- Employment opportunities
- Heritage benefits including reinstatement of the mill leat and retention of the historic core of the Mill building. Social and community benefits by better revealing the history of the site.

In conclusion, whilst it is not disputed that the existing hotel facilities will need investment including modernisation works and that the proposal would bring benefits, it has not been demonstrated that an alternative smaller scale hotel development is unviable (e.g. Boutique hotel concept) or that there is a need for this scale of development. Also no other sites (outside the designated area) have been considered. This is major development within the AONB and no convincing evidence has been submitted to demonstrate that exceptional circumstances apply in this case to justify the development.

Landscape Impact

5.25 This is a large site on the edge of Kingham, with a low proportion of built development to green space. It provides a soft edge to the village, surrounded by countryside/open space on all sides other than to the west.

5.26 The Landscape and Visual Impact Assessment submitted with the application concludes that the chosen building materials and method of which they will be implemented, and the composition that the buildings will adopt will go a long way to reducing the visual impact of the development over time. No physical works are required beyond the application site boundary as part of the proposed development. The fabric of the landscape surrounding the application site would remain physically unaffected with the proposals in place. The existing access points will be retained. Whilst receptors north of the site have a higher sensitivity to visual change resulting from the proposals, these views will be mitigated to an acceptable level by Year 10 by extending the existing hedge, and additional tree planting. The visual assessment demonstrates that views of the proposed development from within the wider landscape would be restricted by intervening landscape features and the proposals would not give rise to any important levels of effect. Where evident, the proposed development would be viewed only at close proximity, as discrete elements rather than in full entirety. Typically, where visible, the proposals would be viewed in the context of existing residential development thus limiting effects. Existing vegetation and built form beyond the Application Site would act to filter or partially filter many views of the proposed development. Mitigation measures in the form of new tree and shrub planting would reduce the level of visual effects of the scheme and will further mitigate any effects on site character. Once established, planting will mature and become more effective over time, diminishing the level of effect further by Year 10. At Year 1, effects on site character are assessed as being moderate, reducing to minor by Year 10. Effects on the wider landscape are assessed as minor adverse at Year 1, becoming beneficial by Year 10. In conclusion, whilst the proposed development will result in some levels of effect on the site landscape character and a small number of visual receptors north of the site, these effects are very localised and will be mitigated to an acceptable level, strengthening the landscape resource in the long-term, and providing greater community benefit.

5.27 The comments of the Council's Landscape Officer (LO) are detailed below:
'Much reliance is placed within the assessment work on the function of the hedgerow growing along the north-eastern boundary as a visual barrier to mitigate the impact of the proposed development in views from within the Conservation Area and expansive views across the wider AONB landscape to the south. However, the detailed layout and mitigation proposals illustrate that due to its close proximity to proposed buildings, and the components of the hedgerow itself, it would be considerably affected by those works. This would lead to it being much less effective at its intended purpose in the short and longer term. The close proximity of development to this vegetation leaves little room for construction activity and would lead to poor relationships between the new buildings and uses and this important vegetation. Notably, a prominent Oak tree (T52) would be put at considerable risk. Whilst the Landscape Strategy drawing indicates 'Enhanced boundary screening to mitigate impact of proposed development' in practice there would be little room available in which new tree and hedgerow planting could mature into and reach sufficient scale to contain the development within a strong landscape structure.

The prominent row of mature ash trees growing along the western boundary are a characteristic feature of the surrounding landscape. However, the proposed layout sites car parking, an access road and housing immediately adjacent to them and well within the minimum recommended root protection zone. Despite the fact that special 'no-dig' techniques are said to overcome this it is highly questionable that this would result in a satisfactory relationship, even if the trees were to survive the pressures of construction activity. It should be noted that due to their current physical condition and the continued

spread of Ash Dieback disease their future is far from certain and their potential absence in the landscape should be taken into account as part of the overall visual assessment of the proposals.

In addition to the complications along the north-eastern boundary the landscape framework is quite weak at the point where the proposed development abuts the Conservation Area boundary along Station Road. Whilst a continuation of the existing roadside hedgerow is proposed there is little space for additional tree planting to soften the visual impact of this area and to help set the complex as a whole within a strong structure. Some tree planting is identified but conflicts with proposed car parking which would also be prominent in itself in this sensitive location for some time, until new planting had time to mature. It would appear feasible to relief pressure here, and along the main access road adjacent to the Ash trees, if all parking which is currently squeezed against the hedgerow were re-located to a landscaped courtyard within the open centre of the site.'

5.28 The LO has also identified an opportunity to consolidate the two entrances to one with good vision splays and turning arrangements. This would allow existing native species hedgerows to be linked up across the site frontage resulting in a smarter and less cluttered appearance and queries the feasibility of retaining many of the existing trees shown to be retained along the access drive. The Cotswold Conservation Board has also recently adopted a new Landscape-led Development Position Statement which reiterates the advice in the NPPF regarding the need for exceptional circumstances to justify major development and advises that taking a landscape-led approach is particularly important for such development, as this scale of development has the greatest potential to adversely affect the purpose of AONB designation. Policy CE11 of the Cotswolds AONB Management Plan 2018-2023 specifies that: /i Any major development proposed in the Cotswolds AONB, including major infrastructure projects, should be 'landscape-led', whereby it demonstrably contributes to conserving and enhancing the natural beauty of the Cotswolds AONB and, where appropriate, to the understanding and enjoyment of its special qualities. This should include fully respecting and integrating the special qualities of the AONB into the planning, design, implementation and management of the development, from the very beginning of the development's inception.

5.29 It is Officer opinion that the proposed development would have a harmful impact on the scenic beauty of the area and would fail to conserve and enhance the landscape. The development would be visually intrusive with clear views from various public vantage points including the public right of way that passes through the site and beyond and from the adjoining roadside. The amended plans do little to reduce this impact. As identified by the LO, the scheme is likely to result in the loss of existing trees and hedgerow and would leave little space for adequate mitigation measures. It is not considered that a Landscape-led Development approach has been adopted in this instance as advised by the Cotswold Conservation Board.

Impact on Heritage Assets

5.30 The site adjoins the Kingham Conservation Area, and Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas which includes its setting. Case law has established that such a provision requires the decision maker to give "considerable importance and weight" to the desirability of avoiding harm to heritage assets. Policy EH10 of the Local plan reflects this duty and seeks to ensure that development is not detrimental to views within, into or out of the area.

5.31 The Mill House hotel building is also considered to be a non-designated heritage asset and as such is subject of Policy EH16 of the Local Plan which seeks to avoid harm or loss of such an asset and advises that such proposals will be assessed using the principles set out for listed buildings (Policy EH11).

5.32 Paragraph 193 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits.

5.33 The submitted Heritage Statement concludes that the proposals will retain and better reveal the historic mill building and provide it with a sustainable ongoing use. The removal of the current 20th century additions to the historic mill and their replacement with newly designed structures of a higher architectural quality will better reveal the historic mill building and provide new buildings more sympathetic to its historic character unlike the current ones which, although broadly traditional, somewhat dilute and reduce the role of the historic building within the site. In terms of the impact on the setting of the Conservation Area, it concludes that the change proposed will preserve elements of heritage value, and the redevelopment is informed by both the site and scale of previously consented schemes which, in being consented, are considered to be achievable without harming heritage values. The continuation of a hotel use with its wider social effects is entirely compatible with the existing character and appearance of the conservation area. No harm to the significance of heritage assets is identified through the proposed changes to the site which forms a part of the setting of the Kingham Conservation Area and St Andrews Church. As no harm to heritage significance is identified the requirements of paragraphs 195 and 196 of the NPPF are not engaged. There is preservation for the purposes of the decision maker's duty under Section 66(1) of the Act.

5.34 The Council's Conservation Officer (CO) has welcomed the reduction in the amount of new buildings on the site but notes that it remains a very significant development in a somewhat sensitive location. In terms of the impact on the historic mill, the stripping away of the various accretions is welcomed, as is reinstatement of the mill leat and the new additions are considered to be designed along the right lines, with the main addition being set to the north. However, the CO still considers that the thatched reception building is too tall, the ridge being higher than that of the mill, and needs lowering considerably. The ale/bake house is also felt to be too tall and in addition its tall and long glazed south-east elevation will be prominent day and night in views from the south. Also in fairly close proximity is the sizeable spa building. In terms of the wider site, the CO is still of the view that the car park should be set within the built development to the north, reducing its urbanising effect and that the development in the core of the site is still the most problematic, tending to urbanise what is currently a largely open area. As such the CO diverges from the conclusion of the Heritage Statement as follows:

'With respect to the historic mill, I think that as currently proposed the scheme replaces one set of compromising additions with a new set - although if the proposed buildings were significantly lowered, and the south-east facing glazing mitigated, as above, I think that the change might be supportable, subject to details. With respect to the impact on the Conservation Area (CA) and the wider area, accepting that buildings have been approved along the west boundary of the site, it nonetheless seems likely that the proposed buildings within the site would be transformative of the largely rural views from the south boundary of the CA to the south, and of views towards the CA from the southern approaches, and across the river valley.'

5.35 It is Officer opinion that the harm to the setting of the Conservation Area and Mill building, a non-designated heritage asset, as detailed above, is not outweighed by the public benefits deriving from the development.

5.36 The applicant has submitted an archaeological desk-based assessment which sets out a description of the archaeological background for the site and identifies that the site contains archaeological features related to the medieval and post medieval mill and that the site has a high potential to contain further unidentified archaeological remains. The desk-based assessment also concludes that an archaeological evaluation will need to be undertaken on the site in advance of the determination of this application. Such an evaluation has been requested by OCC but has not yet been provided. As such OCC still object to the application on the grounds that the results of an archaeological evaluation has not been submitted in line with the National Planning Policy Framework (2019), paragraph 189.

Accessibility/Highway Issues

5.37 There is no current public transport service within walking distance of the development that would be suitable for the purpose of travel to work or which would be well used by guests to the site. The submitted Transport Statement refers to the provision of a free electric shuttle bus service which would operate between Kingham Railway Station, The Mill, The Wild Rabbit public house in Kingham and Daylesford Organic Farm. OCC Transport welcomes this proposal but note that limited details have been provided as to how this shuttle bus service will operate and OCC is concerned that these measures could not be secured in perpetuity if, for example, the operator and / or nature of the hotel changes.

5.38 While measures are proposed which could enable travel to the site by sustainable modes, the location of the development site could not be considered easily accessible. OCC welcomes the measures being suggested to encourage the use of sustainable transport among staff and visitors, it is nonetheless likely that due to the development's location, the vast majority of visitors and staff will travel to the site by private car. Similarly no mechanism for delivering the proposed measures has been agreed.

5.39 OCC accept that the nature of the proposed uses would not generate significant numbers of peak-hour trips. While the proposed development would undoubtedly lead to an increase in vehicle trips to the site across the day, given the location of the site this increase in trips would not be likely to have a significant impact in terms of highway capacity or safety. The existing access arrangement is to be utilised with some minor alterations proposed and the existing public right of way which provides access to the Station Road to the north of the site is to be retained.

5.40 OCC has raised some concerns in relation to the adequacy of the parking which could lead to overspill on-street parking in the village. OCC recommend that the occupancy of the parking spaces provided on site is carefully monitored with additional spaces and / or an overspill parking area being provided if required. Such development would inevitably have an impact on the landscape which would need to be carefully assessed. In the DAS it is stated that the car parking spaces has been reduced to a minimum with off site car parking to be provided. No details of this off site parking area has been submitted with the application and despite a request for such information no details have been provided. The Parish Council has also raised concerns relating to inadequate parking provision and consider that there is no capacity (and no justification) for off-site parking.

5.41 OCC's objection based on lack of evidence to demonstrate that large emergency vehicles can safely enter and turn within the site has now been addressed with the submission of a swept path analysis for a fire tender. As such OCC Transport does not object to the proposed application subject to a contribution towards the creation of a traffic free 'greenway' between the site and Dylesford Organic Farm (£150,000) and improvement works to other local public rights of way (£10,000) and

appropriate highway conditions. Given the unsustainable location of the site due to lack of public transport availability, a Travel Plan is recommended to help deliver some of the mitigation measures detailed in the Transport Statement but it is unclear how such a travel plan would ensure the delivery of such measures including the provision of an electric shuttle bus and incentives to encourage visitors to travel by train.

Flood Risk/Drainage

5.42 Parts of the site are in Flood Zone 2 and 3 and shown to be at risk of surface water flooding. Although the built development is shown outside of the flood risk areas, the original FRA had not considered an allowance for climate change. Following objections raised by the Environment Agency (EA) and the Local Lead Flood Authority (LLFA) a revised Flood Risk Assessment and Drainage Strategy has been submitted.

5.43 The LLFA no longer raise an objection to the development subject to a surface water drainage condition.

5.44 The EA also objected on the grounds that the proposed development involves the use of a non-mains foul drainage system but no assessment of the risks of pollution to the water environment has been provided by the applicant. Following the submission of amended details and additional information, the EA have removed their objection subject to the imposition of appropriate conditions to reduce flood risk and the provision of an ecological buffer zone. It is also noted that the revised FRA includes details of Thames Waters' confirmation that there is sufficient capacity in the foul network to receive foul drainage from this development.

Neighbouring Amenity

5.45 Given the location of the site at the outer edge of the village the site is surrounded by open countryside on two sides (South and East). To the west and north the site abuts onto Station Road with houses on the opposite side of the road to the west and the sports field to the north. Given the siting and retention of roadside hedgerow along Station Road there will be no undue adverse impact on the amenity of nearby residential properties.

Biodiversity

5.46 Policy EH3 of the local plan seeks to protect and enhance biodiversity in the district to achieve an overall net gain in biodiversity and minimise impacts on geodiversity. This includes protecting and mitigating for impacts on priority habitats, protected species and priority species, both for their importance individually and as part of a wider network, and that all developments retaining features of biodiversity value on site and incorporating biodiversity enhancement features.

5.47 Following the submission of additional information, the Biodiversity Officer still requires further details relating to Biodiversity Net Gain (BNG); Bat mitigation measures and assessment of protected species in the northern field. Revised plans have recently been submitted annotating bat mitigation measures but the further information is still awaited. Members will be updated on the progress on biodiversity issues at Committee.

Infrastructure/Developer Contributions

5.48 Policy OS5 of the Local Plan seeks to ensure that new development delivers or contributes towards the provision of essential supporting infrastructure and Policy T3 states that new development will be expected to contribute towards the provision of new and/or enhanced public transport, walking and cycling infrastructure to help encourage modal shift and promote healthier lifestyles. As detailed above, OCC Transport has recommended that a contribution should be paid towards the creation of a traffic free 'greenway' between the site and Dylesford Organic Farm (£150,000) and improvement works to other local public rights of way (£10,000). It is suggested that other measures such as the shuttle bus and incentives to encourage visitors to travel by train could be addressed via a Travel Plan but it is unclear how such a Plan could ensure the delivery of such measures and in the case of the shuttle bus service, in perpetuity. Requested details for the delivery of the mitigation measures proposed, have not been provided.

5.49 The Parish Council believe that improvements to the dangerous walkway over the railway bridge at Kingham Station would be much more beneficial to the local community and a better use of the contribution money requested by OCC. Government Guidance on Planning Obligations clearly sets out however, that planning obligations must meet the following tests:

- o necessary to make the development acceptable in planning terms;
- o directly related to the development; and
- o fairly and reasonably related in scale and kind to the development.

In respect of this development, OCC recognise that there is no current public transport service within walking distance of the development that would be suitable for the purpose of travel to work or which would be well used by guests to the site and that it is likely that due to the development's location, the vast majority of visitors and staff will travel to the site by private car. As such, a contribution towards improvements over the railway bridge is not considered to be justified in this instance and would fail to meet the necessary tests.

5.50 There is not a completed S106 making provision for the required contribution or mitigation measures proposed. As such the proposal conflicts with Policies OS5 and T3 of the Local Plan.

MEMBER UPDATE

5.51 Members will recall that this application was deferred for a site visit at the Uplands Planning Committee held on 1st June 2021. Prior to this site visit, amended plans were submitted which have undergone re-consultation. A summary of the proposed amendments are detailed below:

- o The height of the reception building (Building A) has been lowered from 7.3m from Finished Floor Level (FFL) +109.75 to 4.8 from FFL + 109.75
- o The height of the restaurant building has been lowered from 4.35m from FFL+109.00 to 3.7m from FFL+109.00 and the level of glazing reduced
- o The landscaping/parking/access has been revised to address comments made with only one access now proposed and parking moved to the centre of the northern part of the site
- o Layout slightly amended to allow more room with the vegetation on the north eastern side of the site
- o Changes to accommodation buildings E2 A and E2 B incorporating reduced footprint to move the buildings further away from the RPA of trees on the boundary and buildings redesigned in plan to accommodate the loss of the area without the loss of keys/ bedroom numbers.

5.52 Further information has also been submitted including a revised travel plan statement, arboricultural report and financial feasibility report which identifies that the proposed scheme would be

viable. Following queries raised at the site, the agent has also confirmed that the buildings will be DDA compliant in line with the Building Regulation requirements for existing buildings and will be addressed in the next design stage and given the very small amount of heritage fabric left unaltered in the last 50 years by previous owners, whenever possible it would be the intention to preserve any original features of the building, such as the flagstone floor.

5.53 The changes to the layout seek to address concerns raised by the Landscape Officer (LO) in respect of proposed landscape mitigation measures as detailed above. Whilst the formal comments of the LO are still awaited, he has commented that the main improvements to the scheme appear to be the simplification of the main entrance and the relocation of the car parking. Some minor adjustments have been made to the NE boundary but these are not particularly significant and are optimistic in places. As predicted, the proposal now specifically refers to the removal of the cypress hedge along the NE boundary. Whilst in many cases, this would not be problematic, it will mean more immediate exposure of the development from the NE, coupled with loss of vegetation with limited scope for significant new planting in the area around the Spa building. It is unfortunate that the amended drawings fail to show consistent information, for example, the Landscape Strategy drawing shows some of the trees along the access road being retained and some removed, whilst a detailed layout shows them all retained. It is suspected all these would be lost in practice. Members will be updated on formal comments at Committee.

