

Friday, 13 May 2022

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## LOWLANDS AREA PLANNING SUB-COMMITTEE

You are summoned to a meeting of the Lowlands Area Planning Sub-Committee which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Monday, 23 May 2022 at 2.00 pm.**



Giles Hughes  
Chief Executive

To: Members of the Lowlands Area Planning Sub-Committee

Councillors: To be appointed to this Committee on 18<sup>th</sup> May 2022

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 Democratic Services officers know prior to the start of the meeting.

## AGENDA

- Minutes of Previous Meeting (Pages 3 - 6)**  
To approve the minutes of the meeting held on 19 April 2022
- Apologies for Absence**  
To receive any apologies for absence.
- Declarations of Interest**  
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
- Applications for Development (Pages 7 - 50)**  
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.

Page Number	Application Number	Address	Officer
9 – 36	21/03720/FUL	44 Common Road North Leigh Witney	David Ditchett
37 – 40	22/00198/FUL	16 Shergold Road Bampton OX18 2FG	Kim Smith
41 - 49	22/00465/FUL	North Leigh Methodist Church Chapel Lane North Leigh Witney OX29 6SD	David Ditchett

- Applications Determined under Delegated Powers and Appeal Decisions (Pages 51 - 70)**  
Purpose:  
To inform the Sub-Committee of applications determined under delegated powers and any appeal decisions.  
Recommendation:  
That the reports be noted.

(END)

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Lowlands Area Planning Sub-Committee**  
Held in the Council Chamber at 2.00 pm on **Tuesday, 19 April 2022**

### PRESENT

Councillors: Ted Fenton (Chairman), Maxine Crossland, Harry Eaglestone, Duncan Enright, Jeff Haine, Richard Langridge, Nick Leverton, Lysette Nicholls, Andrew Prosser and Carl Rylett.

Officers: Amy Bridgewater-Carnall (Senior Strategic Support Officer), David Ditchett (Senior Planner), Esther Hill (Planner) and Anne Learmonth (Strategic Support Officer).

#### **57 Minutes of Previous Meeting**

The minutes of the meeting held on 28 March 2022 were approved and signed by the Chairman as a correct record.

#### **58 Apologies for Absence**

Apologies for absence were received from Councillors Joy Aitman, Rosa Bolger, Steve Good and Ben Woodruff.

Councillor Andrew Prosser substituted for Councillor Dan Levy.

#### **59 Declarations of Interest**

Councillor Prosser declared an interest in applications 21/03643/FUL and 21/03644/LBC – 46 Market Square, Witney because he had been in attendance at the Witney Town Council meeting when the item was discussed.

During the course of the meeting, he advised that he had voted on the application and the Chairman therefore asked him to remove himself from the meeting for the deliberation of the items.

#### **60 Applications for Development**

##### 21/03720/FUL – 44 Common Road, North Leigh.

The Senior Planner, David Ditchett introduced the application for the demolition of an existing residential property; along with the erection of ten detached and semi-detached, two storey dwellings, construction of a new access, with associated garaging, parking, landscaping and all enabling works.

The following members of the public addressed the meeting:

Ms Sarah Veasey – North Leigh Parish Council, objecting;

Mr Soave – local resident objecting; and

Mr Tim Northey – applicant.

A copy of Ms Veasey's submission is attached to these minutes, however a summary of the other speakers is as follows:

Mr Soave advised that he was objecting on behalf of a number of residents who had raised concerns about the removal of trees which could have protected their views. He advised that consultation with the local community should have been considered, the ridge heights of some proposed dwellings were too high and there would be a loss of amenity due to the new access road.

Mr Northey described this as previously developed land and a sustainable site. The proposed designs were in keeping with the character and appearance of the area, similar to Common Close but lower density. He also referred to the need of more affordable, three bedroomed properties and highlighted the biodiversity net gain.

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Following a question from Councillor Fenton, Mr Northey confirmed that the biodiversity net gain on and off site would be achieved by installing swift and bat boxes alongside native planting. Offsite provision would be achieved via a credit with a third party operator within West Oxfordshire.

The local ward member Councillor St John addressed the committee in objection to the application. In his address he referred to the historic use of number 44, previous applications and the removal of mature trees and loss of ecology. Councillor St John also made reference to S106 contributions, the impact on the linear character and previous refusal reasons. He therefore asked the committee to consider deferring the application to allow a site visit to take place.

In response to a question from Councillor Crossland, Councillor St John advised that none of the mature trees that had been removed had been protected.

The Senior Planner then presented his report containing a recommendation of provisional approval. He provided clarification on the previous applications relating to the site and how the refusal reasons for those had been addressed by the applicant. Officers were satisfied that three of the refusal reasons had been overcome, with three partly overcome.