5.54 The changes to the buildings including lowering the height of the restaurant and reception building and relocating the parking seek to address concerns raised by the Conservation Officer (CO). Having reviewed the changes the CO is of the view that it is still proposed to provide a considerable amount of development on this somewhat constrained site, but acknowledges that each iteration has been an improvement - although this remains a very significant intervention. In terms of the latest amendments the CO considers that the reception building, given its lower-lying and cleaner form, with a simple slated roof, is now better related to the historic mill, and appears much more secondary and would be an improvement on the existing building on this part of the site. The changes to the ale house/bake house/restaurant gives a better relationship with the eaves of the historic mill and is now arguably an improvement on the existing buildings on the east side of the historic mill, which are sizeable and very prominent. Whilst the car parking has now been split between the area near the reception building, and the core of the development, the CO still considers that it would have been preferable to locate all of the parking to the north of the reception area. Nevertheless, the revisions are considered to be an improvement and would improve the current car parking arrangement, which occupies a much larger area to the south of the historic mill, very prominent to the road. In terms of the revised layout, the CO considers that the extended north return will impact on views from the southern boundary of the conservation area, although there will now be less new development beyond.

5.55 In summary, the CO considers that in respect to the impact on the historic mill and the south part of the site, given the replacement of the existing accretions to the east and west sides of the mill, and with the reduction in the parking area, there is arguably a net gain - both for the historic mill and its immediate setting. With respect to the impact on the north part of the site, and in particular on views from the southern boundary of the conservation area, the CO has requested accurate perspective views of the proposal from the southern boundary of the conservation area. Whilst a perspective drawing has been submitted, this is not considered to be accurate and perspectives, or accurate photomontages, from clearly identified viewpoints, have been requested. These drawings are still awaited and Members will be updated on the latest views of the CO in respect of the impact on the setting of the Conservation Area.

5.56 The views of OCC Highways on the closure of the second access and relocated parking are still awaited and Members will be updated at Committee.

Conclusion

5.57 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

5.58 Benefits likely to be generated from the proposal are recognised including economic benefits to the local economy from the construction and operation of the hotel and associated facilities including the provision of jobs and the wider spending of future guests. Nevertheless, the development comprises major development within the Cotswolds AONB and an exceptional circumstances case has not been made to justify this development which would have a significant adverse impact on the area's natural beauty and landscape including its heritage. Whilst the revised scheme addresses the harm to the setting of the non-designated heritage asset (Mill building) there are still concerns that the development would harm the setting of the Conservation Area and no archaeological field evaluation has been carried out. As such the development conflicts with adopted Local Plan policies and the NPPF and is thus recommended for refusal.

6 CONDITIONS/REASONS FOR REFUSAL

1 The proposed development comprises major development within the Cotswolds AONB and no exceptional circumstances case has been made to justify this development which would have a significant adverse impact on the area's natural beauty and landscape including its heritage. The development would also be of a disproportionate and inappropriate scale to its context and would not form a logical complement to the existing scale and pattern of development or the character of the area. As such, the proposed development would conflict with Policies OS2, OS4, EH1 and BC1 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant paragraphs of the NPPF.

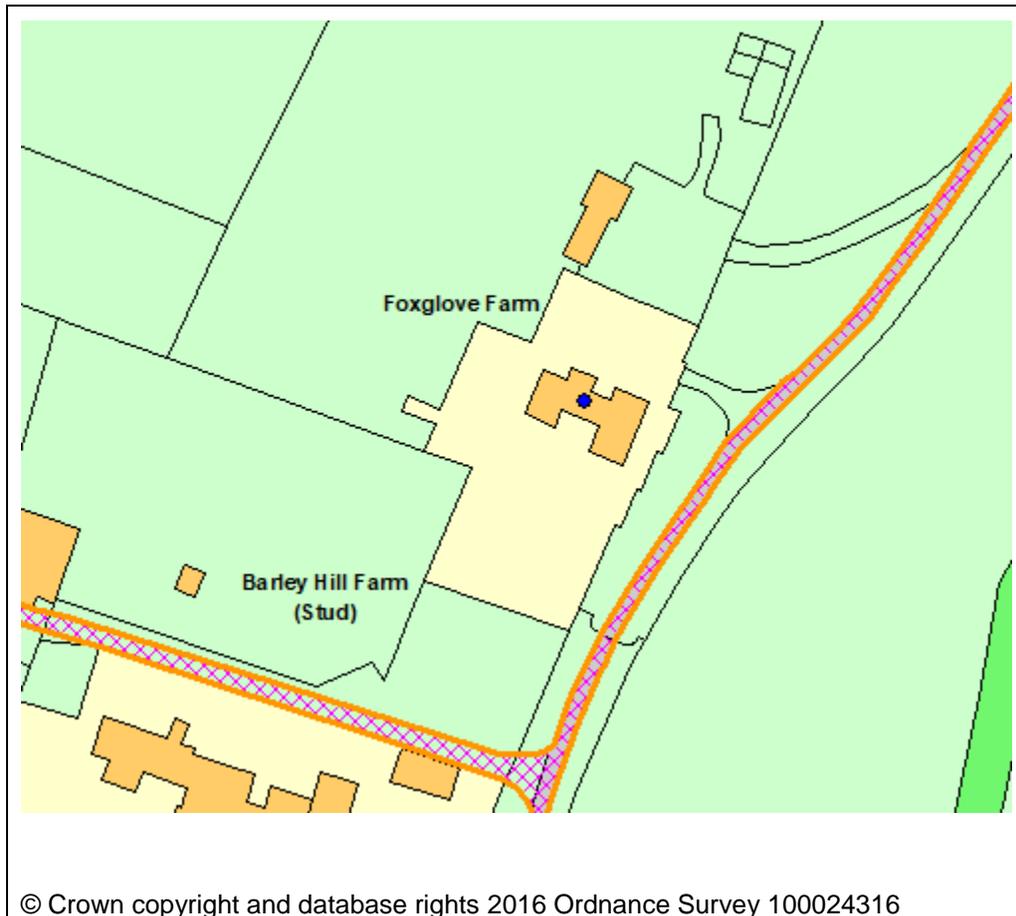
2 The scale, siting and design of the proposed development would have a harmful impact on the setting of the Kingham Conservation Area and the results of an archaeological evaluation have not been submitted in conflict with Policies EH9, EH10, EH11 and EH15 of the adopted West Oxfordshire Local Plan 2031 and the NPPF.

3 The applicant has not entered into a legal agreement to provide the required contribution/mitigation measures to maximise opportunities for walking, cycling and public transport and the proposal is therefore also contrary to West Oxfordshire Local Plan 2031 Policies OS5 and T3 and the relevant paragraphs of the NPPF.

Contact Officer: Joan Desmond
Telephone Number: 01993 861655
Date: 15th July 2021

Application Number	21/00898/FUL
Site Address	Barley Hill Farm Chipping Norton Road Chadlington Chipping Norton Oxfordshire OX7 3NT
Date	15th July 2021
Officer	Stuart McIver
Officer Recommendations	Refuse
Parish	Chadlington Parish Council
Grid Reference	432318 E 222849 N
Committee Date	26th July 2021

Location Map



Application Details:

Demolition of agricultural buildings to allow for the conversion and extension of the traditional barn to form one dwelling with associated garaging and access and landscape works.

Applicant Details:

Barley Hill Farm
C/o Agent

I CONSULTATIONS

Biodiversity Officer

Details need to be clarified before a positive determination of the application.

ERS Env. Consultation Sites

Thank you for consulting our team. I have looked at the application in relation to contaminated land and potential risk to human health.

Given the former agricultural use of the land and the proposed residential use please consider adding the following condition to any grant of permission.

1. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the environment in the interests of the amenity.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

It is noted that radon levels in the area are high and appropriate measures will need to be adopted as part of the development.

WODC Drainage Engineers

No objection subject to condition.

WODC Landscape And
Forestry Officer

No Comment Received.

Parish Council

Barley Hill Farm, Chipping Norton Road, Chadlington
Demolition of agricultural buildings to allow for the conversion and extension of the traditional barn to form one dwelling with associated garaging and access and landscape works.

Chadlington Parish Council has no objection to this application and considers the new proposals to be more in keeping than those previously submitted.

2 REPRESENTATIONS

No representations received.

3 APPLICANT'S CASE

3.1 A planning, design and access statement has been submitted. A full version of this is available on the Council's website. The statement has been summarised and concluded as follows:

3.2 This submission follows the approval of application 20/01871/S73 which effectively secured the discharge of all pre-commencement conditions. The planning history at the site demonstrates that the principle of providing a dwelling through the conversion and extension of the traditional barn is acceptable.

3.3 Replacing the existing barn with a comparatively smaller built form of a more appropriate design style will have a reduced landscape impact in comparison to the existing built form.

3.4 The new dwelling and its domestic curtilage should avoid encroachment into the countryside and should therefore be contained within the built up area of the complex.

3.5 Given that its context is remote from neighbouring development, a new dwelling in this location is likely to be acceptable in terms of residential amenity.

3.6 The removal of the barn, protection against land contamination and the provision of landscaping, drainage strategy and architectural details can be secured via condition.

3.7 The proposal complies with provisions of the development plan and the NPPF and therefore accords with the presumption in favour of sustainable development. As such, it is respectfully requested that the application be considered favourably.

4 PLANNING POLICIES

DESGUI West Oxfordshire Design Guide

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

EH12 Traditional Buildings

EH16 Non designated heritage assets

NATDES National Design Guide

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

5 PLANNING ASSESSMENT

Background Information

5.1 The proposal seeks consent for demolition of agricultural buildings to allow for the conversion and extension of the traditional barn to form one dwelling with associated garaging and access and landscape works.

5.2 The application relates to Barley Hill Farm, a farm complex consisting of a detached dwelling and a number of modern and traditional agricultural buildings. The application site sits in an elevated hillside location in open countryside to the north west of the settlement of Chadlington. There are four dwellings in this location, which are of substantial scale and benefit from large plots. The land around these plots is agricultural.

5.3 The site is accessed from an existing driveway to the north of Barley Hill Farm which passes through the existing buildings. The application site is within the Cotswolds Area of Outstanding Natural Beauty.

5.4 Relevant planning history:

- 20/01871/S73 - Variation of conditions 4, 7, 8, 9, 11, 13 and 15 of planning permission 19/02567/FUL to enable technical amendments to the approved dwelling - Approved.

- 19/02567/FUL - Demolition of an agricultural building to allow for the conversion and subterranean extension of agricultural buildings to form one dwelling - Approved subject to legal agreement.

- 17/00569/FUL - Demolition of agricultural building to allow for the conversion and subterranean extension of agricultural buildings to form one dwelling - Approved subject to legal agreement.

- 15/00156/FUL - Erection of new dwelling and conversion of existing outbuilding to provide ancillary accommodation to the new dwelling, together with associated landscaping and parking - Refused (appeal dismissed).

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, Scale and Design
- Visual Amenity and Cotswolds AONB
- Residential Amenity
- Ecology

Principle

5.5 Planning permission 19/02567/FUL for demolition of an agricultural building to allow for the conversion and subterranean extension of agricultural buildings to form one dwelling remains extant. Further, application 20/01871/S73 for technical amendments to 19/02567/FUL has also been approved. As such, the principle of residential development at this location has been established as being acceptable.

Siting, Scale and Design

5.6 The existing traditional barn is modest in scale in comparison to the more modern agricultural buildings at the application site. It consists of traditional materials including stone and sits in a prominent

position within the immediate vicinity. By virtue of its materials and vernacular form, your officers deem it to be of significant heritage merit, whereby it could reasonably be considered a non-designated heritage asset. The adjacent modern agricultural building is substantial in scale, but of a more temporary nature.

5.7 The previous approved application (19/02567/FUL) involved the demolition of the modern agricultural building to allow for the conversion and subterranean extension of agricultural buildings to form one dwelling. This proposal was considered acceptable as the low-lying nature of the subterranean extension preserved the traditional character and appearance of the adjacent barn and was a key factor in justifying the acceptability of the conversion.

5.8 As per the previous scheme, the current proposal retains the original fabric of the traditional barn, and whilst the footprint of the proposed extension is less than that of the existing adjacent agricultural building, its height is comparable, resulting in substantial and imposing built form at this location.

5.9 Whilst your officers note that the proposed extension would have a smaller footprint than the approved subterranean extension, its two storey height is noticeably higher, negating the benefits of the previous approved scheme. Furthermore, the height and massing of the proposed extension would dominate and visibly alter the form and character of the traditional barn, rendering it a secondary structure within this setting. Your officers consider that the two storey extension would be unduly transformative and imposing on the modest form of the existing vernacular agricultural building.

5.10 The design of the proposed extension is representative of a two storey residential dwelling, consisting of residential features including window and door openings, chimneys and gabled elements. These forms are considered overly domestic considering the agricultural nature of the immediate vicinity, and as such are deemed to detract from the agricultural character of the adjacent traditional barn.

5.11 Under the general principles of policy OS2 of the adopted West Oxfordshire Local Plan 2031 (WOLP), all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality, and form a logical complement to the existing scale and pattern of development and/or the character of the area. Further, policy EH12 states that when determining applications that involve the conversion, extension or alteration of traditional buildings, proposals will not normally be permitted where this would include extensions or alterations which would obscure or compromise the form or character of the original building. Given the design, height, massing and siting of the proposed extension, it is not considered to complement the existing scale and pattern of development or character of the immediate area, and would compromise the character of the existing vernacular agricultural building. As such, the proposed development is considered contrary to the provisions of policies OS2 and EH12.

Visual Amenity and Cotswolds AONB

5.12 Paragraph 172 of the NPPF 2019 requires great weight to be given to conserving landscape beauty in Areas of Outstanding Natural Beauty. Your officers note that when assessing whether the removal of the modern agricultural building provided a justification for the erection of a new dwelling on the site, proposed under planning application 15/00156/FUL, the appeal inspector concluded that agricultural buildings are a feature of rural areas and that the removal of this building would not outweigh the harm resulting from the proposed development.

5.13 Notwithstanding this analysis, whilst your officers consider that the proposed development would have a detrimental impact on the character and appearance of the traditional barn, by virtue of its siting, height and massing, it would not be any more visually prominent than the existing modern agricultural buildings on site. As such, the proposed development is considered to conserve the wider landscape and scenic beauty of the Cotswolds AONB.

Residential Amenity

5.14 The location of the traditional barn and modern agricultural buildings is such that they are set away from any existing residential dwellings. As such, and given the scale and location of the proposed development, your officers consider that it will not have a detrimental impact on overbearing, loss of light, overlooking or loss of privacy for surrounding residential dwellings.

Ecology

5.15 The Council's Biodiversity Officer was consulted as part of the planning process and has reviewed the information submitted within the proposal. They have stated that various details forming this submission need to be clarified before a positive determination of the application can be reached.

Conclusion

5.16 In light of the above assessment, the siting, scale and design of the proposed extension would fail to respect the form and appearance of the existing vernacular stone barn which would be of detriment to the character and significance of this non-designated heritage asset. As such, the proposed development is considered to be contrary to the provisions of policies OS2, OS4, EH12, and EH16 adopted West Oxfordshire Local Plan 2031 as well as the relevant paragraphs of the NPPF 2019.

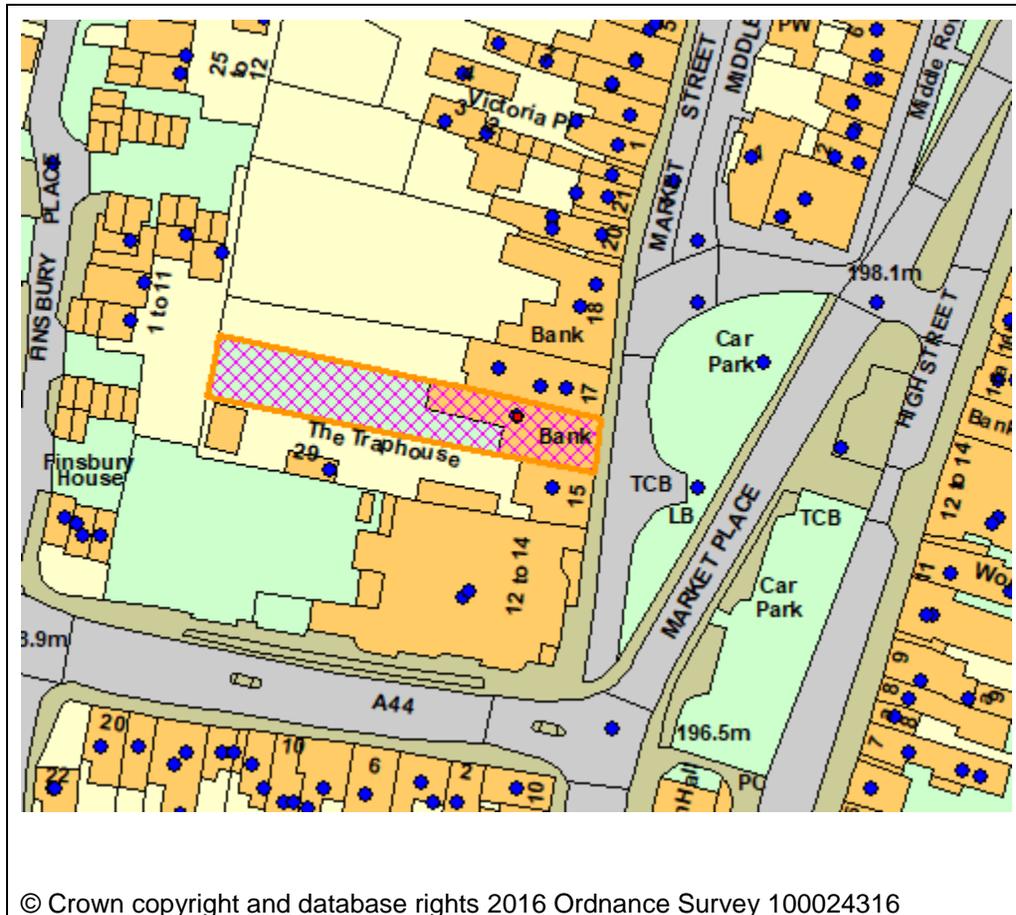
6 CONDITIONS/REASONS FOR REFUSAL

1 The proposed extension by reason of siting, scale and design would have a dominating and unduly transformative impact upon the form and appearance of the existing vernacular stone barn which would be of detriment to the character and significance of this non-designated heritage asset. As such, the development as proposed would be contrary to the provisions of Policies OS2, OS4, EH12, and EH16 of the adopted West Oxfordshire Local Plan 2031, and the relevant paragraphs of the NPPF 2019.

Contact Officer: Stuart McIver
Telephone Number: 01993 861663
Date: 15th July 2021

Application Number	21/00985/FUL
Site Address	The Old Bank 16 Market Place Chipping Norton Oxfordshire OX7 5NA
Date	15th July 2021
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Chipping Norton Parish Council
Grid Reference	431304 E 227125 N
Committee Date	26th July 2021

Location Map



Application Details:

Change of use of former bank to provide a new community hub incorporating a community hall, meeting rooms, lettable office space and administrative offices. Demolition of existing rear extensions and provision of replacement extensions.

Applicant Details:

The Branch Trust
16 Market Place
Chipping Norton
Oxon
OX7 5NA

I CONSULTATIONS

Parish Council	No objection
OCC Highways	<p>Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following condition</p> <ul style="list-style-type: none">- Prior to the commencement of any work proposed the submission and approval of a Construction Traffic Management Plan
WODC Env Health - Uplands	<p>ERS Pollution Consultation</p> <p>I have No Objection in principle to this application.</p> <p>I've looked at above application in relation to air quality, as the proposed development is located within the Chipping Norton Air Quality Management Area (AQMA).</p> <p>The Council has a statutory duty to improve air quality especially in those areas where it exceeds the national quality objective. An AQMA is the embodiment of the type of area that LAs are duty-bound to address. It would not be appropriate for a local authority to ignore potential worsening of air quality within an AQMA. The proposed development would make the premises a destination for various community and leisure purposes however I cannot see any documentation that has assessed traffic generation implications or assessed the potential effect on the AQMA.</p> <p>I have looked at the application in relation to contaminated land and potential risk to human health. I note that the site is in an area where buildings require full radon protection.</p>
ERS Env. Consultation Sites	No Comment Received.
WODC Drainage Engineers	No Comment Received.
OCC Archaeological Services	No Comment Received.
Newt Officer	No Comment Received.

Biodiversity Officer No Comment Received.

WODC Planning Policy No Comment Received.
Manager

WODC Business Development No Comment Received.

WODC Building Control No Comment Received.
Manager

2 REPRESENTATIONS

NB A number of respondents sent in planning objections to the LBC reference and so they have all been reported under this application reference

2.1 36 representations in support of the proposals have been received. The main points raised may be briefly summarised as follows:

- Looking beyond the obvious community benefits of the intended use, I am satisfied that the scheme has been informed by a thorough analysis of the historic building and is now truly 'conservation-led', and that the alterations and additions to the Grade II* listed building will both preserve the historic fabric of significance and complement the retained structure with new work of appropriately high quality
- I am particularly pleased to see the retention, repair and (in the case of the rear wing) display of the 18th-century roof structures, and the replacement of unworthy, utilitarian rear extensions with well-designed modern additions that will make a lasting, positive contribution both to the listed building and to the character of the conservation area.
- Would enable one of the most prominent and architecturally more important buildings in the town centre to be repaired and refurbished to a high standard, providing both an immensely valuable community asset and ensuring its long-term viability and conservation
- This building will enable access for all to much needed services in the community, and at a time when we are continuing to experience significant cutbacks in public services, whilst trying to navigate the impact of Covid, it is wonderful to see a project like this take root in Chipping Norton. It is particularly pleasing to see a heritage building in the centre of the town being made accessible for the whole community to use, enjoy and benefit from.
- The new community hub would support the work that the school do with children and families. A hub in the centre of town provides a known and trusted location for our most vulnerable members of the community to access.
- The central location of the building in town allows access to those that don't have transport.
- There are endless possibilities for this hub in a CENTRAL location to be a real presence for good, an obvious place where help can be accessed for a variety of needs. The location of the Church and Parish Rooms cannot provide this.

- It will provide a centre for support of all ages from the pre-schoolers to the elderly, whilst offering opportunity of space for any young entrepreneurs. Chipping Norton needs to see regeneration of our Town Centre and this application fulfils this need, whilst serving the whole town.
- Helps to breathe a bit more life into an area that has lost some of it's services as the banks have closed, without losing the heritage, indeed preserving it, for future generations by keeping the integrity of the frontal facade in place.
- Work to the rear garden and back of building will enable safe meeting in outside / well ventilated which we now know is going to be important for years to come, for well being and C19 secure reasons.

2.2 2 Letters of objection have been received making the following points:

- I have severe reservations over the demolition of the building in question.
- If the plans are to demolish the entire building this looks like it will actually destroy part of our living accommodation. As part of the wall is our living room.
- I have been contacted by several parties asking to gain access to my property to have a surveyor look into the supposed levels between the 2 adjoined properties. Why would this be needed if they wasn't concerns on there behalf of damage that may be caused with this development?
- I will add that this is causing myself at the age of 85 and my wife of 77 great stress.
- The Proposed Ground Floor Plan and the Proposed North & South Elevation show the room that was the manager's office of the old bank being reduced in size by about a third, to create a new flat external roof area.
- The Proposed Roof Plan suggests a parapet wall surrounding the west and south edges of this flat roof, creating a balcony. This balcony would be sited directly above our garden, meaning anyone on it could lean on the parapet wall and look straight down into what is now a totally private area of our garden, restricting our ability to use the garden. This would be a significant loss of privacy.
- I ask that consent for this feature be refused, because we feel it is almost inevitable it would become, at some point, a social and smoking area. This would cause a noise and smoke nuisance, which would have negative impact both our use of the garden, and the use of the rooms at the rear of the house

2.3 One letter of comment has been received raising the following points:

Comment: I. General

We support the proposed use of the building for office, religious, social and community use, subject to the caveats below. We welcome the proposed design having no north or south facing windows overlooking the gardens of 15 and 17 Market Place or The Traphouse, 29 New Street. We support the raising of a part of the garden wall along the Number 15/16 garden boundary.

2. Impact on adjoining buildings

Market Place is an 18c and 19c terrace of mutually supporting buildings, some of which are listed. When New Street was widened in the 1960s, demolition was intended up to but not including the Unicorn public house which was next to Number 15. In fact, the Unicorn became too unstable and had to be demolished. Wooden buttresses then held up the south side of Number 15 for many years before the supermarket was built. In 1997 as new owners of Number 15 we were advised that the structure of Number 15 was unsafe, as the front of building had moved so far forward as to compromise the support to the main structural beams supporting the floors and roof. Permission was sought and granted for the insertion of four tie bars to stop further movement and the building's structure was secured along that axis. Number 15's structure of oak beams, random rubble walls and no foundations make confident assessment of the effect of disturbance to neighbouring buildings impossible. We suggest permissions are constrained to ensure that no changes are made to the loadings and stresses on the party wall between Number 15 and 16, at any level, and that insurances must be put in place to cover the risks.

3. Demolition of listed building

The completed Application Form (Section 6 - Demolition of Listed Building) asks: "Does the proposal include the partial or total demolition of a listed building?" to which applicant has answered no. This is inconsistent with the plans which show the demolition of a rear extension which is within the curtilage of the Listing Building and thus itself listed. (See "Listed Buildings and Curtilage" - Historic England Advice Note 10.)

4. Materials

The current building features an ashlar façade with a mix of Cotswold stone and Victorian brick to the rear; with roofs in slate, Stonesfield and clay tiles. The proposed use of clay tiles on new roofs is not out of keeping with current roof materials but is out of keeping as proposed for external walls

5. Garden Party wall with No. 15 Market Place

The party garden wall between Nos. 16 and 15 had become dangerous and the previous owners of the site (Natwest bank) had it taken down about 10 years ago and some two thirds of it rebuilt. The remaining third had footings dug but the wall was not built as there were ongoing discussions at the time about the possibility of the owners of Number 15 buying the far end of the Number 16's garden. These discussions ended when Natwest decided to sell the site as whole. The current owners acquired the site in the knowledge that they had an obligation to rebuild this missing part of the wall. Given the amount of site traffic and disruption to Number 15 and the Traphouse at 29

New Street during building works there would be a serious loss of control and security were works to be started before this section of wall was re-instated. We ask that rebuilding this wall before site works start be made a condition of approval.

6. Scale

The principal demolition and new build elements of the application replace an already somewhat site-overburdening Victorian extension with a larger extension which is approximately twice the footprint area (using dimensions taken from plans). Its reach down the garden would represent a loss of light and amenity to the two neighbouring properties, particularly number 17 Market Place to the North. Number 15 is entirely residential and perhaps the only remaining single family residence in the Town Centre. Number 17 is principally residential. In the interest of maintaining diversity of use in the Town Centre, residential amenity should be protected. Given that the building already provides over 700 M2

of space it is surprising that the needs cannot be accommodated within that, without the substantial reworking of the site proposed. Applicant should be asked to justify this need convincingly.

7. Hours of opening

The completed Application Form (Section 22 - Hours of opening) state the topic to be irrelevant whereas in fact the proposed use includes activities in evenings and at weekends. Prior use as a bank had hours limited to weekday office hours. Nuisance to neighbours would therefore increase.

8. Parking and traffic

There is no current nor proposed parking for users, and the site is double-yellow lined and adjacent to a parking-restricted turning area. The owners of Number 16 are already using the building for community purposes and traffic has already become problematic e.g. by hindering access for nearby retail outlets, pavement parking, and blocking the turning bay (a particular difficulty for large lorries).

3 APPLICANT'S CASE

The application seeks planning permission for the refurbishment of the existing buildings and to find them a new viable use. The building has been used for a number of different purposes during its history but was most recently used as a bank (having been so used since the 1950s). The proposed new use is described as a community hub as so would be sui generis, but will encompass a number of different functions serving the community. The building will be used by a number of different groups and for a number of different functions - many of which are currently not provided for within Chipping Norton. The groups using the spaces will include a variety of community outreach programmes assisting all parts of the community and their particular needs. The Branch Trust is a registered Charity with set up with an intent to "reach the most vulnerable in the community journeying with them to unlock their potential partnering with Statutory & voluntary sector to provide the most coherent and effective service" to provide relief and assistance to those in need by reason of their youth, age, illhealth or disability, social or economic circumstances, unemployment, bereavement or breakdown in relationships; to develop the capacity and skills of those who are socially and economically disadvantaged in Chipping Norton and the surrounding area in such a way that they are better able to identify and help meet their needs and to participate more fully in society; to provide facilities in the interests of social welfare for individuals in Chipping Norton and the surrounding area who have need of such facilities by reason of their youth, age infirmity or disability, financial hardship or social circumstances with the object of improving their conditions of life; to promote social inclusion by preventing people from becoming socially excluded, relieving the needs of those who are socially excluded and assisting them to integrate into society, and for the purpose of this clause "socially excluded" means being excluded from society, or part of society, as a result of one or more of the following factors: unemployment; financial hardship; youth or old age; ill health; substance abuse or dependency including alcohol and drugs; poor educational or skills attainment; relationship and family breakdown; poor housing (that is housing that does not meet basic habitable standards; crime (either as a victim of crime or as an offender rehabilitating into society).

As will be quite apparent from the above description of The Branch Trust, the space they provide will be required to facilitate many different activities and allow them to partner with many different organisations to meet the needs of their users. These include many providers, for instance they are in discussions with the Citizens Advice Bureau to extend their service and have a presence in the Town, to reintroduce Mind (their previous service in Chipping Norton closed 8 years ago and the nearest is Witney) and provide various youth services currently only available in Banbury. The proposal therefore

includes a variety of meeting spaces to service those users, from one-on-one meeting rooms for private discussions up to the main community hall space that will provide the community kitchen space to teach life skills as well as provide an accessible space to seat up to 60 people. There are staff offices on the upper floors for the running of The Branch and the lower ground floor includes lettable office space which could provide both co-working space or other offices on a longer term basis to local people - but importantly will also provide an income to assist in the viable future of the facility. Turning to the physical changes, the building was the subject of extensive internal refurbishment during the 1980s and as a result the significance of much of the building's interior is limited. In order to ensure appropriate accessibility the floor levels are proposed to be rationalised and made consistent through the various ranges.

At the heart of the proposal is the need to provide a new community hall with capacity to seat 60 people or accommodate 12 workstations for the community kitchen. This layout has been carefully designed to ensure it will provide sufficient space for all these users and still provide safe circulation space. The ability to ensure rooms are sufficiently well proportioned has become very apparent over the past 12 months with the introduction of social distancing. There are no suitable spaces within the building to accommodate this space and so the other major element of the proposals seek consent to demolish (except for the northern wall) a red brick 19th C rear extension and replace it with a new extension to provide the hall space. That extension is slightly wider and longer compared to the current building. A smaller 20th Century rear extension is also proposed to be replaced with a new extension of a similar scale.

The site is a designated Heritage Asset. At present it does not have a use and Government advice is clear that in order to sustain its significance for the enjoyment of future generations, it must be put to a viable use consistent with its conservation. It recognises the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring. There is enormous public benefit to securing the application building and putting it to a viable new use. These proposals offer just such an opportunity and as such clearly outweigh any perceived harm to significance as a result of facilitating the new use. The submitted documents consider the possibility of retaining the 19th Century rear extension to result in a scheme that causes less harm, however it is clear that in order to provide a community hall (the essential central element of the scheme) the existing space is too small and does not have the capacity to accommodate all proposed use of the space (in particular the need to seat 60 people) and alternatives to alter the existing structure in order to provide such space would result in a building that extended over 7 metres further west, with the associated impact on neighbours rear amenity space - whilst the associated internal space would be narrow and much compromised making it much less capable of serving the many uses it is required for. This questions the viability of the use overall.

4 PLANNING POLICIES

TC1 Chipping Norton Neighbourhood Plan
TC4 Chipping Norton Neighbourhood Plan
TC6 Chipping Norton Neighbourhood Plan
BD1 Historic built environment
BD2 Conservation Area
OS2NEW Locating development in the right places
OS4NEW High quality design
E5NEW Local services and community facilities
E6NEW Town centres
T3NEW Public transport, walking and cycling

EH8 Environmental protection

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

CN2 Chipping Norton sub-area Strategy

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

5 PLANNING ASSESSMENT

Background Information

5.1 This application and the parallel application for Listed Building Consent seek to undertake some demolition and alteration of this listed former bank building to enable its re-use as a community hub incorporating a variety of mixed use spaces such as community hall, community kitchen, office space, meeting rooms, recording studio etc. The building is prominently sited in the centre of town within the conservation area and secondary shopping frontage but is adjoined on either side and to the rear by residential properties. No car parking is proposed and a tree that is sited in the rear garden area is to be felled to make way for the enlarged rear extension comprising the community hall.

5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

5.3 The site lies within the secondary shopping frontages where the policies of both the local plan and the neighbourhood plan seek to retain town centre compatible uses. Cessation of use as a bank is thus to be regretted but this has already occurred and as such the building is currently contributing little to the economic diversity and viability of the town centre. The proposed use as a community facility located in one of the most sustainable central locations within the town is supported by policy and the flow of visitors to the site would drive economic benefits to nearby business uses thereby helping to safeguard their continued survival and prosperity. Your officers assessment is that the reuse is likely to have a positive economic and social impact on the vitality and viability of the town centre and as such that the principle of development is considered acceptable, even though it would cement the loss of the traditional town centre use of the bank.

Siting, Design and Form and Impact on Heritage Assets

5.4 The building has been much amended in the past to facilitate its use as a bank including provision of strong rooms, new staircase, removal of many internal fittings etc. This application seeks further remodelling involving some demolition and levelling of floors but also the revealing of features that had been obscured as part of earlier works. As this is a grade 2* listed building the advice of Historic England is required but has not at the point of agenda preparation been received. There is also a proposed demolition of an existing part natural and part artificial stone rear wing and its replacement in red brick where it would be better if the stone elements could be retained.

5.5 An update regarding the impacts of the siting design and form of the proposals on the historic character and integrity of the structure is required before a formal recommendation can be made and this is likely to delay determination until a future meeting.

Highways

5.6 It will be noted that Highways have raised no objections to the scheme subject to a CTMP. Given the central location, difficulty of parking and access to the site this seems an eminently necessary requirement to minimise disruption during building works. Your officers are similarly satisfied that when assessing the historic use as a bank (with both staff and visitors using the building) against the proposed use (where as a result of the nature of the new uses it is likely that car modes of transport would be less than the former use) that car parking demand will not be worsened. The highways position is considered acceptable.

Residential Amenities

5.7 This is a key issue and one where Officers are conflicted as to the correct recommendation. At present there is a substantial two storey rear block that it is proposed to demolish and replace with a longer and wider structure. This runs along the shared boundary with the residential property to the North and as such the additional massing has the potential to be particularly unneighbourly as it will mean an even greater extent of the main private amenity space serving that property is subject to overbearing and overshadowing impacts. To set against this is the fact that the location where the extension is proposed is currently occupied by a large tree which would need to be felled. However this tree is widely visible in the Conservation Area (eg across the Sainsbury's car park) and as such would have an impact on the Conservation Area. Were the building to be a conventional domestic extension it would be recommended for refusal. However it is not a conventional domestic extension. It will help to create a facility with substantial community benefits and as such there is an argument that the needs of and benefits to the many could be seen as outweighing the harm to the one? Officers have explored whether the hall could be redesigned so as to lessen the impacts on that neighbour but the applicants are concerned that this would reduce its capacity and value.

5.8 With regards to the neighbour to the south the structure will come closer to the boundary and a side facing window will be re opened. As set out in their representations a first floor balcony area could be created and additionally the increased use of the garden would bring with it additional disturbance over and above the use it currently enjoys. It is however considered that with careful conditions regarding obscure glazing, not using the balcony area to sit out, how and when the garden can be used etc that it would be possible to ameliorate these issues to some degree.

5.9 In that the proposals are not yet in a position to be determined as a result of the lack of responses from the heritage consultees and with site visits now being more possible under Covid regulations, because the position is so finely balanced Officers consider that it would be useful for Members to visit the site to assess whether the harms are so great to the neighbour that even with the extent of community benefit a refusal is justified or that amendments should be sought. Member advice/confirmation will be sought at the meeting.