Councillor Langridge addressed the meeting and thanked the officer for the clear summation of the case. He felt the application was finely balanced and noted the concerns of the objectors and the Parish Council. He therefore proposed that the application be deferred to allow a site visit to take place and this was seconded by Councillor Haine.

Councillor Leverton highlighted the need to ensure that any drainage conditions agreed by officer were robust and could be achieved by Thames Water. Officers confirmed that the aim was always to achieve the best outcome but reminded Members that Thames Water were the specialist, technical consultee.

The proposal to defer the application was then put to the vote and was carried.

## **Deferred**

### 21/03643/FUL – 46 Market Square, Witney.

The Planning Officer, Esther Hill introduced the application for the demolition of the existing outbuilding; erection of a one and half storey, three bedroom dwelling, associated amenity area and two car parking spaces.

This application was taken in conjunction with 21/03644/LBC, as minuted below, which dealt with the listed building consent for the proposal. Ms Hill advised that the application was in front of Committee because Witney Town Council held a contrary view to officers.

The following members of the public addressed the meeting:

Ms Jo Druce-Harding – applicant.

Copies of her submissions are attached to these minutes.

The Planning Officer then presented her report containing a recommendation of refusal and explained the refusal reasons in full. She advised that there was insufficient evidence to back up the claim that the site could not be re-used for employment purposes.

Councillor Enright addressed the meeting and noted that there had been redevelopment of similar buildings in the past and, whilst this had an irregular curtilage, could be liveable. He queried if the deconstruction of the building could be conditioned and noted that it could be difficult to re-let as business use in the current climate.

Councillor Langridge agreed with the comments and noted that there was no objection from the Town Council. He did not feel that despite being Grade II listed the barn was attractive but noted there was a lack of evidence relating to the employment use.

Following a comment from Councillor Crossland, officers advised that pre-application advice had been offered but the applicant had not taken this up.

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Councillor Haine agreed with the officers' recommendation and highlighted that as a Grade II listed building, it could not be demolished. He did not feel there had been enough evidence produced to show that the building could not be used for employment purposes and proposed the officers recommendations as laid out. This was seconded by Councillor Leverton who congratulated the officers on a clear and concise presentation. He advised that he could not support the demolition of a listed building.

Councillor Rylett felt that the views of local members should be considered and felt that agreement could be achieved with further discussion. Councillor Poskitt suggested that conversations with the Conservation Officer and Listed Building officer about the loss of historic fabric could be explored.

The officers' recommendation of refusal was then put to the vote and was carried.

### **Refused**

#### 21/03644/LBC – 46 Market Square, Witney.

The Planning Officer, Esther Hill introduced the application for the demolition of the existing outbuilding. Erection of a one and half storey, three bedroom dwelling, associated amenity area and two car parking spaces.

This application was taken in conjunction with 21/03643/FUL, as minuted above, which dealt with the planning approval. As the two applications were presented together, all discussions and debate is as detailed above.

The following members of the public addressed the meeting:

Ms Jo Druce-Harding – applicant.

Copies of her submissions are attached to these minutes.

Councillor Haine agreed with the officers' recommendation and highlighted that as a Grade II listed building, it could not be demolished. He did not feel there had been enough evidence produced to show that the building could not be used for employment purposes and proposed the officers recommendations as laid out. This was seconded by Councillor Leverton who congratulated the officers on a clear and concise presentation. He advised that he could not support the demolition of a listed building.

The officers' recommendation of refusal was then put to the vote and was carried.

### **Refused**

#### 21/01963/RES – Clover Court, Bushey Drive, Clanfield, Bampton.

Senior Planner, David Ditchett introduced the reserved matters application for the erection of four residential dwellings. This dealt with the appearance, landscaping, layout and scale of the site, pursuant to outline permission 19/00115/OUT.

Mr Ditchett outlined the previously agreed approval and requested that, should the Committee be minded to grant, authority be delegated to officers to agree the drainage details.

Councillor Fenton queried the concern raised by the Parish Council and Councillor Crossland asked that the materials to be used, matched the character of the area. Mr Ditchett confirmed that this would be agreed by condition.

Councillor Langridge proposed that the application be granted and this was seconded by Councillor Enright.

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Councillor Prosser reiterated the importance of ensuring the sewage issues were addressed and that there was no impact to other residents. Officers confirmed that these details would be delegated to them for agreement.

The officers' recommendation of approval was then put to the vote and was carried subject to authority being delegated to officers to agree the drainage details.

**Approved**

**61 Applications Determined under Delegated Powers and Appeal Decisions**

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

Senior Planner, David Ditchett outlined the Appeal Decisions report and provided an update on the current position with each application.