Other matters

5.10 Members will note that concerns have been raised regarding Radon. These can be addressed by an informative and Building Regulations. Similarly whilst the site lies in the AQMA it is not considered that the extent of use will worsen the position as regards pollution from motor vehicles as many of the clientele will not be car owners.

Conclusion

5.11 There is no doubt that this use will offer many social and other advantages to the town and it has garnered substantial support. However the building is a particularly important heritage asset graded 2* and at present the responses from consultees regarding the remodelling and refurbishment are awaited. This will prevent determination of the application at the meeting but Officers want to take the opportunity to present the application and in particular the increase in the size of the rear hall, the loss of the tree and the impacts upon neighbours with a view to suggesting that any decision on this application should only be taken when Members have fully appraised the position on site- as the impacts will be substantial and Members need to be assured whether the benefits outweigh those impacts or alternatively that the scheme should be modified to seek to reduce them to a more acceptable level. A verbal update will therefore be given with a view to suggesting a site visit.

6 CONDITIONS/REASONS FOR REFUSAL

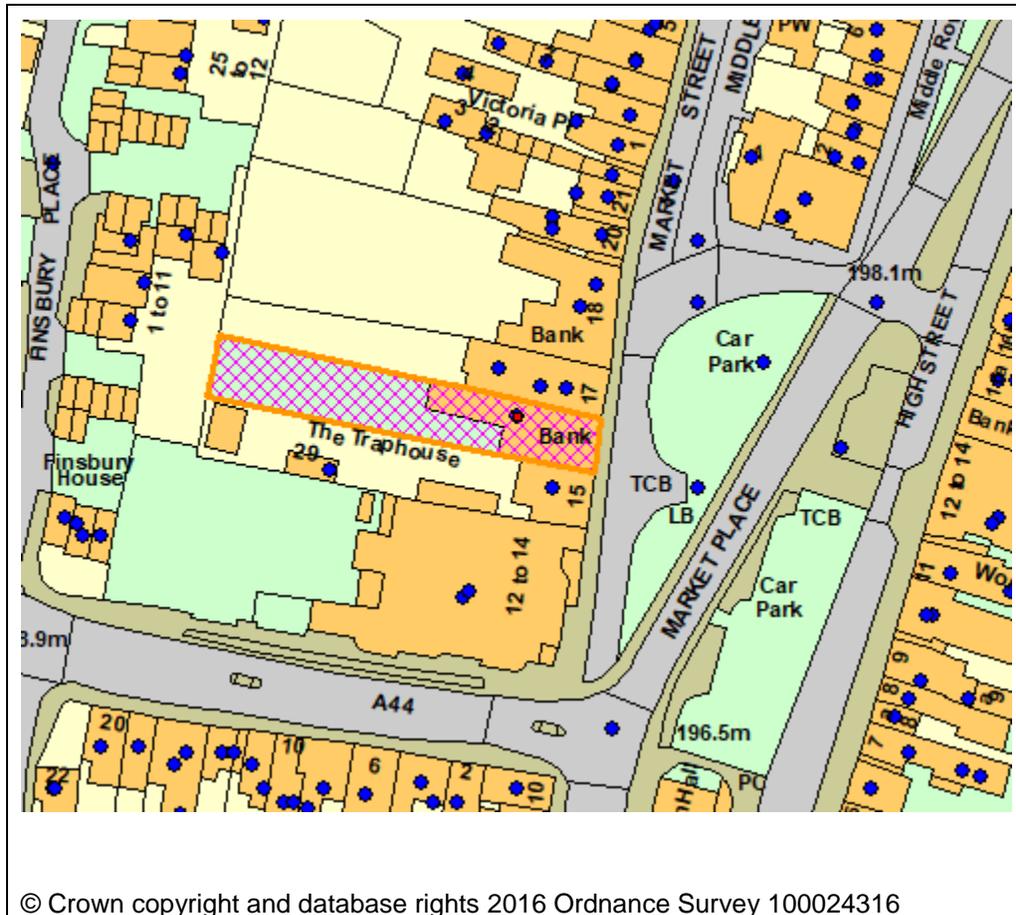
Contact Officer: Phil Shaw

Telephone Number: 01993 861687

Date: 15th July 2021

Application Number	21/00986/LBC
Site Address	The Old Bank 16 Market Place Chipping Norton Oxfordshire OX7 5NA
Date	15th July 2021
Officer	Phil Shaw
Officer Recommendations	Defer
Parish	Chipping Norton Parish Council
Grid Reference	431304 E 227125 N
Committee Date	26th July 2021

Location Map



Application Details:

Internal and external alterations to convert former bank to provide a new community hub incorporating a community hall, meeting rooms, lettable office space and administrative offices. Demolition of existing rear extensions and provision of replacement extensions.

Applicant Details:

The Branch Trust
16 Market Place
Chipping Norton
Oxon
OX7 5NA

1 CONSULTATIONS

Conservation Officer No Comment Received.

Parish Council No Comment Received.

Historic England No Comment Received.

2 REPRESENTATIONS

2.1 None received in respect of LBC.

3 APPLICANT'S CASE

Please see report in respect of application 21/00985/FUL.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

5.1 Please see report in respect of application 21/00985/FUL.

6 CONDITIONS/REASONS FOR REFUSAL

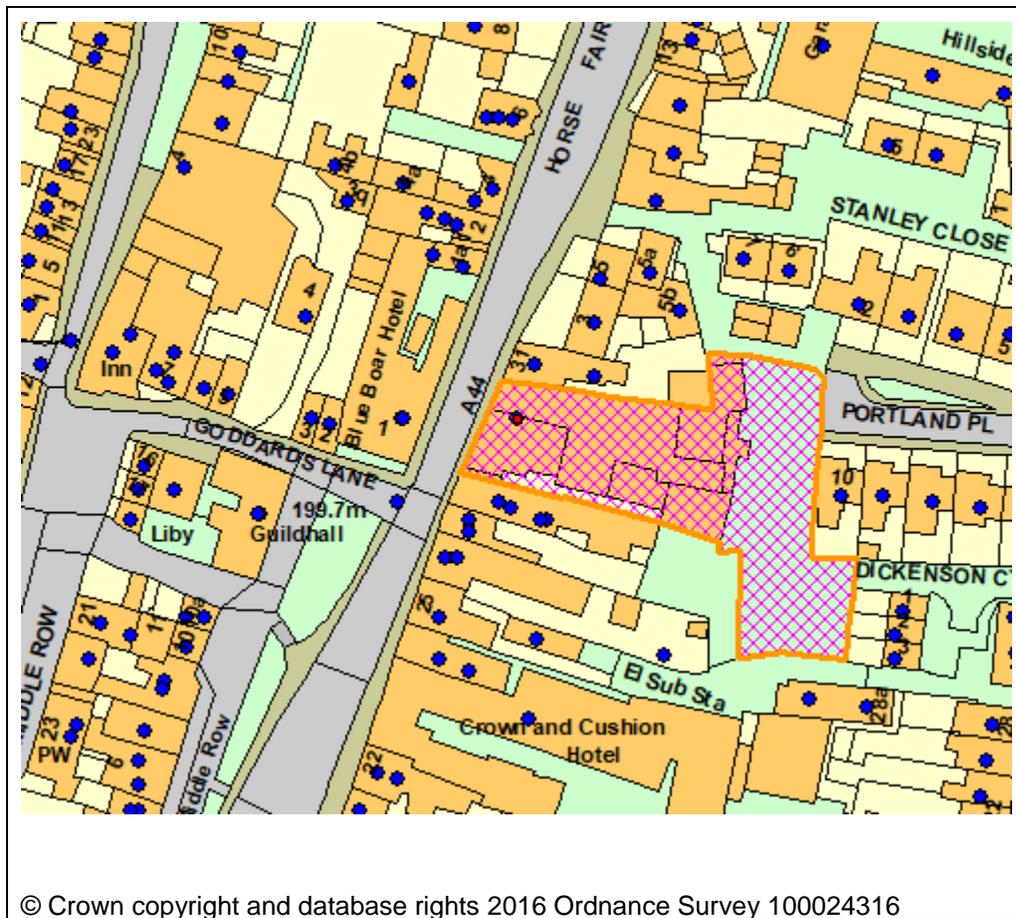
Contact Officer: Phil Shaw

Telephone Number: 01993 861687

Date: 15th July 2021

Application Number	21/01204/FUL
Site Address	29 - 30 High Street Chipping Norton Oxfordshire OX7 5AD
Date	15th July 2021
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Chipping Norton Parish Council
Grid Reference	431427 E 227246 N
Committee Date	26th July 2021

Location Map



Application Details:

Proposed mixed-use conversion and redevelopment of existing retail and residential premises to form a 2-screen cinema, eight residential apartments (C3) plus five serviced short-term let apartment suites, with 14 spaced car park and shared bin and bicycle stores to rear.

Applicant Details:

Mr Alex Giacchetti
Sterling House
27 Hatchlands Road
Redhill
RH1 6RW
Surrey

I CONSULTATIONS

Major Planning Applications
Team

Highways

The following planning conditions should be attached:

Travel Plan Statement

Prior to first use or occupation of the cinema development hereby approved, a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority. This will be required to set out approved methods for reducing single occupancy vehicle trips to the cinema. The approved measures set out in the Travel Plan Statement shall thereafter be implemented.

Travel Information Packs

Prior to first occupation of the short-term let apartments hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. This will be required to set out approved methods for reducing single occupancy vehicle trips to the apartments. The Travel Information Packs shall thereafter be made available to all those making use of the apartments.

Construction Traffic Management Plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of access, delivery and loading areas, which must not take place from the highway, and times for construction traffic and delivery vehicles, which must be outside of peak network hours. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Delivery and Service Management Plan

A Delivery and Service Management Plan should be submitted to the Local Authority and agreed prior to use or occupation of the development hereby permitted. The Plan should include specific details on the routing of vehicles and access to the site.

Servicing and Deliveries to the site must not take place from the public highway in order to mitigate the impact on the surrounding network.

Flooding

Objection

Key issues:

As the site lies within high risk groundwater vulnerability area and drinking water safeguard zone, water quality standards must be met. The proposal includes car parking which can reduce quality of surface water being discharged. The proposal needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

WODC - Arts

No Comment Received.

ERS Air Quality

No Comment Received.

ERS Env. Consultation Sites

ERS Pollution Consultation Thank you for consulting our team, I have looked at the application in relation to contaminated land and potential risk to human health.

Given the proposed change to residential use please consider adding the following conditions to any grant of permission.

- I. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

2 The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

WODC Env Health - Uplands

ERS Pollution Consultation

The previous scheme for this site was withdrawn in late 2020. My concern is that the development is located within the Chipping Norton Air Quality Management Area (AQMA) and thus will be particularly sensitive to locally poor air quality, so I wish to ensure the previously agreed mitigation measures will be carried over to this scheme.

These included fixing windows shut on all street frontage locations and placing mechanical ventilation in bathrooms exiting on east facing roof tiles.

I note that the proposals include a 'small café bar offer designed specifically to encourage patrons to arrive early and stay after screenings'.

There is no detail given as to the level of hot food to be offered and thus ventilation requirements, although a kitchen extract is marked on proposed ground floor plan 2930_DR_0200.

This extract appears to allow kitchen air to exit in a low level and within a relatively confined space between buildings. It appears (on drawings 2930_DR_0201 and 2930_DR_0202) to exit around second floor level above opening doors to first floor Apartment 1 and adjoining the terrace to Apartment 4. Therefore, I would need to have more details of the type of café planned and the extract arrangements themselves to determine whether this is likely to create nuisance to residents.

Without the above information being confirmed and agreed in advance of any decision concerning the application I cannot yet recommend approval in relation to air quality/odour considerations.

WODC - Sports

No Comment Received.

Conservation Officer

The proposal is largely okay; my main concern is the windows on the front elevation of the principal listed building.

The drawing shows repair / replacement of windows. This is a little vague. Repair is fine, but only where these windows are beyond repair would be support replacements; many of the windows (looking at google street-view only) look to be of significance, so we would not wish to lose these.

We will need a schedule of the windows - along with the elevation drawings and photographs (close-ups internal / external including window furnishings) - we will need a report of their current status (e.g. age, materials, glazing) and condition to make an informed decision about whether replacement is acceptable; this should be undertaken by a suitably qualified heritage specialist.

Biodiversity Officer

I recommend that bird and bat boxes are provided as biodiversity enhancements and these features can be mounted onto the external walls of the buildings. The details of the new roosting and nesting features, including elevation plans and the specific designs, should be submitted to the LPA as a condition of planning consent.

I also recommend that a sensitive external lighting strategy is prepared to ensure that the surrounding habitat features are not illuminated by any new external lighting. The details of the external lighting should be submitted to the LPA as a condition of planning consent.

A comprehensive landscaping scheme should also be prepared to detail the habitat features that are to be enhanced and created on site, along with a 5-year maintenance plan. The landscaping scheme will need to be submitted to the LPA as a condition of planning consent

WODC Planning Policy
Manager

No Comment Received.

TV Police-Crime Prevention
Design Advisor

No Comment Received.

Thames Water

Thames Water requests the following condition to be added to any planning permission.

"No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement."

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure

WODC Housing Enabler No Comment Received.

WODC - Tourism No Comment Received.

Parish Council Chipping Norton TC - No objection
The Town Council supports this application. We are very pleased that the developer and operator want to invest in our market town in these difficult times. This building, having sat empty for a prolonged period, and located at the entrance to the town centre, has given a poor impression of the town for years, and this new project will bring much-needed revitalisation. New ventures such as these will give residents from the area added reason to come to Chipping Norton and spend their money in the town, rather than in cinemas, pubs and restaurants further afield. We are pleased too that the theatre and cinema are working together over the long term.

2 REPRESENTATIONS

2.1 Ten letters of Objection to this application and the parallel application for LBC have been received raising concerns on the following grounds:

- 1) This cinema will seriously affect our Theatre in Spring Street. The Theatre regularly shows films and this is a great percentage of their already very limited income.
- 2) Yet more parking problems in our town, where parking is again becoming a further issue (the disastrous bank development into a hotel bring another). This will be more of a problem when this cinema will put on matinees.
- 3) Horse Fair is already a death trap for pedestrians due to the very narrow footpath close to the traffic.
- 4) People going to the cinema after a refreshment in one of the pubs across the road will converge in Horse Fair at about the same time to enter the cinema. This will affect the safety of the punters and the flow of traffic.
- 5) People being dropped off in Horse Fair when the driver tries to find a parking space could also affect the flow of traffic
- 6) There is no parking allowed in Portland Place, which is narrow, and unsuitable for the number of vehicles that will be using it to reach the holiday lettings.
- 7) There are too few parking places for the proposed units. Chipping Norton needs affordable housing for locals similar to the existing units which are being constructed from Albion Street towards the High Street and proving very popular.

8) Too much is crowded into the development with holiday lettings instead of affordable housing for local people. The parking will not be adequate. The original plan for a few houses and flats was more suitable. During the five years the site has grown more derelict and rats come from it and bred in my garden.

9) There is still the question of too many people coming out of the premises on to a narrow pavement, where there has already been a fatality. This application does not answer the question of increased parking, even adding in the spaces at the Premier Inn, which presumably will be used by the guests of the hotel. It is interesting to note that many of those in favour of this application are from outside of the town and therefore, if coming to the cinema, will add to the parking problem.

10) The car parking spaces are used by clients of the restaurants in the evening. Many cars are used to transport elderly people to the restaurants, the theatre and events in the Town Hall. I can not understand the Town Council, who's reply to this application does not mention parking, when their own document, the Neighbourhood Plan, comments on the lack of parking.

11) We reside at 10 Portland place which directly overlooks the proposed buildings of apartments 11, 12 & 13. Which would overlook our garden & property. This area would be ideal to leave as a car park as Chipping Norton does not have a lot of parking to accommodate all these new developments in town. Also there would be the noise from the late evening performance showings of people going home using our small residential road as pick up and drop off points as we know there will not be sufficient parking in the town. We do not need a cinema when we have a lovely theatre already in the town.

12) Short let properties will attract a certain type of clientele when what we need in the town is affordable long term accommodation or start up homes for young people.

13) Noise - A 2 screen cinema (with a 90 person capacity and an estimated 80% occupancy at peak times) will result in large volumes of people all entering and exiting the building at a similar time, particularly when a screening ends. This will be disruptive to nearby residents, many of whom are elderly or live alone. In the plans, there is an assumption that volumes of customers will be staggered due to in-house entertainment and refreshments, these aren't based on facts, and this is rarely the case when customers leave a cinema late at night. It is also fair to assume that a vast majority of customers will enter and exit the premises at a similar time.

14) The data already existing on personal accident and injury is not reflective of the proposed developments, it is reflective of the current situation. The risk of PIA will increase.

15) Deliveries - We understand there have been historical issues with delivery lorries servicing Harpers via Portland Place, due to safety and damage to the road, along with the vehicles blocking residents in at inconvenient times. If a large vehicle is in the cul-desac, there is not enough room for another vehicle to pass, a car or an ambulance for example.

16) Environmental Impact - There will be a negative environmental impact from increased customer traffic, delivery lorries, and littering to name a few. I hope that this outlines how concerned we are, and that you can understand how this will negatively impact our quality of life, both emotionally and practically

17) I do have a concern regarding the cinema. Unless the plans have been amended it looks like there is an exit or entrance to the cinema located right opposite my flats which are the other side of the wall which runs along the walk/passage way there. I am concerned that there will be a lot of people coming

out along here at various times and maybe during the evening and this will cause disturbance to my residents one whose bedroom is directly the other side of the wall.

2.2 A letter has been received from Chipping Norton Theatre, summarised as follows:

Whilst we would prefer to have a confirmed agreement in hand, we accept that the uncertainty of this moment in time makes that impossible. We are therefore withdrawing our previously stated objection to the development, made on the grounds of the detrimental impact the new cinema might have on The Theatre as a community resource. We hope that, should plans proceed and the new cinema arrive in our town, that our community and local authorities will strongly urge the new operators to follow through on the proposed collaboration with The Theatre.

2.3 Four letters of support have been received raising the following points:

- 1) They have clearly addressed my only concern in the competition with the existing theatre. It is about time this end of town was given a lift. For far too long the almost derelict appearance has been an eyesore when entering the town. It has been a barrier between the main area of town and the area beyond. I have seen many visitors turning around at the current site, thinking that the town ends at that point. One can see why! Just gaining the site a coat of fresh paint has lifted the look and personally I cannot wait to see this development go ahead.
- 2) This re-development will be a welcome addition to the town, providing entertainment for all, but particularly for younger residents. Having a local cinema will reduce the need to drive to larger neighbouring towns, lowering both the cost and the environmental impact of travel. This development will also provide local jobs, increase footfall to other local businesses such as restaurants and pubs, and improve the appearance of an otherwise large and empty building.
- 3) Great project, great idea!
- 4) Very excited for new cinema in town, saves driving to Oxford, Witney etc! Lovely to keep things local.

3 APPLICANT'S CASE

3.1 The proposal is to create a high-quality development containing a cinema; residential and serviced apartments that would have significant benefits for the local community and economy. These benefits include restoring and bringing back into active use an important heritage asset; enhancing the vitality of the town centre; creating a new leisure facility and providing tourist accommodation. The redevelopment of this site will also serve as a shining example across the country and the nation of how a defunct high street retail property can be creatively rejuvenated, especially at a time of critical need for a post covid recovery.

The proposal accords with the Council's Local Plan as well as the Chipping Norton Neighbourhood Plan and therefore should be granted planning permission in accordance with the presumption in favour of sustainable development.

4 PLANNING POLICIES

TC1 Chipping Norton Neighbourhood Plan
TC4 Chipping Norton Neighbourhood Plan

TC6 Chipping Norton Neighbourhood Plan
BD1 Historic built environment
BD2 Conservation Area
CN2 Chipping Norton sub-area Strategy
OS2NEW Locating development in the right places
OS4NEW High quality design
H2NEW Delivery of new homes
H4NEW Type and mix of new homes
E1NEW Land for employment
E6NEW Town centres
T1NEW Sustainable transport
EH9 Historic environment
EH10 Conservation Areas
EH11 Listed Buildings
EH3 Biodiversity and Geodiversity
T4NEW Parking provision
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

5.1 This application is an amended version of one that secured permission under application reference 17/00236/FUL. That sought consent for a primarily residential based redevelopment of the site retaining shops at the frontage whereas this proposal is a mixed use involving residential, cinema and apartments. The site contains a double fronted listed retail property at the front, with a range of modern extensions and outbuildings to the rear and a car parking area beyond, adjoining and accessed via Portland Place. The shop unit is within the primary retail frontage of the High Street, and was until 2016 occupied by a DIY/hardware store occupying over 800 m2 of floorspace. It is now vacant. No. 29 High Street is listed at Grade II, No. 30 locally listed, and the site as a whole sits within the Chipping Norton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB)

5.2 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

5.3 The appeal decision above accepted the principle of redevelopment of the site- albeit at that time a retail element was proposed. However a cinema is considered a similarly acceptable town centre use and the reception area would contribute to the vitality of the street frontage. The previous proposal was considered not to generate sufficient profit to justify affordable housing provision and this is a relevant fall back position particularly as Vacant Building Credit may be applicable thereby rendering AH contributions negligible. Your officers are satisfied that in a sustainable town centre location a mixed use redevelopment is in principle acceptable

Siting, Design and Form

5.4 The earlier scheme involved retention of the frontage buildings and replacement of the later additions to the rear. This proposal seeks to retain far more of the extant structures and to remodel ,

extend and adapt them to the new uses. Because of the substantial fall in levels across the length of the site the levels are particularly challenging as the scheme rises approx two full storeys in height with ground level at the rear being the second storey at the front. The agent has however used the existing buildings and the contours of the land to create a varied roofscape that helps to break up the mass of the buildings. The materials (stone, timber cladding and render) again are used to help to break up the mass of the linked buildings and will assimilate into the surrounding built form context/conservation area. The three new units to the rear of the site follow the principles established when the first scheme gained consent. The built form is considered acceptable

Highways

5.5 It will be noted that Highways are no longer raising an objection. Initially there was concern at the crowds waiting to access the cinema congregating on the very narrow pavement and forcing other users out into the traffic flow which would have been unacceptable. Now the scheme proposes to set the frontage of the cinema back into the building such that an undercroft area is created clear of the pavement where patrons can wait under cover. Additionally the lobby to the cinema is laid out as a cafe/bar style reception area with a view to trying to get patrons to arrive over a staggered period and thereby reduce queuing.

5.6 A second aspect is the parking demand and servicing arrangements. Residents of Portland Place to the rear are concerned that it may be used to drop off cinema goers or for fly parking. However similar concerns were not supported by the Inspector when the last appeal was allowed and it will be noted that OCC is not raising objection on these grounds.

5.7 The highway aspects are now considered acceptable.

Residential Amenities

5.8 As advised above there are concerns regarding the operation of the site causing disturbance to neighbours from inconsiderate parking but other factors also need to be considered. There are residential properties surrounding the site and so a group of patrons leaving the cinema together has the potential to cause disturbance when background noise levels drop away. Additionally alleyways along either boundary give access to some of the units or are to be used as fire escapes and control will be needed as to how these are to be used to ensure that immediate neighbours are not unduly affected. Plant and equipment serving the cinema could give rise to nuisance and will need to be controlled. All of these matters will need to be the subject of conditions.

5.9 Additionally in terms of neighbourliness there is the mass of the new structures and the introduction of new windows serving the new units. As advised above the massing has been well handled and whilst there are some new side facing windows these have been located such that they generally overlook less sensitive areas. Given the urban context where privacy levels are already compromised these windows are considered acceptable.

5.10 Given the location of the development and separation distance from neighbouring properties, officers are of the opinion that the proposals in terms of the use and the built form would not give rise to any undue adverse impacts in regards to neighbouring amenity with appropriate conditions in place.

Impact on Heritage Assets

5.11 In retaining more of the existing structures there is less physical change than with the approved scheme. There is the need for more detail on some aspects such as the windows etc but this can be addressed by conditions. The Conservation Officer is satisfied that the building is appropriately dealt with and is not harmed. The site is a grade II listed building where decision makers are required to take account of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses. In this case the building is not considered to be harmed and as such the historical and architectural merits and the setting of the existing heritage asset and wider conservation area are preserved. As agreed by the previous Inspector the site is similarly not considered to impact on the landscape character or quality of the AONB.

Drainage

5.12 It will be noted that OCC has a drainage objection. However it must be recalled that this is an existing built up site and that an inspector has granted consent for redevelopment with a condition re drainage to address his concerns. A similar arrangement is considered acceptable here

Environmental issues

5.13 The application site is located within the Chipping Norton AQMA where pollution levels are above the national average. A condition has been attached requiring details of electric vehicle charging points so that there is no undue impact from this development on the AQMA.

5.14 Conditions have also been attached to ensure that there is a biodiversity net gain in terms of wildlife and landscaping.

Conclusion

5.15 Consent already exists for redevelopment of this site in a similar form but involving more demolition and retail as opposed to cinema use. Your officers consider that the revised mix is acceptable and that the built form and detailing will conserve the Conservation Area and Listed Building (see also separate application ref 21/1205/LBC) Whilst there will be some different/additional impacts arising from the cinema use and the additional built form the impacts of these have been well handled/are acceptable or can be addressed by condition. OCC is now happy that the entrance is designed such as to limit the potential for overcrowding the pavement. The use will contribute to the vitality and viability of the town as set out by the Town Council in its response and there are no policy, heritage or other objections that would in your officers assessment justify withholding consent. As such conditional approval is recommended.

6 CONDITIONS/REASONS FOR REFUSAL

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 No part of the development hereby permitted shall be commenced until a scheme showing the phasing of the implementation of the overall development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall describe the stages in which the development will be implemented in terms of the housing elements, the cinema, the car parking, the cycle parking, the short term let apartment suites and the landscaping. No part of the development shall be carried out other than in accordance with the approved phasing scheme and no building shall be occupied until all works within that phase of the development have been completed, unless otherwise approved in writing by the Local Planning Authority

REASON: To ensure that all components of the overall development are provided.

4 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

5 The living accommodation hereby permitted in the form of the 5 serviced short term let apartments shall only be occupied as such and for a period not exceeding 4 weeks duration and shall not be used for any other purpose without the prior express consent of the LPA.

REASON: To preclude the establishment of separate residential units on the site having regard to affordable housing policy.

6 The flat roof areas hereby approved shall not be used as a balcony, roof garden or similar amenity area.

REASON: To protect the reasonable privacy of the occupants of adjoining properties.

7 The premises shall not be open for customers outside the following hours: -

0900 - 2300 Mondays - Fridays

0900- 2400 Saturdays

1000- 2200 Sundays.

REASON: To safeguard living conditions in nearby properties.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to limit alterations to plots 11,12 + 13 due to neigh proximity

10 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.

11 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

12 All new external joinery shall be painted white, cream or Burford Green and shall thereafter be retained in that colour.

REASON: To safeguard the character and appearance of the area.

13 Detailed drawings of the design and external appearance of the shop front(s), including details of the fascias, shall be submitted to and approved in writing by the Local Planning Authority before installation of the shopfront commences. The shopfront(s) shall be installed in accordance with the approved drawings.

REASON: To safeguard the character and appearance of the area.

14 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.

15 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.

REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.

16 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

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

17 Prior to any development above slab level, a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and hedge enhancements, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To ensure the safeguarding of the character and landscape of the area during and post development.

18 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

REASON: To safeguard the character and landscape of the area.

19 Notwithstanding any indication contained in the application, a detailed schedule of all hard surface materials, shall be submitted to and approved in writing by the Local Planning Authority before any hard surfacing work commences. The surfaces shall be constructed in accordance with the approved details before occupation of any associated building.

REASON: To safeguard the character and landscape of the area.

20 Notwithstanding the information provided on the approved layout plan, details of all walls and fences around each plot and on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected before occupation of the associated dwellings hereby approved and thereafter be retained.

REASON: To ensure that in the interests of privacy and visual amenity a high standard of boundary treatment is provided.

21 No other part of the development shall be commenced until:-

- a) A detailed site investigation has been carried out to establish:-
 - I. If the site is contaminated;
 - II. To assess the degree and nature of the contamination present;
 - III. To determine the potential for the pollution of the water environment by contaminants and
 - IV. The implication for residential development of the site and the quality of residential environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority, and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority, and
- c) A scheme showing appropriate measures to prevent the pollution of the water environment, to ensure the integrity of the residential development hereby approved and to ensure an adequate quality of residential environment for future occupiers in the light of such results and approved conclusions has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in (c) above.

REASON: To ensure the means to prevent pollution and secure a safe environment for the development of and future occupiers of the site.

22 Prior to first occupation of any part of the development hereby approved details of the following shall be submitted to and approved in writing by the LPA, implemented in full before that part of the development is occupied and shall be retained in place thereafter:

- a) Mechanical equipment and plant to serve the cinema
- b) The means to control access to and the hours of use of the alleys/access ways running along the side boundaries of the site
- c) The surface water drainage arrangements
- d) The means to prevent unacceptable levels of overlooking from balcony areas

REASON: Such details were not provided as part of the application and are required to ensure it is acceptable.

23 Prior to first use or occupation of the cinema development hereby approved, a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority. This will be required to set out approved methods for reducing single occupancy vehicle trips to the cinema. The approved measures set out in the Travel Plan Statement shall thereafter be implemented.

REASON: In the interests of promoting non car transport.

24 Prior to first occupation of the short-term let apartments hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. This will be required to set out approved methods for reducing single occupancy vehicle trips to the apartments. The Travel Information Packs shall thereafter be made available to all those making use of the apartments.

REASON: To promote non car modes of transport.

25 A Delivery and Service Management Plan should be submitted to the Local Authority and agreed prior to use or occupation of the development hereby permitted. The Plan should include specific details on the routing of vehicles and access to the site. Servicing and Deliveries to the site must not take place from the public highway in order to mitigate the impact on the surrounding network.

REASON: To limit the impact of service vehicles.

26 The cafe/bar/foyer area hereby approved shall only be operated ancillary to the operation of the cinema hereby approved and not as a separate entity and shall be limited to the same opening hours as the cinema.

REASON: To limit the impact upon the residential amenity of adjoining occupiers and for the avoidance of doubt.

27 No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

28 Before the development hereby permitted is occupied, Rapid EV charging points shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of air quality in the Chipping Norton AQMA, to reduce greenhouse gases and to encourage sustainable travel modes of transport in accordance with paragraph 110 (e) of the NPPF 2019.

INFORMATIVES :-

0. You are advised of the presence of Radon in the vicinity and this will need to be properly addressed by way of your application for approval under the Building Regulations. You are also advised that the site lies close to sewage infrastructure and as such piled foundations may not be appropriate

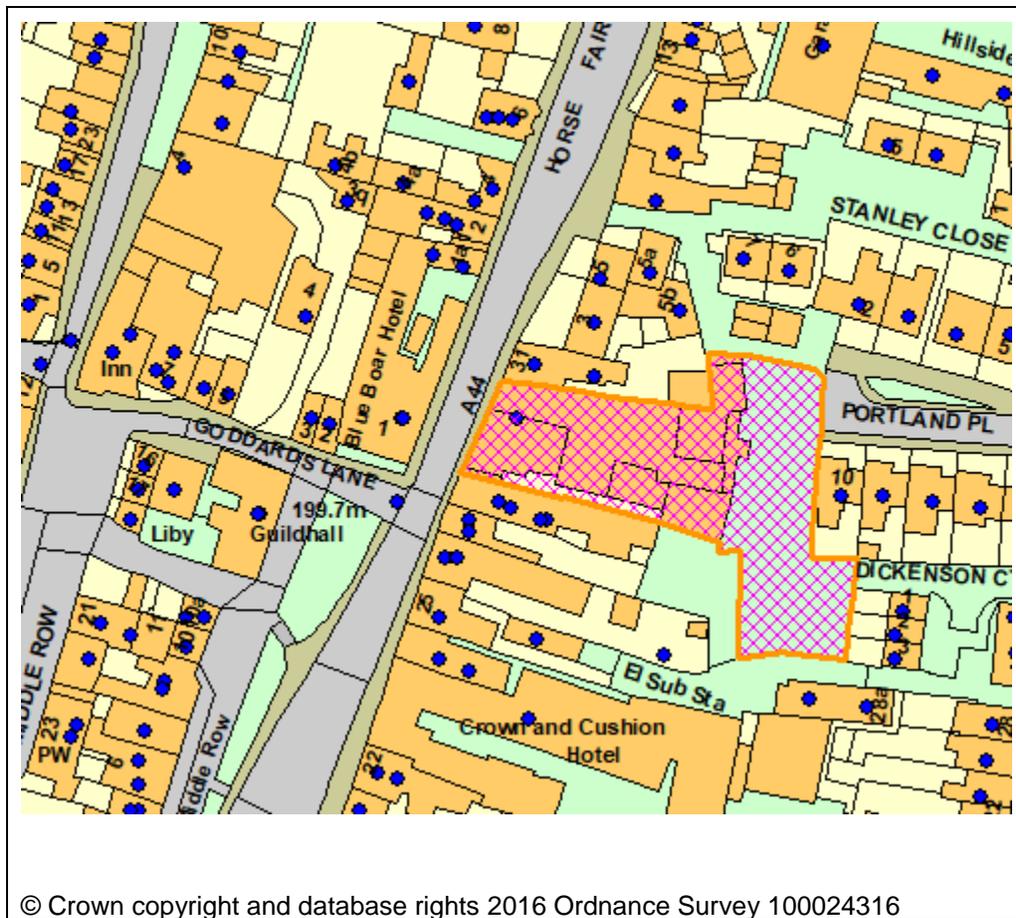
Notes to applicant

1 You are advised of the presence of Radon in the vicinity and this will need to be properly addressed by way of your application for approval under the Building Regulations. You are also advised that the site lies close to sewage infrastructure and as such piled foundations may not be appropriate

Contact Officer: Phil Shaw
Telephone Number: 01993 861687
Date: 15th July 2021

Application Number	21/01205/LBC
Site Address	29 - 30 High Street Chipping Norton Oxfordshire OX7 5AD
Date	15th July 2021
Officer	Phil Shaw
Officer Recommendations	Approve
Parish	Chipping Norton Parish Council
Grid Reference	431427 E 227246 N
Committee Date	26th July 2021

Location Map



Application Details:

Internal and external alterations to include a mixed-use conversion and redevelopment of existing retail and residential premises to form a 2-screen cinema, eight residential apartments (C3) plus five serviced short-term let apartment suites, with 14 spaced car park and shared bin and bicycle stores to rear.

Applicant Details:

Mr Alex Giacchetti
Sterling House
27 Hatchlands Road
Redhill
RH1 6RW
Surrey

1 CONSULTATIONS

Conservation Officer No Comment Received.

Parish Council No Comment Received.

2 REPRESENTATIONS

2.1 No representations received in respect of listed building matters.

3 APPLICANT'S CASE

3.1 As per the Full application.

4 PLANNING POLICIES

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

5 PLANNING ASSESSMENT

5.1 Please see details in respect of application 21/01204/FUL.

Conclusion

5.2 Recommend conditional approval.

6 CONDITIONS/REASONS FOR REFUSAL

1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.

REASON: To preserve internal features of the Listed Building.