The Chairman took this opportunity to thank those Members not standing for re-election in May, namely Councillor Rosa Bolger and Councillor Maxine Crossland. He expressed his gratitude to Councillor Crossland for her many years' service to the Lowlands Area Planning Sub-Committee and wished her all the best for her retirement.

He concluded by wishing luck to all those Members who were standing for election next month.

The Meeting closed at 3.34 pm

CHAIRMAN

## WEST OXFORDSHIRE DISTRICT COUNCIL LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 23rd May 2022**

### 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.

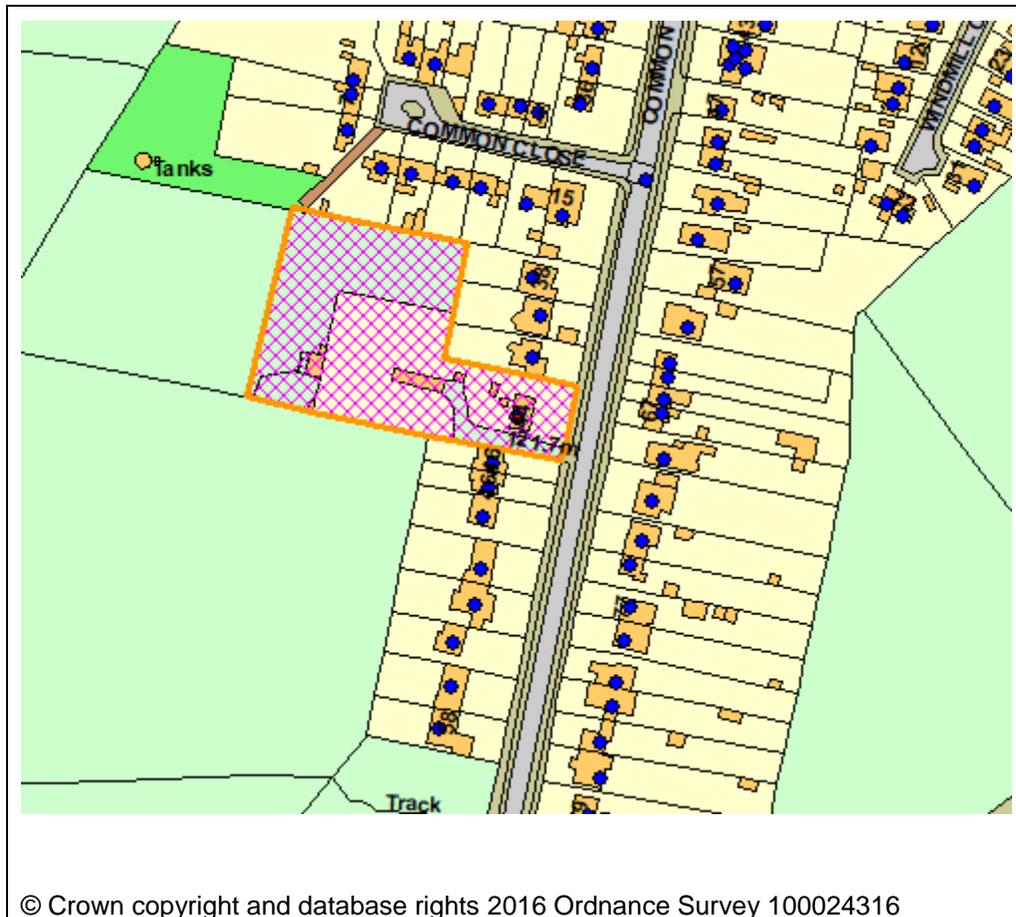
Please note that:

- I. 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](http://www.westoxon.gov.uk/meetings)

<b>Page</b>	<b>Application Number</b>	<b>Address</b>	<b>Officer</b>
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41 - 49	22/00465/FUL	North Leigh Methodist Church Chapel Lane	David Ditchett

Application Number	21/03720/FUL
Site Address	44 Common Road North Leigh Witney Oxfordshire OX29 6RB
Date	11th May 2022
Officer	David Ditchett
Officer Recommendations	Provisional Approval
Parish	North Leigh Parish Council
Grid Reference	438532 E 212493 N
Committee Date	23rd May 2022

### Location Map



### Application Details:

Demolition of existing residential property. The erection of 10 detached and semi-detached two storey dwellings and construction of a new access onto Common Road, with associated garaging and parking, landscaping and all enabling works

**Applicant Details:**

Mr Tim Northey  
Market House  
Silver Street  
Olney  
MK46 4AL

**I CONSULTATIONS**

Parish Council

The applicant argues that objections raised against previously refused application 21/02900/FUL have been fully met. This is not the case.