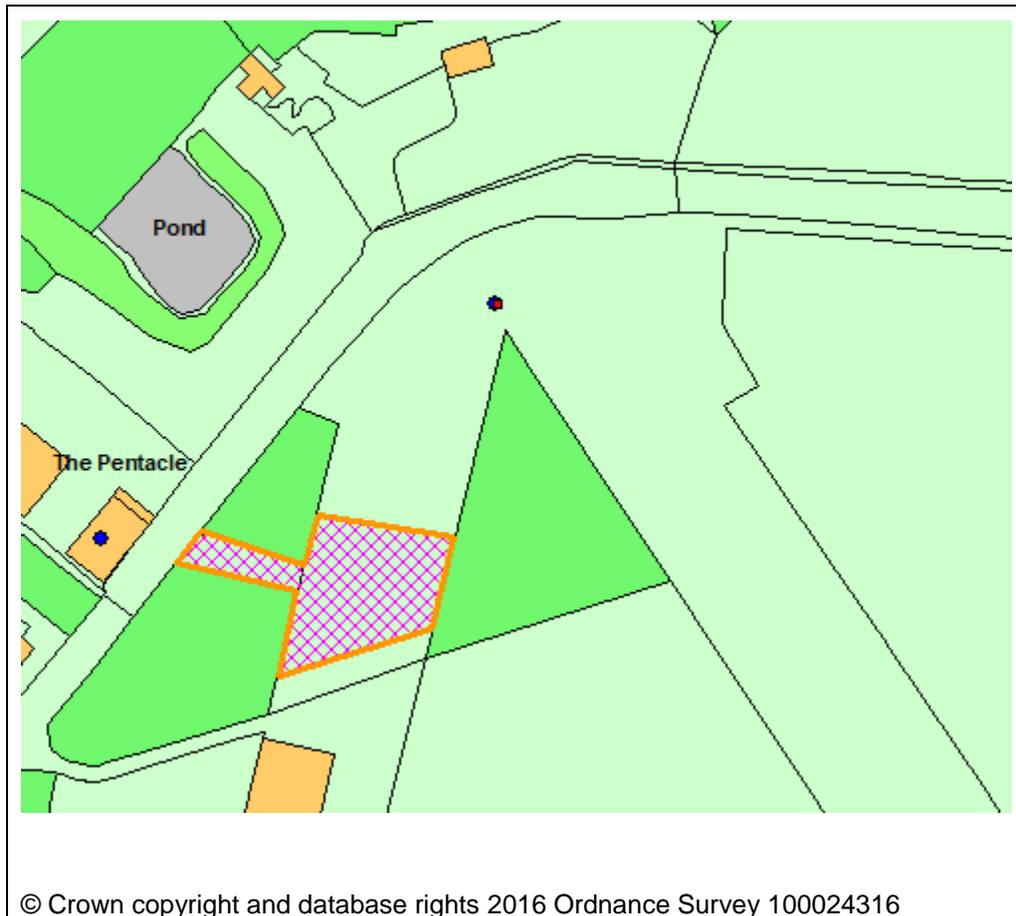
3 Details of the methods to be used for the protection of the retained fabric shall be submitted to and approved in writing by the Local Planning Authority before any works commence. Particular reference shall be made to . The approved protection works shall be carried out before any other works are carried out.

REASON: To ensure that parts of the original building are properly protected and supported before works start.

Contact Officer: Phil Shaw
Telephone Number: 01993 861687
Date: 15th July 2021

Application Number	21/01443/FUL
Site Address	Land At Enstone Airfield North Enstone Airfield North Banbury Road Enstone Oxfordshire
Date	15th July 2021
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Enstone Parish Council
Grid Reference	438870 E 226218 N
Committee Date	26th July 2021

Location Map



Application Details:

Temporary use of land for the storage of tipper lorries

Applicant Details:

Enstone Enterprises
Enstone Airfield North
Banbury Road
Enstone
Chipping Norton
Oxfordshire
OX7 4NS

I CONSULTATIONS

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
WODC Env Health - Uplands	I have reviewed all the documentation and I have No Objection in principle.
Civil Aviation	No reply at the time of writing
Parish Council	Enstone Parish Council has no objection to this planning application.

2 REPRESENTATIONS

2.1 Mr M Hunt of the Oxfordshire Shooting School has objected to the application on the following grounds:

- I would like to object to the above application on the grounds that this area makes up part of the shooting grounds leased area for use as "Shot Fall".
- My objection is that lorries and persons on site parked will be subjected to falling lead shot during hours of operation.
- Copies of our lease can be made available on request or can be obtained from the Land Registry.

3 APPLICANT'S CASE

3.1 The application seeks planning permission for a change of use of the parcel of land for the storage of tipper style lorries for a temporary period of 3 years. After the 3-year period has expired, the lorries will be removed, and the site will return to its current state.

3.2 There will not be significant additional vehicle movements to and from the site associated with the temporary storage of the vehicles, particularly not in the context of the number of vehicle movements associated with other commercial activity in the vicinity. The site anyway has safe and convenient access to the public highway.

3.3 Due to the nature of the proposal being solely for a change of use of the land and not for the erection of a permanent structure, there will be no harmful impact on the landscape character of the area and the proposal is therefore compliant with policy EH2. The proposed change of use is for a limited period of time and the site will revert to its former lawful use following the end of operations. It

is a discreet site and the lorries parked on the site will be viewed in the context of the mature vegetation which forms their backdrop and the airfield activities immediately adjacent to the site.

3.4 The surrounding area of the site is already in commercial use and so the proposal for storage of lorries on this parcel of land will not be at odds with the prevailing character if this part of the airfield. The proposal is therefore compatible with the adjoining uses, would not have a harmful impact on the amenity of existing occupants and will protect the local landscape and the setting of the area. The proposal thus meets the requirements of policy OS2 and E1 of the local plan.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

E1NEW Land for employment

OS1NEW Presumption in favour of sustainable development

EH2 Landscape character

E2NEW Supporting the rural economy

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

5 PLANNING ASSESSMENT

Planning History

5.1 MW.0043/18 (County Matter) -Permission was granted by the County to regularise the use of the land adjacent to Enstone Shooting School. On 12th May 2016 planning permission MW.0160/15 was granted for the importation and processing of material on land at Enstone Shooting Range, Enstone for placement on the permitted bunds as per planning permission 14/1178/P/FP at Enstone Airfield. The area occupied as part of this permission exceeded the actual area permitted. Based on this, planning permission was sought to regularise the use of this land to allow it to be used in conjunction with MW.0160/15. This included the importation and processing of inert waste, stockpiling of material, site office and welfare facilities at land located on the road through Enstone.

5.2 The applicants agent has confirmed that this application proposes the storage of tipper lorries on land at Enstone Airfield for a temporary three year period .The site area for the storage of the vehicles is located on land the subject of County Matter application MW.0043/18 which has been implemented. At the time of writing your Officers have requested that the County advise whether or not it has any comments in respect of the application. It is anticipated that these will have been received prior to consideration of this application by Members.

5.3 This prospective application is before Members to accord with the request that all matters pertaining to Enstone Airfield both retrospective and prospective are referred to the Uplands Area Planning Sub Committee for determination.

5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

5.5 The principle of allowing tipper style lorries to be stored on the land is considered acceptable given the airfield context and the adjoining commercial land uses.

Highways

5.6 County Highways has raised no objections to the proposal in terms of highway safety and convenience.

Visual Impact

5.7 The lorries will be seen within the context of a commercial airfield and other commercial adjoining uses and will not be discernable features in the landscape. As such the development will have a neutral impact in landscape terms.

Other

5.8 A third party has raised concerns that the storage of the tipper lorries is within an area of land that makes up part of the Shooting Grounds leased area for use as 'Shot Fall'. This is not considered to be a Planning matter but rather a civil issue. However, in order to inform any party implementing the planning permission that the site is located within the 'Shot Fall' area an informative is recommended should planning permission be granted.

Conclusion

5.9 In light of the above assessment and subject to the County Council not raising any issues in respect of the site being contained within the site area covering County Matter application ref MW.0043/18 the proposal is considered to comply with policies OS1, OS2, E1 and EH2 of the adopted West Oxfordshire Local Plan and relevant paragraphs of the NPPF.

6 CONDITIONS/REASONS FOR REFUSAL

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 use hereby permitted shall be discontinued and the land restored to its former condition on or before three years from the date of this grant of planning permission.

REASON: The use is only justified by the special and temporary need for the development.

INFORMATIVES :-

0. The area of land the subject of this planning permission may be the subject of 'Shot Fall' from the nearby Shooting School located to the north east of the site.

Notes to applicant

- I The area of land the subject of this planning permission may be the subject of 'Shot Fall' from the nearby Shooting School located to the north east of the site.

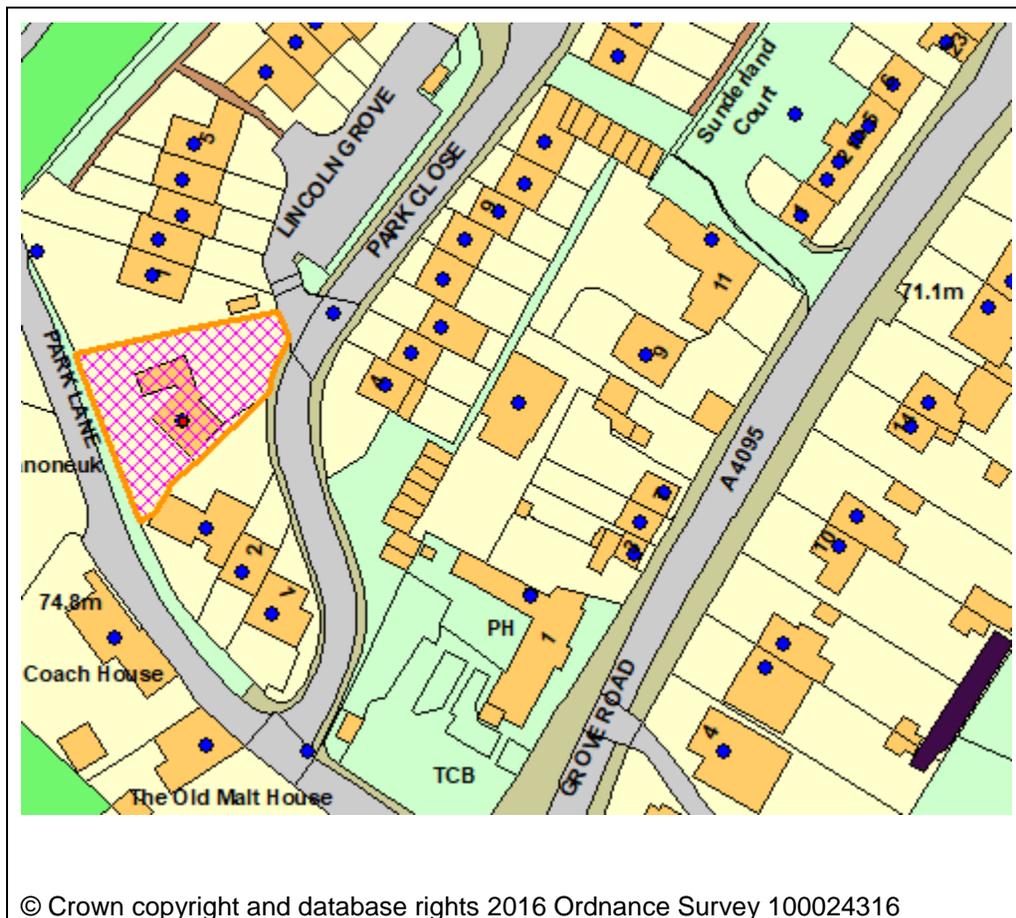
Contact Officer: Kim Smith

Telephone Number: 01993 861676

Date: 15th July 2021

Application Number	21/01476/FUL
Site Address	Shabbanoneuk Park Close Bladon Woodstock Oxfordshire OX20 1RN
Date	15th July 2021
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Bladon Parish Council
Grid Reference	444786 E 215016 N
Committee Date	26th July 2021

Location Map



Application Details:

Demolition of existing dwelling. Erection of three dwellings with associated works including landscaping and formation of parking

Applicant Details:

J Webb
Aelfric Court
2 Oxford Road
Eynsham
OX29 4HG

I CONSULTATIONS

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 the following conditions:

- G28 parking as plan
- G11 access specification

INFORMATIVE

Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted.

WODC Drainage Engineers

No objection subject to drainage condition.

Thames Water

No Comment Received.

WODC Env Health - Uplands

Mr ERS Pollution Consultation I have No Objection in principle.

Biodiversity Officer

Recommend conditions.

Conservation Officer

No Comment Received.

Parish Council

Comment:The Parish Council objects to the application, sharing the many concerns expressed by the local residents of Park Close and Lincoln Grove including as to the overbearing impact of the proposed development not only on the two immediately adjacent properties but on the area generally, which is not commensurate with the scale and character of neighbouring development. None of the existing properties in either road for example have car parking spaces directly outside their frontages; they all have lawns including those in Lincoln Grove where the parking bays are on the far side of the driveway.

We share residents' concerns as to the impact of increased traffic in a situation which is already extremely problematic; difficulties with front-in and out access of vehicles to the three proposed houses themselves; and the exacerbation of the existing lack of parking

space on the road by the advent of visitors, guests and commercial deliveries to 2 extra new houses, leading to increased difficulties and risks for pedestrians particularly children.

We further share concerns raised by residents as to the day to day practicalities of adequate bin storage and collection, bicycle access to the road for those living in the new houses, drainage, etc, as well as to the true impact on the light and privacy of neighbouring properties.

Whilst not opposed to the demolition and replacement of the existing house per se the Parish Council thus considers these proposals amount to over development of this small plot, that the proposed parking space scheme would look and be completely out of keeping with the rest of the area, and that three houses on the site would create ongoing additional traffic problems in and around the Close.

We would ask that consideration be given as to whether the proposals comply with the adopted West Oxfordshire Local Plan 2031, including policies OS2 and OS4 amongst others, and with the relevant provisions of the NPPF.

Given the extent of concern amongst residents we would strongly request that the application be referred to the Uplands Committee for consideration, and would further respectfully urge all members of the Committee who are not familiar with the area to undertake a site visit prior to the relevant committee meeting.

2 2 REPRESENTATIONS

2.1 Eleven letters of representation have been received objecting to the proposals. Full details can be viewed on the Council's website including photographs submitted by the neighbouring property. A summary of the concerns raised are as follows:

- Not necessary or suitable to cram 3 houses onto this piece of land. The area is already congested with residents cars, and access to this road can be extremely difficult at peak times. 2 houses would be more in keeping with current surroundings.
- Our outlook would be dominated by a carpark for the new homes.
- The development will also be overbearing for the neighbouring property to the north.
- There is no overwhelming need for new housing
- Overbearing and overshadowing to Toad Cottage
- Not "commensurate with the scale and character of neighbouring development"
- Additional cars (two for each of the three houses) would only exacerbate the congestion and parking problems and add to air and noise pollution in the area.
- Out of character with area
- Inadequate bin and cycle storage
- Misleading and inaccurate information submitted

2.2 Six letters has been received in support of the application:

- Whilst there are numerous parking issues in Park Close this planning application seems to address this as there are two spaces to each house. - This is more parking allocation than many of the houses
- The appearance of the new properties look in keeping with the community feel in Bladon and will be a huge benefit to house three families in the future.
- The current empty and derelict building is an eyesore.
- The block plan actually clarifies that the three houses would be sat on substantial plot and does not appear too cramped. The first three houses on Lincoln Grove are on a similar size plot.
- this new scheme appears to have taken into account the previous concerns.
- There is a need for more smaller dwellings in the area which this will contribute towards and will support the local economy

3 APPLICANT'S CASE

3.1 The planning statement concludes as follows:

The proposed development is located within the village of Bladon and represents sustainable development, compliant with housing location policies H2 and OS2. The scheme will meet identified housing need and will boost the delivery of windfall sites in the sub-area; which is supported by both local and national policy. A need exists for family dwellings, evidenced both by the Council's SHMA. The application addresses Policy H4 by delivering part of the mix for the District, and should not be assessed in isolation. Development of the site will not result in the loss of important open space or land of amenity value. Views through the site are very limited. The proposal represents a well-planned development that accords with the linear form of buildings in the locality. An existing access will be utilised with existing visibility acceptable in both directions. Maximum parking standards can be achieved on site. There are no identified heritage impacts - any that are alleged to exist would be outweighed by the public benefits of the proposal.

The Supplemental Planning Statement states:

Since the refusal, the applicant has worked with the WODC planning officer to address these concerns. This has been achieved by the following:

- Closing the gap between plots 01 and 02, thereby enabling plots 2 and 3 to be moved a further 1.2m away from the site boundary/Toad Cottage. The single storey element of the building will now stand a min. 2.4m from the boundary, with the two-storey element min. 3.6m from the boundary.
- Reducing the depth of the both the single and two storey elements of Plot 03 (adjacent Toad Cottage) by 0.6m.

Please also note:

- Since the refusal of application 20/018088/FUL a 2.0m high timber fence has been erected along the boundary that separates the proposed site from Toad Cottage / Lincoln Grove. This now replaces the 3m high conifer hedge that was removed as part of the initial site tidying up.

4 PLANNING POLICIES

OSINEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
H2NEW Delivery of new homes
T4NEW Parking provision
EH3 Biodiversity and Geodiversity
EH10 Conservation Areas
EH14 Registered historic parks and gardens
H6NEW Existing housing
NPPF 2019

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

3 5 PLANNING ASSESSMENT

5.1 This application seeks consent for the demolition of existing dwelling and the erection of three dwellings with associated works including landscaping and formation of parking at Park Close in Bladon. The site falls within the Bladon Conservation Area and Oxford Green Belt.

5.2 The application follows the refusal of planning permission in December 2020 for the demolition of the existing dwellinghouse and the erection of three new dwellings (1 detached and 2 semi-detached) with associated works including landscaping and formation of parking (Ref: 20/01808/FUL). This application was refused on the following grounds:

'The development, by reason of its siting and scale, would have an adverse overbearing and overshadowing impact to the detriment of the amenity of occupants of the adjacent dwelling known as Toad Cottage. The development is therefore contrary to policies OS2 and OS4 of the adopted West Oxfordshire Local Plan 2031 and the relevant provisions of the NPPF.'

This application seeks to address the concerns raised by:

- Closing the gap between plots 01 and 02, thereby enabling plots 2 and 3 to be moved a further 1.2m away from the site boundary/Toad Cottage. The single storey element of the building will now stand a min. 2.4m from the boundary, with the two-storey element min. 3.6m from the boundary.
- Reducing the depth of the both the single and two storey elements of Plot 03 (adjacent Toad Cottage) by 0.6m.

5.3 Councillor Poskitt has requested that the application be reported to Committee and has asked that a site visit be considered as viewing the various levels of dwellings in this old quarry area from Toad Cottage next door, might help Cllrs understand why the proposal is so concerning to residents.

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 Conservation Area
- Impact on the Green Belt
- Residential Amenities
- Highways
- Other matters

Principle

5.5 Bladon is categorised as a village in the settlement hierarchy within the West Oxfordshire Local Plan 2031. Policy H2 states that new dwellings will be permitted on previously developed land within or adjoining the built up area provided 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. Therefore, subject to the below assessment, the re-development of the site for additional dwellings is acceptable in principle.