Housing developments totaling 175 units have been or are being erected in North Leigh village, thus satisfying the need for housing in this medium sized village. The proposal is for a further 10 units and will further impact on village facilities and harm the character of the area. This is contrary to Policy OS2 of the Local Plan. 2031.

The proposed density of units at 20 per hectare may be appropriate for urban developments, but is inappropriate for and harmful to the character of the village. This is contrary to Policy OS4 of the Local Plan.

Whilst the new proposal now includes 2 affordable units, the mix of units consists eight 3-bed units and two 4-bed units and does not include any 2-bed units. This is contrary to Policy H4 of the Local Plan.

During 2021 numerous problems with foul water and sewage leakages have occurred on Common Road close to the proposed site resulting in emergency call-out of Thames Water repair crews. The applicant has not consulted Thames Water and has not drawn up an appropriate foul water drainage plan. This is contrary OS4 of the Local Plan.

Should the application be approved and without prejudice to our objections, the Parish Council require the following conditions to be attached;

- a) demolition and construction equipment and vehicles shall be used and parked only on the site to avoid damage to and obstruction of that part of Common Road
- b) all vehicles leaving the site to be subject to fully automated wheel washing facilities to prevent mud and construction debris being carried on to Common Road.

Also, without prejudice to our objections and pending the introduction of the Community Infrastructure Levy (CIL), the Parish

Council require the following compensation in mitigation of the social impact of the development on the village;

- a) the A4095/Common Road junction verges to be landscaped in consultation with the Parish Council and maintained by the applicant for a period of 25 years.
- b) a financial contribution be made to a new cycle track between Common Road and Park Road junctions of the A4095
- c) an appropriate traffic calming scheme be installed on Common Road.

WODC Housing Enabler

22.02.2022

Having had the opportunity to review the revised application I am able to make comments from an affordable housing point of view.

Policy H3 in the West Oxfordshire District Council Local Plan 2018 requires housing schemes of 11 or more units or which have a maximum combined gross floor space of more than 1000m<sup>2</sup> to provide affordable housing on site.

North Leigh is in the medium value zone. The on-site requirement for affordable housing on schemes in the medium value zone is 40%.

The proposed development has a combined gross floor space including garages of more than 1000m<sup>2</sup> (including netting off the existing bungalow to be demolished) and should therefore be required to provide 40% affordable housing in accordance with Policy H3.

WODC - Sports

No Comment Received.

WODC Planning Policy  
Manager

No Comment Received.

Major Planning Applications  
Team

- 17.12.2021
- Waste Management - no objection subject to legal agreement securing S106 contributions

Highways - no objection subject to

- S106 Contributions
- An obligation to enter into a [S278] [S38] agreement
- Planning Conditions
- Informatives

Lead Local Flood Authority - objects

- drainage strategy proposed must be in line with latest national and local guidance

- detailed surface water management strategy must be submitted in accordance with the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire

District Ecologist

No objection subject to conditions and informatives.

Thames Water

#### Waste Comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

### Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Conservation Officer

No Comment Received.

Wychwood Project

No Comment Received.

ERS Env. Consultation Sites

06.12.2021

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

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

WODC Env Health - Lowlands 14.12.2021

Thank you for the opportunity to consult.

I have reviewed the application and I, do not consider road traffic noise to be a constraint for this site.

The Design and Build of the new dwellings should fully satisfy the Internal room sound levels for comfort as prescribed by British Standards 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

I would suggest the following conditions:-

1. The dwellings hereby approved shall be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 Guidance for Sound Insulation and Noise Reduction for Buildings (or later versions).

2. Prior to work commencing on the site, an Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Environmental Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of
- equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Wheel washing facilities

Informative:-

The Acoustics Ventilation and Overheating Residential Design Guide. Version 1.0 (Jan 2020) provides current additional valuable guidance.

OCC Lead Local Flood Authority

10.03.2022

Objects - technical reasons set out in online comment

WODC - Sports

No Comment Received.

OCC Lead Local Flood Authority

07.02.2022

Objection - Generally we don't have an objection to the SuDS design principles. However, additional and corrected information should be provided for the LLFA to be able to fully review.

WODC Housing Enabler

04.04.2022

Information from our choice based lettings system for those qualifying to rent affordable housing and indicating North Leigh as one of their areas of preference.

Applicants can identify up to three locations when selecting their areas of preference.

1 Bed single	49
1 Bed Couple	13
2 Bed	41
3 Bed	11
4+ Bed	5
Total	119

The Homeseeker + priority bandings that these 119 applicants fall under are as follows:

Emergency	0
Gold	1
Silver	22
Bronze	96
Total	119

These bands are broadly explained as:

Emergency = Is in immediate need of re-housing on medical grounds or down-sizing etc

Gold = Has an urgent medical / welfare need / move due major overcrowding etc

Silver = Significant medical or welfare needs that would be alleviated by a move

Bronze = All other applicants not falling into the above categories

In addition to these 119 applicants there are a further 2426 applicants on the wider district waiting list that could benefit from the development of affordable housing.