Siting, Design and Form

5.6 Policy OS2 of the West Oxfordshire Local Plan states that all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality and form a logical complement to the existing scale and pattern of development and/or the character of the area. The street scene in Park Close is largely uniform in character comprising of relatively standardised housing of simple form and design which are generally terraced or semi-detached with open areas to the front. There is a modern housing development to the North of the site, Lincoln Grove, which comprises a range of terraced dwellings in neo-vernacular materials.

5.7 In this case, your officers are of the opinion that by virtue of the siting, scale and design, the proposed development would form a logical complement to the existing linear pattern and character of development in the area. Your officers consider that the design and form, whilst slightly contrived, would be similar to and in-keeping with the character and appearance of the existing dwellings in Park Close. Further, your officers note that the dwellings would be relatively packed on to the site. However, given that the existing dwellings along Park Close are generally sited very close together with little space in-between, and by virtue of the siting and scale of the proposed development, your officers consider that, on balance, this is acceptable and would not represent an overdevelopment of the site. The parking area would sit at the front of the site, similar to parking arrangement serving Lincoln Grove to the North, and is considered to preserve the character of the street scene.

5.8 As such, the application is considered to be acceptable in visual amenity terms.

Impact on the Conservation Area

5.9 Since the application site is within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this case, in light of the above assessment, by virtue of the siting, scale, design and form, the proposed development is considered to preserve the character and appearance of the Conservation Area.

Impact on the Green Belt

5.10 As Bladon sits within the Green Belt, in accordance with policy OS2 which states that all development should comply with national policies for the Green Belt, your officers have considered the proposal against section 13: Protecting Green Belt Land of the National Planning Policy Framework which sets out that complete redevelopment of previously developed land should not have a greater

impact on the openness of the Green Belt than the existing development. In this case, given the location and built up residential context of the site, the redevelopment of the site for additional housing is not considered to adversely impact the openness of the Green Belt.

Residential Amenities

5.11 The site adjoins residential development with Toad Cottage located to the north of the site and a terrace of dwellings to the South. Toad Cottage, sits approximately 1.5m lower than the development site.

5.12 As stated above, the previous application for 3 dwellings was refused on the grounds that it would have an adverse overbearing and overshadowing impact to the detriment of the amenity of occupants of the adjacent dwelling known as Toad Cottage. This revised scheme seeks to address this concern by moving the adjoining plot 03 a further 1.2m away from the site boundary with Toad Cottage with a single storey element on the side boundary being located a minimum of 2.4m from the boundary and the two-storey element sited a minimum of 3.6m from the boundary. The depth of both the single and two storey elements of Plot 03 (adjacent Toad Cottage) has also been reduced by 0.6m. There would be a minimum distance of approximately 7.4m from the two storey element to Toad Cottage, and 6m from the single storey element, which would increase given the angled orientation of Toad Cottage from the boundary. Since the refusal a 2m high timber fence has been erected along the boundary.

5.13 A daylight and sunlight analysis report has also been submitted based upon the Building Research Establishment (BRE) guidelines 'Site Layout Planning for Daylight and Sunlight', which provides the criteria and methodology for calculation in connection to daylight and sunlight.

The results of the assessment indicate that the neighbouring property (Toad Cottage) would not be affected by the proposed development.

5.14 In terms of the impact on properties to the South, given the position and orientation of these dwellings; the current two storey dwelling which sits along the boundary with no.3, and that there is a garage block which sits between the site and 3 Park Close, your officers do not consider that the development would be adversely overbearing or result in a loss of light to the detriment of the occupants of this dwelling.

5.15 By virtue of the siting and design of the proposed dwellings, the development is not considered to result in any adverse overlooking either between the proposed new dwellings, or of neighbouring properties.

5.16 The proposed new dwellings are considered to be served by sufficient outdoor amenity space and living standards.

5.17 In conclusion, the revised scheme is considered to be acceptable and addresses the previous concerns relating to the overbearing and overshadowing impact on the adjacent dwelling known as Toad Cottage.

Highways

5.18 The Local Highway Authority has raised no objections to the application in terms of highways safety and convenience subject to conditions.

Conclusion

5.19 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS3, OS4, H2, H6, EH3, EH9, EH10 and T4 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the NPPF 2019.

6 CONDITIONS/REASONS FOR REFUSAL

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 roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.

REASON: To safeguard the character and appearance of the area.

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

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

6 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

7 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 test results should be submitted 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.

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

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

8 The development shall be completed in accordance with the recommendations and measures within the following documents:

- Section 6 of the Protected Species Survey Report, dated September 2020 prepared by Windrush Ecology, as submitted with the planning application; and
- All measures outlined within the Forest Of Dean District Council's Precautionary Working Method Statement guidance note dated 16th May 2012 available at: <https://www.fdean.gov.uk/media/wjth1ruj/precautionary-method-of-working-forreptiles.pdf>;

All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that bats, birds, hedgehogs, amphibians, reptiles and badgers are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), 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 Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

9 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings as well as hedgehog gaps/holes within new fences/walls, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide additional roosting for bats and nesting birds and ensure continued dispersal for hedgehogs, as a biodiversity enhancements 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.

10 Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that light spillage into wildlife corridors will be minimised as much as possible. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), 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 Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

11 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 biodiversity enhancements (such as native, species-rich hedgerows, a wildlife pond, wildflower meadow areas or woodland bulb planting) along with a 5-year maintenance plan and a 10-year hedgerow management 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 enhance the site for biodiversity 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.

12 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.

13 No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

14 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.

INFORMATIVES :-

0. Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

0. 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
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

0. 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 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

Notes to applicant

- 1 Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council
- 2 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice
 - Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
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Contact Officer: Joan Desmond
Telephone Number: 01993 861655

Date: 15th July 2021

West Oxfordshire District Council – DELEGATED ITEMS

Application Types Key

<u>Suffix</u>		<u>Suffix</u>	
ADV	Advertisement Consent	LBC	Listed Building Consent
CC3REG	County Council Regulation 3	LBD	Listed Building Consent - Demolition
CC4REG	County Council Regulation 4	OUT	Outline Application
CM	County Matters	RES	Reserved Matters Application
FUL	Full Application	S73	Removal or Variation of Condition/s
HHD	Householder Application	POB	Discharge of Planning Obligation/s
CLP	Certificate of Lawfulness Proposed	CLE	Certificate of Lawfulness Existing
CLASSM	Change of Use – Agriculture to Commercial	CND	Discharge of Conditions
HAZ	Hazardous Substances Application	PDET28	Agricultural Prior Approval
PN42	Householder Application under Permitted Development legislation.	PN56	Change of Use Agriculture to Dwelling
PNT	Telecoms Prior Approval	POROW	Creation or Diversion of Right of Way
NMA	Non Material Amendment	TCA	Works to Trees in a Conservation Area
WDN	Withdrawn	TPO	Works to Trees subject of a Tree Preservation Order
		FDO	Finally Disposed Of

<u>Decision Code</u>	<u>Description</u>	<u>Decision Code</u>	<u>Description</u>
APP	Approve	RNO	Raise no objection
REF	Refuse	ROB	Raise Objection
PIREQ	Prior Approval Required	P2NRQ	Prior Approval Not Required
P3APP	Prior Approval Approved	P3REF	Prior Approval Refused
P4APP	Prior Approval Approved	P4REF	Prior Approval Refused

West Oxfordshire District Council – DELEGATED ITEMS Week Ending 24th June 2021

Application Number.	Ward.	Decision.
I. 20/01069/FUL	Kingham, Rollright and Enstone	S106

Alterations to allow continued use of existing warehouse for storage. Erection of storage building, creation of outdoor storage area to replace storage at front of the building. Close one existing vehicular access and alterations to remaining access together with landscaping and other associated works. (AMENDED DESCRIPTION)

Wigwam Storage Hook Norton Road Chipping Norton
Countrywide Storage ChippingNorton Ltd

2. **20/03359/HHD** Stonesfield and Tackley APP
Affecting a Conservation Area
- Restoration of existing outbuilding, including demolition and rebuilding of roof and external walls, for ancillary use to main dwelling (amended proposal and plans)
The Old Stores Church Walk Combe
Mr And Mrs Donald Redding
3. **20/03463/FUL** Kingham, Rollright and Enstone REF
Affecting a Conservation Area
- Conversion of existing agricultural building to create self contained residential annexe together with associated works and landscaping.
Harcomb House Evenlode Lane Chastleton
Mr And Mrs S Lambert
4. **20/03464/LBC** Kingham, Rollright and Enstone REF
Affecting a Conservation Area
- Internal and external alterations to convert existing agricultural building into self contained residential annexe.
Harcomb House Evenlode Lane Chastleton
Mr And Mrs S Lambert
5. **21/00670/LBC** Stonesfield and Tackley APP
Affecting a Conservation Area
- Internal and external alterations to include the replacement of the existing roof over dining room and erection of a single storey extension with changes to internal layout (amended description).
Fern Cottage Church Walk Combe
Mr And Mrs Howell
6. **21/00364/FUL** Chadlington and Churchill APP
- Conversion of redundant farm buildings and the erection of new buildings to provide five dwelling houses for use as second homes/holiday homes together with an indoor amenity area, construction of an underground car parking area and outdoor swimming pool.
Demolition of redundant farm buildings and associated works.
The Barns Kingham Oxfordshire
Mrs C Cash

- | | | | |
|-----|---|--------------------------------|-----|
| 7. | 21/00366/FUL | Kingham, Rollright and Enstone | REF |
| | <p>Change of use of land to enlarge garden area and renovation of existing outbuilding to become pool building, including leisure facilities and pool plant equipment, installation of a swimming pool with paved area, and a proposed gravel track from existing driveway to the Tithe Barn courtyard.</p> <p>Church Enstone Hall Little Tew Road Church Enstone
Mr Philippe Cornet De Ways-Ruart</p> | | |
| 8. | 21/00398/FUL | Chipping Norton | APP |
| | <p>Affecting a Conservation Area</p> <p>Erection of 3 dwellings and associated works
Land South Of Rock Hill Chipping Norton
C/o Agent</p> | | |
| 9. | 21/00472/FUL | Chipping Norton | APP |
| | <p>Affecting a Conservation Area</p> <p>Erection of a utility building with first floor training and conference room.
Chipping Norton Veterinary Hospital Banbury Road Chipping Norton
Mrs Janine Whitehead</p> | | |
| 10. | 21/00592/FUL | Chadlington and Churchill | APP |
| | <p>Conversion of redundant agricultural stone barns into 4 self contained holiday let accommodation units together with associated works.
Rynehill Farm Kingham Chipping Norton
Mr And Mrs P Ambler</p> | | |
| 11. | 21/00602/HHD | Freeland and Hanborough | APP |
| | <p>Levelling of garden and alterations to the rear boundary treatment
10 Regent Drive Long Hanborough Witney
Dr Meysam Qadrdan</p> | | |
| 12. | 21/00651/OUT | Ascott and Shipton | REF |
| | <p>Outline Planning Application (with some matters reserved except access) for the demolition of existing building and construction of up to seven dwellings and new open space/Memorial Garden of approximately 0.06ha.
Land North East Of 53 High Street Ascott Under Wychwood
Bloombridge Development LLP</p> | | |

13. **21/00695/S73** Kingham, Rollright and Enstone APP
 Variation of condition 5 of planning permission 10/0956/P/FP to allow the occupation of the accommodation to be for holiday accommodation only and not used as for permanent unrestricted accommodation or as a primary place of residence
Tew Farmhouse And Barns Enstone Road Great Tew
 Mr Snell
14. **21/00782/S73** Charlbury and Finstock REF
 Affecting a Conservation Area
 Variation of condition 14 of planning permission 17/00832/FUL to allow first floor bedroom window in West elevation (bedroom 1) to have clear glazing.
1 Graces Court The Slade Charlbury
 Mrs Victoria Carreras Jago
15. **21/00823/LBC** Ascott and Shipton APP
 Affecting a Conservation Area
 Internal and external alterations to replace front screen of property including installation of new front door.
The Great Barn 14 Home Farm Close Shipton Under Wychwood
 Mr Nicholas Bowman
16. **21/01149/FUL** Charlbury and Finstock WDN
 Affecting a Conservation Area
 Demolition of existing buildings and erection of replacement barn and stable building comprising of stables, wash/grooming room and tack room.
Land North Of Wilcote Riding Finstock
 Mrs Nicola Gomm
17. **21/00861/FUL** The Bartons APP
 Affecting a Conservation Area
 Conversion of part of existing garage to form annexe.
Mallards Barn Park Farm Enstone Road
 Mr And Mrs Rob And Carol Taylor
18. **21/00863/HHD** Ascott and Shipton APP
 Affecting a Conservation Area
 Alterations to include erection of first floor side extension, canopy to front entrance, changes to fenestration and provision of additional parking by way of extended driveway.
Finvara 8 Courtlands Road Shipton Under Wychwood
 Mrs Corcoran

19. **21/00878/HHD** Chipping Norton REF
Affecting a Conservation Area
- Loft conversion to create extra bedroom
12 Coopers Square Chipping Norton Oxfordshire
Packham
20. **21/00914/FUL** Milton Under Wychwood APP
Alterations to the external appearance of the existing barn together with associated works.
Hay Barn Idbury Road Fifield
O Lloyd
21. **21/00920/HHD** Woodstock and Bladon APP
Single story front and rear extension, dormer roof extension, and rendering of whole property.
16 Crecy Walk Woodstock Oxfordshire
Mr and Mrs Vardy
22. **21/00933/ADV** Ascott and Shipton WDN
Affecting a Conservation Area
- Siting of replacement non-illuminated freestanding sign. (Retrospective).
The Old Prebendal House Station Road Shipton Under Wychwood
Mr Chris Beastall
23. **21/00939/HHD** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Proposed single storey rear extension, loft conversion and single storey outbuilding.
2 West Street Kingham Chipping Norton
Mr & Mrs Ramsey
24. **21/00942/HHD** Milton Under Wychwood APP
Proposed garden room/orangery
Bruern Abbey Bruern Chipping Norton
Lord Glendonbrook

25. **21/01190/S73** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Variation of condition 2 of planning permission 19/00850/HHD to allow alterations to fenestration and roof lights
Lansdowne Cottage East End Swerford
Mr Guy Wengraf
26. **21/00987/S73** APP
- Variation of condition 8 of planning permission 20/00849/RES to allow the installation of 7.4kW 'Fast' charge points
Land West Of Quarhill Close Quarhill Close Over Norton
Mrs Katie Kann
27. **21/01047/HHD** The Bartons APP
- Proposed ground floor rear extension, facade alterations, floor plan redesign and all associated works
19 Worton Road Middle Barton Chipping Norton
Peter Bradley
28. **21/01052/HHD** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- New Packaged Water Treatment Plant installation
Garden House 2 The Lane Chastleton
Mr & Mrs G Gregory
29. **21/01046/FUL** Woodstock and Bladon WDN
Affecting a Conservation Area
- Erection of a first floor extension to the existing bungalow along with a two storey rear extension
73 Grove Road Bladon Woodstock
Miss Sue Wills
30. **21/01065/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Demolition of existing single storey extension. Construction of new two storey side extension.
10 Church Rise Finstock Chipping Norton
MR AND MRS GIBSON

31. **21/01075/HHD** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Proposed extension, external and internal alterations.
54 The Square Great Tew Chipping Norton
Mr N Johnston
32. **21/01076/LBC** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Proposed extension, external and internal alterations.
54 The Square Great Tew Chipping Norton
Mr N Johnston
33. **21/01081/FUL** Freeland and Hanborough REF
- Change of use from highway to increase domestic curtilage to widen the access to property and create additional parking space
Valetta 220 Main Road Long Hanborough
Mr Robert Merchant
34. **21/01082/LBC** Charlbury and Finstock APP
Affecting a Conservation Area
- Internal alterations to refurbish and carry out repair works to include installation of damp proofing and structural repairs (retrospective) and provision of additional WC facilities and new kitchen access.
Bell Hotel Church Street Charlbury
MR Derran Holden
35. **21/01086/HHD** Burford APP
Affecting a Conservation Area
- Replacement of a garden shed with a small greenhouse
Englefield 131 The Hill Burford
Michael Blesovsky
36. **21/01087/LBC** Burford APP
Affecting a Conservation Area
- Replacement of a garden shed with a small greenhouse
Englefield 131 The Hill Burford
Michael Blesovsky

37. **21/01214/HHD** Chadlington and Churchill APP
 Extending of existing balcony.
Old Barns Pudlicote Lane Chilson
 Mr And Mrs Marshall
38. **21/01112/FUL** Chadlington and Churchill APP
 Conversion and single storey extension of existing stable to form a new detached three bedroom dwelling, new access and associated landscaping
Coronation Cottage East End Chadlington
 Birdie Tallon
39. **21/01117/HHD** The Bartons APP
 Affecting a Conservation Area
 Two storey side extension and single storey rear extension to provide additional accommodation and replace existing timber structures.
Rymills Ledwell Chipping Norton
 Mr & Mrs L Ponsonby
40. **21/01121/HHD** Kingham, Rollright and Enstone APP
 Replace shed with erection of outside building to be used as an office and a gym
The Hopper Station Road Kingham
 Mr William Schofield
41. **21/01131/HHD** Ascott and Shipton APP
 Demolition of front porch and rear conservatory, replacement of new front porch and new rear single storey garden room
14 High Street Ascott Under Wychwood Chipping Norton
 Mr & Mrs Weaver
42. **21/01144/FUL** The Bartons APP
 Affecting a Conservation Area
 Erection of a log cabin to run a dog grooming business in the rear garden.
Highfield 17 Church Lane Middle Barton
 Mrs Elizabeth Hall

43. **21/01203/HHD** The Bartons APP
Affecting a Conservation Area

Detached Garden Room/Home Office
Beech Cottage Mill Lane Sandford St Martin
Lady Wills
44. **21/01207/S73** Ascott and Shipton APP
Affecting a Conservation Area

Removal of conditions 6,9,10 and 12 of planning permission 15/03490/FUL to allow the design changes to parking and driveway, hard and soft landscaping, means of enclosure and the use of external timber materials as detailed in drawing 18-100-50 (retrospective)
Land North West Of Lane House Farm Milton Road Shipton Under Wychwood
Mr Keith McKay
45. **21/01331/LBC** Kingham, Rollright and Enstone APP