OCC Lead Local Flood Authority

No Comment Received.

18.01.2022

I am just going through some of the planning applications on the planning portal and have seen the above referenced application. I think that my colleague may have responded to the "ERS Env. Consultation Sites" consultation which is for contamination in error.

I see that this application is similar to a previous application (21/02900/FUL) for which I submitted the following comments. These comments remain applicable for the new application.

Thank you for consulting our team. I have considered the application in relation to contaminated land and potential risk to human health. From the information submitted with the application it is understood that the development site currently comprises a road, single story dwelling, associated garden area including a number of outbuildings and a paddock with more outbuildings. Photographs of the site suggest there may be some areas where rubbish has been piled up. I have no major concerns in relation to the proposed development and the site, however, given the number of outbuildings and the piles of rubbish on site please could the applicant confirm the following;

- That no fuels or other potentially contaminating substances have been stored at the site.
- That the rubbish piles on site have been placed there by the owner of the site and are not fly tipped material. If the piles have been placed by the owner please could they confirm that there are no potentially contaminating substances within the stockpile. For example asbestos containing material, drums of fuel or batteries.

Depending on the answers to these questions I would likely request the following condition be added to any grant of permission.

- 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 II, 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

24.01.2022

I have received the email below from the applicant and based on the information they have provided request that the following condition be added to any grant of permission.

- 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

## 2 REPRESENTATIONS

2.1 A summary of the representations received are detailed below. Full details can be found on the Council's website.

*42 third party objections received relating to:*

1. Same as previous application that was refused;
2. Houses close to No 46 Common Road;
3. No need for homes;
4. 176 houses approved for development in the village in the last 2 or 3 years;
5. Increase traffic congestion;
6. Isolated from services and facilities;
7. Loss of local services;
8. Loss of biodiversity;
9. Pressure on water system;
10. Challenge existing infrastructure;
11. Impact to residential amenity;
12. Too many houses already being built in the village;
13. Overdevelopment;
14. Poor quality homes;
15. Out of character;
16. Increase traffic speeding;
17. School at capacity;
18. Lack of site notice;
19. North Leigh needs to remain a smaller town;
20. Inadequate sewer system;

21. Thames Water often visit area to fix issues;
22. Drainage;
23. Existing services are stretched;
24. Highway safety, especially at school times;
25. Impact to local wildlife;
26. No affordable housing;
27. Not an allocated housing site;
28. Overbearing;
29. harm the character and appearance of the village;
30. Power outages;
31. Loss of green field;
32. Development should be on a brownfield site;
33. No social benefits;
34. Design, scale, form and layout of the proposal would not complement the existing pattern and character of the houses down the road;
35. The close proximity of plots 1, 3 and 10 to existing houses is overbearing and will harm the enjoyment of their gardens and privacy in their homes;
36. Reliant on cars;
37. Traffic noise and pollution for No 42;
38. Loss of trees and hedges;
39. Impact to amphibians;
40. Water system cannot cope with more houses;
41. Landscape harm;
42. Flooding;
43. Village is overpopulated;
44. Pollution;
45. Risk to pedestrians;
46. Impact to birds roosting;
47. Impact of building work;
48. Loss of privacy;
49. Poor parking provision;
50. Outlook from side window blocked;
51. Not previously developed land;
52. Excessive density;
53. Design;
54. Scale;
55. Trees felled on site; and
56. Not sustainable development.

### **3 APPLICANT'S CASE**

- 3.1 The supporting Planning Statement summarises their case as follows:
- 3.2 The application site mainly comprises previously developed land within North Leigh where the principle of residential development is already established, with the remaining land area undeveloped land immediately adjoining the settlement edge. It is sustainably located as has been established in a number of recent significant planning decisions at the village.
- 3.3 This revised application has fully considered the previous reasons for refusal with updated and additional supporting information to address these concerns. This includes a LVTN which robustly

demonstrates that the application forms a logical development that can be integrated without significant harm to the character and appearance of the area.

- 3.4 This high quality residential development will make more efficient use of a previously developed land resource and increase housing supply in an area with a significant housing affordability issue. It will also deliver a number of new 3 bed properties including affordable units, which are identified by the Council as the type of housing in greatest need in the district.
- 3.5 The applicant has also identified a housing land supply deficit in the district as a number of identified sites will clearly not be delivered within the 5 year period claimed by the Council. Consequently, the provisions of Paragraph 11(d) are triggered meaning the Council's housing policies are considered out of date and the 'tilted balance' applies.
- 3.6 In weighing up this application, paragraph 8 of the NPPF refers to three mutually dependent dimensions of sustainable development: economic, social and environmental. In terms of its identifiable benefits, the construction of the proposed houses will provide a source of employment in the short term which is important at this time of needing to increase economic activity. Once built, the resultant increase in population will serve to increase the level of expenditure in the local economy helping with the vitality of local services. These economic benefits will be of modest positive weight.
- 3.7 The proposal will make a contribution towards boosting the supply of housing in an area with a significant housing affordability issue, including smaller family housing for which there is a very significant need in the district. It will also provide much needed affordable housing. Significant positive weight should be attributed to these social benefits.
- 3.8 If permitted, this proposal will involve the more efficient use of a previously developed land resource and reduce the need for land release elsewhere in the district of higher environmental quality. The implementation of the proposed soft landscape proposals and integrated new habitat opportunities, plus offsite contribution to secure a biodiversity net gain, will deliver environmental benefits from the development. These environmental benefits will be of modest positive weight and creating greater biodiversity.
- 3.9 The loss of a limited area of agricultural land will be of modest negative weight, when combined with the change in character of this part of the site. However, the site is of no recognised landscape quality and there are no public views into or out of this part of the site, ensuring no discernible impact upon the character of the area.
- 3.10 In conclusion, the limited adverse impact of the proposal would not significantly or demonstrably outweigh the benefits when assessed against the policies of the framework as a whole. The tilted balance applies in this instance and the planning balance favours a grant of planning permission without further delay.

#### **4 PLANNING POLICIES**

H1NEW Amount and distribution of housing  
H2NEW Delivery of new homes  
H3NEW Affordable Housing  
H4NEW Type and mix of new homes  
OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places  
OS3NEW Prudent use of natural resources  
OS4NEW High quality design  
OS5NEW Supporting infrastructure  
EH2 Landscape character  
EH3 Biodiversity and Geodiversity  
EH4 Public realm and green infrastructure  
EH7 Flood risk  
EH8 Environmental protection  
T1NEW Sustainable transport  
T2NEW Highway improvement schemes  
T3NEW Public transport, walking and cycling  
T4NEW Parking provision  
DESGUI West Oxfordshire Design Guide  
NPPF 2021  
NATDES National Design Guide  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **PLANNING ASSESSMENT**

- 5.1 The applicant seeks planning permission for the demolition of existing residential property. The erection of 10 detached and semi-detached two storey dwellings and construction of a new access onto Common Road, with associated garaging and parking, landscaping and all enabling works.
- 5.2 The site is accessed by an existing access serving the domestic curtilage and beyond into the paddock to the rear of the site. There are a number of outbuildings which appear to have been associated with the dwelling, albeit not within an established domestic curtilage.
- 5.3 An application for the construction of five detached dwellings and garages. Close existing and formation of new vehicular access in revised position was refused permission in November 2018 (Ref: 18/02932/FUL) for the following reasons:

*1. The proposal is for housing development on a predominantly greenfield site on the edge of the settlement of North Leigh. The development is not required to meet Local Plan housing requirements and would not constitute an acceptable windfall opportunity in the context of the location, site characteristics, and a very low 5 year windfall allowance. The design (including materials), scale, form and siting of the proposal would not form a logical complement to the existing scale and pattern of development in this location, it would fail to protect or enhance the local landscape and the setting of the village, and would fail to conserve the natural environment. There would therefore be an unacceptably harmful impact on the character and appearance of the area. There are no material considerations that indicate that the development plan should not be followed. The proposal is thus contrary to West Oxfordshire Local Plan 2031 Policies H2, EH2, OS2 and OS4, and paragraphs 12, 127, and 170 of the NPPF.*

2. By reason of the siting of plots 4 and 5 in particular, close to the boundaries with existing properties, the proposed dwellings will appear overbearing and result in overlooking from the first floor of Plot 4 and the ground floor of Plots, 1, 2, 4 and 5 and the access road due to insufficient boundary treatment to the detriment of the residential amenity of the adjacent occupiers. As such, the proposal is considered contrary to adopted West Oxfordshire Local Plan Policies OS2, H2 and OS4, and the relevant paragraphs of the NPPF.