Replacement of 4no mullioned windows, one to West elevation and three to South elevation. Including infilling window D2 and repositioning window W4.
Grove Farm Chastleton Moreton-In-Marsh
Mr John Gallagher
46. **21/01239/HHD** Hailey, Minster Lovell and WDN
Leaffield
Affecting a Conservation Area

Proposed garage
73 Lower End Leaffield Witney
Mr P Paige
47. **21/01273/HHD** Kingham, Rollright and Enstone APP
Affecting a Conservation Area

Single storey rear extension and 2 new dormer windows to replace existing Velux windows.
2 Blacksmiths Court Kingham Chipping Norton
Mr Philip Baxter
48. **21/01281/FUL** Chipping Norton APP

Single storey side extension, alterations to fenestration and siting of temporary classroom during construction.
Chipping Norton Club Evans Way Chipping Norton
Ms Rachael Phillips

49. **21/01319/HHD** Chadlington and Churchill APP
Affecting a Conservation Area
- Erection of ancillary unit on first floor above Garage - Addition of 2 dormers and replace a door on ground floor
Hunters Moon Kingham Road Churchill
Mr Richard Cunningham
50. **21/01321/S73** Brize Norton and Shilton APP
- Variation of condition 2 of planning permission 18/02353/HHD to allow for the repositioning of the roof lights with obscured glazing on the East facade (part retrospective).
The Paddock Asthall Leigh Witney
Dr Ian Brown
51. **21/01323/HHD** Woodstock and Bladon WDN
- Demolition of a garage, proposed part side and rear extension and a further rear extension. Erection of an extended porch roof. Proposed two storey side extension and single storey side extension.
41 New Road Woodstock Oxfordshire
P Colegate
52. **21/01356/HHD** Stonesfield and Tackley APP
Affecting a Conservation Area
- Alterations and extensions to the main dwelling to include a two storey extension, two single storey extensions and a first floor extension
West End Barn West End Wootton
Mick Miller
53. **21/01385/HHD** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Single storey rear extension
Lilac Cottage East End Swerford
Mr Keith Banbury
54. **21/01396/HHD** Woodstock and Bladon APP
Affecting a Conservation Area
- Removal of ex conservatory and lean-to roof. Construction of new single storey extension and rebuilding of existing dormer.
11 Heath Lane Bladon Woodstock
Mr And Mrs N Horan

55. **21/01403/HHD** The Bartons APP
Affecting a Conservation Area
- Erection of a two storey and single storey rear extensions
14 Enstone Road Middle Barton Chipping Norton
Mr Mark Chesterman
56. **21/01392/HHD** The Bartons APP
Affecting a Conservation Area
- Erection of garden studio
33 South Street Middle Barton Chipping Norton
Mr & Mrs Bramley
57. **21/01419/CLP** Chadlington and Churchill WDN
- Certificate of lawfulness (alterations to the fenestration and doors on North, East and West Elevations)
10 Manor Court Chadlington Chipping Norton
Mr Mark Tribe
58. **21/01436/HHD** Burford APP
Affecting a Conservation Area
- Removal of existing lean to conservatory and erection of new extension to form additional space to kitchen and dining room.
35 Oxford Road Burford Oxfordshire
Mrs Emma Duffield
59. **21/01455/S73** Kingham, Rollright and Enstone REF
Affecting a Conservation Area
- Variation of condition 2 of planning permission 20/03175/HHD to allow changes of the design of the roof from a hipped configuration to a gabled roof.
Cooks Cottage West End Kingham
Mrs Natalie Brookes
60. **21/01479/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Amendments to fence and retaining wall to create space for planting
The Thatched Cottage The Slade Charlbury
Robin Moffatt

61. **21/01482/HHD** Milton Under Wychwood APP
 Single storey extension to rear of dwelling, including demolition of existing conservatory
9 Elm Grove Milton Under Wychwood Chipping Norton
 Mr & Mrs D Rogers
62. **21/01484/HHD** Burford APP
 Affecting a Conservation Area
 Conversion of Existing Garage for Ancillary use.
Straddles Cheltenham Road Burford
 Mr & Mrs Rushton
63. **21/01486/ADV** Chipping Norton APP
 Erection of two free standing, one fascia and 2 wall mounted signs, (three externally illuminated)
Southcombe Garage Oxford Road Southcombe
 Mr Ben Dix
64. **21/01496/CND** Kingham, Rollright and Enstone APP
 Discharge of conditions 5 (bat roosting features and nesting opportunities for birds), 8 (Precautionary Working Method Statement), 9 (full surface water drainage scheme) and 11 (Construction Traffic Management Plan) of planning permission 20/03562/FUL
Soho Farmhouse Great Tew Chipping Norton
 Soho House UK Limited
65. **21/01502/HHD** Charlbury and Finstock APP
 Affecting a Conservation Area
 Ground floor side extension and first floor rear extension
23 Ditchley Road Charlbury Chipping Norton
 Barwood
66. **21/01503/HHD** Chadlington and Churchill APP
 Affecting a Conservation Area
 Construction of a single-storey workshop to side of property
The Old Post Office Charlbury Road Spelsbury
 Mr Alan Blayney

67. **21/01553/HHD** Woodstock and Bladon APP
 Erection of detached single storey building comprising home office, shower and gym.
43 Bladon Road Woodstock Oxfordshire
 Mr Charandeep Sanghera
68. **21/01519/FUL** Burford APP
 Erection of two warehouses adjacent to existing warehousing
Burford Garden Centre Shilton Road Burford
 Mr Glen Sheldrake
69. **21/01530/HHD** Chadlington and Churchill APP
 Bay extension to south wall of kitchen, outdoor bbq/bar area to south side of garden terrace and replacement of rooflight to the north rear lean-to
Thatch Cottage Pudlicote Lane Chilson
 Mr Alexander Spencer-Churchill
70. **21/01531/LBC** Chadlington and Churchill APP
 Bay extension to south wall of kitchen, outdoor bbq/bar area to south side of garden terrace, replacement of rooflight to the north rear lean-to
Thatch Cottage Pudlicote Lane Chilson
 Mr Alexander Spencer-Churchill
71. **21/01533/HHD** Chipping Norton APP
 Affecting a Conservation Area
 Move existing front boundary wall and rebuild further back, to align with rear of house and create off street parking for one car
West End Farm House 43 West Street Chipping Norton
 Mrs Jacqueline Chalk
72. **21/01547/HHD** Brize Norton and Shilton APP
 Proposed single storey extension
46 Hawthorne Drive Bradwell Village Burford
 Mr and Mrs Cook

73. **21/01555/HHD** Freeland and Hanborough APP
Affecting a Conservation Area
- Removal of existing single storey side extension. Erection of two storey and single storey extensions and porch
Highfield Pigeon House Lane Church Hanborough
Mr Peter Sherliker
74. **21/01562/HHD** Ascott and Shipton APP
Affecting a Conservation Area
- Proposed erection of an orangery to the rear elevation.
Springwell Cottage Leafield Road Shipton Under Wychwood
Mr Nelson
75. **21/01564/HHD** Kingham, Rollright and Enstone APP
- Proposed Single Storey Rear Extension with associated external Works.
17 Litchfield Close Enstone Chipping Norton
Mrs D Tyler-Chamberlain
76. **21/01576/S73** Kingham, Rollright and Enstone APP
- Variation of condition 2 of planning permission 20/03562/FUL to allow changes to the siting, design and appearance of the huts together with changes to the landscaping scheme.
Soho Farmhouse Great Tew Chipping Norton
Soho House Group UK Limited
77. **21/01586/HHD** The Bartons APP
Affecting a Conservation Area
- Side and rear extensions to existing bungalow
Lyndale 21 Church Lane Middle Barton
Darren Ward
78. **21/01643/HHD** Stonesfield and Tackley APP
- Two storey extension to rear of dwelling (amended plans)
43 Knott Oaks Combe Witney
Maddy Uren

79. **21/01616/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Proposed garden room.
19 Woodstock Road Charlbury Chipping Norton
Mr P Shayler
80. **21/01630/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Extension to rear utility room, glazed veranda to the kitchen dining room and replacement windows throughout
The Gables 10 Enstone Road Charlbury
Mr and Mrs Richard and Sheila Hurdwell
81. **21/01641/LBC** Burford APP
Affecting a Conservation Area
- Replacement of concrete external eills with natural stone and, adjustment of staircase position to accommodate drainage from adjacent property (part retrospective) (amended description).
36A Lower High Street Burford Oxfordshire
Mr Roger Clark
82. **21/01646/CND** Kingham, Rollright and Enstone APP
Affecting a Conservation Area
- Discharge of conditions 5 (archaeological watching brief) and 6 (Written Scheme of Investigation) of planning permission 20/01150/FUL
Duck End Hook Norton Road Great Rollright
Mr and Mrs Philip and Catherine Mould
83. **21/01647/CLP** Woodstock and Bladon APP
Affecting a Conservation Area
- Certificate of Lawfulness (Erection of a single storey rear extension)
108 Oxford Street Woodstock Oxfordshire
Mr James Behan
84. **21/01657/HHD** Milton Under Wychwood APP
- To create new tractor maintenance access to the paddock adjacent The Homestead, Frog Lane
The Homestead Frog Lane Milton Under Wychwood
Jones

85. **21/01663/LBC** Milton Under Wychwood APP
Proposed bathroom in home office, with single clear glass pane window linking to existing Velux and extractor fan exiting through existing dovecote opening
Malt House Shipton Road Milton Under Wychwood
Mrs Sophie Banks
86. **21/01665/HHD** Stonesfield and Tackley APP
One and a half storey side extension and alterations to cottage.
River Cottage Nether Kiddington Woodstock
Mr Simon Kelner
87. **21/01666/LBC** Stonesfield and Tackley APP
One and a half storey side extension and alterations to cottage.
River Cottage Nether Kiddington Woodstock
Mr Simon Kelner
88. **21/01735/HHD** Freeland and Hanborough APP
Side extension
137 Broadmarsh Lane Freeland Witney
Mrs Emma Stoppani
89. **21/01685/HHD** Milton Under Wychwood APP
Removal of existing lean to. Proposed rear extension. Existing tiled hip roof extended to proposed extension and addition of 2 Velux windows on the east.
5 Shipton Road Milton Under Wychwood Chipping Norton
Mr Steven Taylor
90. **21/01693/HHD** Woodstock and Bladon APP
Addition of second floor front dormer and balcony and front door canopy.
Merry Piece Oxford Road Woodstock
Mr Gary Holmes
91. **21/01694/HHD** The Bartons APP
Replace roof and add new window and door to rear extension. Replace garage roof and add door. Add toilet to garage with door to kitchen. Kitchen extended into the hallway/corridor between the house and the garage.
4 Farriers Road Middle Barton Chipping Norton
Miss Georgie Molloy

92. **21/01709/HHD** Chipping Norton APP
 Single storey front and side extensions
61 Walterbush Road Chipping Norton Oxfordshire
 Mr F Dema
93. **21/01715/HHD** Chadlington and Churchill APP
 Additional paved parking space at front of property
11 Manor Court Chadlington Chipping Norton
 Mr Roger Payn
94. **21/01727/HHD** Woodstock and Bladon APP
 Affecting a Conservation Area
 Two storey extension to rear and additional parking to front of property.
10 Grove Road Bladon Woodstock
 Mr And Mrs Oliver _ Caroline Croxson
95. **21/01730/HHD** Freeland and Hanborough APP
 Affecting a Conservation Area
 Dormer on front elevation
Jersey House Church Road Church Hanborough
 Mr and Mrs Mike and Sue Young
96. **21/01753/HHD** Hailey, Minster Lovell and Leafield APP
 Affecting a Conservation Area
 Erection of a garden building to the rear of the property.
Stoley 95 Lower End Leafield
 Mr Christopher Cattermole
97. **21/01761/S73** Woodstock and Bladon APP
 Affecting a Conservation Area
 Variation of condition 2 of planning permission 18/02054/FUL to allow the addition of an attached garage and utility room to unit 2.
Site Of 41 Manor Road Bladon
 Mr Mark Baker

98. **21/01764/FUL** Kingham, Rollright and Enstone APP
 Construction of five one bedroom guest cabins with associated landscaping scheme and alterations to existing drainage infrastructure.
Soho Farmhouse Great Tew Chipping Norton
 Soho House UK Limited
99. **21/01781/HHD** Chadlington and Churchill APP
 Affecting a Conservation Area
 Alterations to existing entrance, construction of driveway and garage
Wigwell House Spelsbury Chipping Norton
 Mr and Mrs McKellar
100. **21/01853/LBC** Woodstock and Bladon APP
 Affecting a Conservation Area
 Modification of an existing first floor window opening
The Old Town House 9 Park Street Woodstock
 Dr And Mrs A Hearne
101. **21/01788/S73** Ascott and Shipton APP
 Affecting a Conservation Area
 Change of condition 6 from 12/1738/P/FP for change of use to allow short term holiday letting.
Old Forge Cottage High Street Shipton Under Wychwood
 Mr Howard Bell
102. **21/01765/HHD** Ascott and Shipton APP
 Affecting a Conservation Area
 Retrospective single storey garden room extension
Skimbles Swinbrook Road Shipton Under Wychwood
 Mr & Mrs M Barton
103. **21/01814/NMA** Ascott and Shipton APP
 Affecting a Conservation Area
 Conversion of garage. Erection of timber garden store/shed (Non material amendment to allow framed glazed doors and repositioning of roof lights to garage conversion)
Jersey Cottage 3 Home Farm Close Shipton Under Wychwood
 G Dixon

104. **21/01819/CND** Chadlington and Churchill APP
 Discharge of conditions 4 (external wall sample panel), 5 (roof sample panel), 6 (details of all external windows and doors) and 7 (artificial stone sample) of planning permission 19/02609/LBC
Pudlicote House Pudlicote Lane Chilson
 Richard Nardini, J Rigg Construction LTD
105. **21/01821/CND** Chadlington and Churchill SPL
 APPROVED:-REFUSED:-
Pudlicote House Pudlicote Lane Chilson
 Richard Nardini, J Rigg Construction LTD
106. **21/01825/HHD** Kingham, Rollright and Enstone REF
 Affecting a Conservation Area
 Erection of first floor extension and detached garage.
Foxwold Old Forge Road Great Rollright
 Mr and Mrs Welstead
107. **21/01826/FUL** Kingham, Rollright and Enstone REF
 Conversion of barn into holiday home.
Farm Building At E426163 N224706 Kingham Oxfordshire
 Mr W Morris
108. **21/01829/S73** Kingham, Rollright and Enstone APP
 Affecting a Conservation Area
 Change to condition 5 of 12/0463/P/LB to allow installation of new windows
 Condition Number(s): 5
 Conditions(s) Removal:
 The new windows referred to were not installed during the renovation works in 2012/13 and are now being scheduled for installation pending approval.
 Condition to be varied to require approval prior to installation (not prior to commencement).
Water Lane Cottage Waters Lane Little Tew
 F Carelton Paget

109. **21/01833/FUL** Woodstock and Bladon APP
Affecting a Conservation Area
- Extension of garden studio for classroom use
Bladon Church Of England Primary School Park Street Bladon
Mrs Tracey Fletcher
110. **21/01834/NMA** Milton Under Wychwood APP
- Erection of 62 dwellings, landscaping including change of use, formation of footpath and creation of ecological enhancement area, and ancillary infrastructure and enabling works (non-material amendment to allow the retention of paths to plots 1 and 2, and change of roof tiles to plots 48, 50 and 60).
Land South Of High Street Milton Under Wychwood
Ms Rebecca Sanders
111. **21/01905/PDET28** Milton Under Wychwood P2NRQ
- Erection of a grain store
Springhill Farm Upper Milton Milton Under Wychwood
Mr Edward Reynolds
112. **21/01849/HHD** Chadlington and Churchill APP
Affecting a Conservation Area
- Erection of greenhouse
Mount Farm Junction Road Churchill
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113. **21/01856/HHD** The Bartons APP
Affecting a Conservation Area
- Erection of outbuildings
Brandon House Manor Road Sandford St Martin
M Lemme
114. **21/01862/HHD** Woodstock and Bladon APP
- Erection of two storey rear extension
13 Green Lane Woodstock Oxfordshire
Mrs India Fisher

115. **21/01864/S73** Woodstock and Bladon APP
Affecting a Conservation Area
- Variation of condition 2 of planning permission 18/02054/FUL to allow changes to design of dwellings including provision of additional bedroom in loft space.
Site Of 41 Manor Road Bladon
Mr Mark Baker
116. **21/01911/LBC** APP
- Restoration of The Four Shire Stone, including: repairs to damaged stonework, cleaning of stonework, removal of existing railings and reinstatement with new taller railings
Land North Of Pebbly Barn Farm Evenlode Moreton In Marsh
c/o Mr James Hayman-Joyce
117. **21/01978/NMA** Chipping Norton APP
- Erection of Assisted Living (Extra Care) and Retirement Living Accommodation, landscaping and car parking (non-material amendment to allow the installation of Juliet balconies and full height inward swinging doors to plots 27, 35, 53 and 55).
Watson Place Trinity Road Chipping Norton
Mr Sam Brownhill
118. **21/01956/CND** Kingham, Rollright and Enstone APP
- Discharge of condition 5 (full surface water drainage scheme) of planning permission 19/01305/FUL.
The Hayes Churchill Road Kingham
Mr L Foster
119. **21/02083/NMA** Chadlington and Churchill APP
- Erection of an oak framed detached car port (non-material amendment to allow the roof pitch to be lowered).
Apple Brook House Horseshoe Lane Chadlington
Mr D Bryars
120. **21/02172/CND** Woodstock and Bladon APP
- Discharge of condition 5 (detailed record drawings and photographic evidence) of planning permission 21/00767/LBC
Pump Grove Road Bladon
Ms Penny Aldridge

APPEAL DECISIONS

APPLICATION NO: 20/02052/FUL- Freelands Cottage, Westwell, Oxfordshire OX18 4JT

The alteration to existing garden building and new extension to form ancillary accommodation.

APPEAL DISMISSED

The application for costs was refused.

APPLICATION NO: 20/01104/FUL - The Sidings, Station Road, Kingham

The change of use of existing hardstanding to commercial use for the parking of vehicles in connection with a small haulage business.

APPEAL DISMISSED

The application for costs was awarded in part.