5.4 A further application (ref. 20/02900/FUL) was refused in March 2021 for the following reasons:

*1. The proposal is for housing development on a predominantly greenfield site on the edge of the settlement of North Leigh. The development is not required to meet Local Plan housing requirements and would not constitute an acceptable windfall opportunity in the context of the location and site characteristics. The design, scale, form and layout of the proposal would not form a logical complement to the existing scale, pattern and character of development in this location, it would fail to protect or enhance the local landscape and the setting of the village, and would fail to conserve the natural environment. There would therefore be an unacceptably harmful impact on the character and appearance of the area. There are no material considerations that indicate that the development plan should not be followed. The proposal is thus contrary to West Oxfordshire Local Plan 2031 Policies H2, EH2, OS2 and OS4, West Oxfordshire Design Guide, National Design Guide and the NPPF.*

*2. The proposed development fails to provide affordable housing and a mix of property types and sizes in conflict with Policies H3 and H4 of the West Oxfordshire Local Plan 2031, National Design Guide and the NPPF.*

*3. The proposed development fails to provide an acceptable SuDS solution in line with Local and National Standards and water quality standards are not met. In addition no water quality assessment has been carried out. As such the proposed development conflicts with Policies EH7 and EH8 of the West Oxfordshire Local Plan 2031 and the NPPF.*

*4. There is inadequate information relating to biodiversity net gain (BNG) and the proposal fails to demonstrate that a BNG can be provided on site. As such the proposal is contrary to Local Plan policy EH3 and the NPPF.*

*5. The applicant has not entered into a legal agreement to secure a contribution towards necessary infrastructure including sports and recreation and play facilities, highway works and improved public transport required to offset the burden on local infrastructure that would otherwise result from the proposed development. The local planning authority cannot therefore be satisfied that the impacts of the development can be made acceptable. Consequently, the proposal conflicts with Policies OS5 and T3 of the West Oxfordshire Local Plan 2031 and the NPPF.*

5.5 The adopted West Oxfordshire Local Plan identifies North Leigh as a Village wherein new development is acceptable in certain circumstances. The site is part existing bungalow set in its domestic curtilage and part undeveloped paddock area and agricultural field.

5.6 The site is bounded to the north by the rear gardens of properties fronting Common Close and the rear gardens of Nos 38, 40 and 42 Common Road forming the eastern boundary.

5.7 The site is not within the Cotswolds AONB, Conservation Area or any other designated area.

5.8 The site is wholly within flood zone 1.

5.9 The application is before Committee as the Parish Council have objected to the proposal.

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

Principle of Development;  
Siting, Design and Form;

Highway Safety;  
Drainage and Flood Risk;  
Trees and Ecology;  
Residential Amenities;  
S106 matters; and  
Conclusion (including previous refusal reasons) and Planning Balance

## **Principle of Development**

- 5.11 Policy OS2 sets out the overall strategy on the location of development for the District. It adopts a hierarchal approach, with the majority of new development focused on the main service centres of Witney, Carterton and Chipping Norton, followed by the rural service centres of Bampton, Burford, Charlbury, Eynsham, Long Hanborough, Woodstock and the new Oxfordshire Cotswolds Garden Village (now referred to as Salt Cross).
- 5.12 North Leigh is identified as a 'village' in the settlement hierarchy of the Local Plan and policy OS2 states 'the villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities'.
- 5.13 Local Plan Policy H2 states 'new dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances.....
- 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;
  - On undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2;
  - On undeveloped land adjoining the built up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the plan in particular the general principles in Policy OS2.'
- 5.14 The existing dwelling and its garden is considered to be previously developed land (also known as brownfield land). New development is therefore supported in principle in this area by Policy H2. In addition, paragraph 120 (c) of the NPPF states 'planning policies and decisions should..... give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs'.
- 5.15 The additional land forming the proposed development site would be described as undeveloped land adjoining the built up area and in this instance, Local Plan Policy H2 requires convincing evidence to demonstrate the site is necessary to meet an identified housing need. The assessment for the previously refused application at the site in March 2021 noted that 'no such evidence has been provided'.
- 5.16 It is vital that Local Planning Authorities issue consistent decisions, particularly for similar development proposals on the same site. The background to this site is that 10 homes were refused on this site for several reasons (as stated above) in March 2021. Therefore, a material change must occur that would warrant the LPA coming to a different conclusion than the previous refusal.

- 5.17 Policy H3 of the Local Plan requires the provision of affordable housing on schemes of 11 or more units or which have a maximum combined gross floor space of more than 1000sqm. Whilst the previous application at the site (ref. 20/02900/FUL) only provided a net increase of 9 units, it would have exceeded the 1000sqm floor space requirement and as such affordable housing should have been provided. However, no affordable housing was provided. Indeed, the lack of affordable housing was discussed within the previous Officer Report and ultimately formed part of refusal reasons 1 and 2.
- 5.18 The current scheme proposes approximately 989sqm of dwelling floorspace and approximately 74sqm of carport floorspace. The existing dwelling to be demolished is approximately 70sqm. The net increase of floorspace on site therefore (when subtracting the existing dwelling) is approximately 993sqm. While there is some debate as to whether carports contribute towards the floorspace calculation when assessing affordable housing contributions, the above has shown that should carports be included, or not, the scheme still proposes less than 1000sqm of new floorspace.
- 5.19 Therefore, the provision of affordable housing is not required to meet Policy H3. However, as part of the development site is on undeveloped land adjoining the built up area, Policy H2 requires convincing evidence to demonstrate that new housing is necessary to meet identified housing needs. Of note is that the applicant now proposes two affordable homes as part of this application. As such, floor space is reduced from the previous scheme and two affordable homes are now provided. These are material changes from the previous refusal.
- 5.20 The Council's Housing Enabler Officer states that as of 04/04/2022, 119 applicants were registered on the Council's Homeseeker+ system to rent a home in North Leigh. In addition to these 119 applicants there are a further 2426 applicants on the wider district waiting list that could benefit from the development of affordable housing. It is clear that there is a need for affordable housing in North Leigh and the wider district.
- 5.21 In terms of the Council's land supply position. The Council has recently undertaken a review of the current situation (December 2021) and concludes it has a 5.3 year supply. Footnote 8 and Paragraph 11 of the NPPF are not therefore triggered; the local plan policies which are most important for determining the application are not out-of-date and can be afforded full weight. Furthermore, the Housing Delivery Test (updated 14 January 2022) found from 2018-2021 West Oxfordshire required 1420 homes and delivered 2767. A Housing Delivery Test 2021 measurement of 195%. While WODC can demonstrate a five year supply of deliverable housing land, this is not a supply ceiling and officers are mindful of the Government's objective of significantly boosting the supply of homes (paragraph 60 of the NPPF).
- 5.22 In light of the discussion above, officers are satisfied that convincing evidence has been presented to demonstrate that there is a need for housing in this location. Furthermore, while a net increase of 9 homes in this location would not significantly boost the supply of homes. It would nonetheless make a contribution.
- 5.23 Notwithstanding the above assessment, the proposal shall be assessed against the Local Plan as a whole and in particular the general principles of Policy OS2 in more detail below.

## Siting, Design and Form

- 5.24 Paragraph 130 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 including the surrounding built environment and landscape setting and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users.
- 5.25 Policies OS2 (Locating development in the right places), OS4 (High quality design) and EH2 (Landscape character) each require the character of the area to be respected and enhanced. The importance of achieving high quality design is reinforced in the National Design Guide.
- 5.26 Officers considered that the design, scale, form and layout of the previous scheme would not form a logical complement to the existing scale, pattern and character of development in this location. This formed part of refusal reason 1 of application ref. 20/02900/FUL.
- 5.27 When comparing the previously refused scheme to the current proposal. The proposed development still amounts to a backland form of development with eight of the new dwellings located to the rear of properties fronting onto Common Road. Six of the dwellings would still be large detached properties (plots 3, 6, 7, 8, 9 and 10). Plots 1 and 2; and plots 4 and 5 would still be semi-detached pairs. In addition, both the previously refused scheme and the current scheme propose the same mix of bedroom numbers (seven 3 bed homes and three 4 bed homes). As such, the conflict with Policy H4 remains. Four homes are still proposed to the north of the site and the remaining six to the south. In terms of materials, these are proposed to be slate roofs, reconstituted stone walls, and timber windows and doors. Brick chimneys and timber porches are also proposed.
- 5.28 There are some differences to the scale, footprint, orientation and design of the dwellings proposed when compared to the previous refusal. Particularly the detached dwellings. However, the siting, materials, pattern, and character of the overall development remains broadly the same as the previous refusal.
- 5.29 In terms of major changes. All of the garages have been removed and four car ports are now proposed. Six plots will have no garaging/carports. In addition, only one vehicular entrance is now proposed to serve all the dwellings where the previous scheme had two vehicular entrances (one retained for plot 1 and the rest accessed by the new entrance). Plot 1 will have a separate pedestrian access.
- 5.30 Common Road is characterised by its linear form of development along both sides of the road with Common Close located further to the north comprising a planned cul-de-sac form of development of uniform appearance. Some other cul-de-sacs are also present to the north. This backland form of development proposed bears some resemblance to the cul-de-sacs to the north, however, it is proposed to extend into open countryside to the west, eroding the village setting. The development would be visible from Common Road and partially from the public rights of way to the west of the village.

- 5.31 Most of the existing trees on the site are to be removed, although the submitted tree schedule indicates that all of the trees are defined as category C and of low overall quality. Nevertheless, the loss of these trees would further expose the development and the expanding edge of North Leigh to views from the public right of way to the west. The roadside hedge is also proposed to be removed.
- 5.32 Overall, there are insufficient differences in terms of the general design, scale, form, layout and landscape impacts that would warrant coming to a different conclusion than the previous refusal. As such, the proposed development conflicts with Local Plan Policies OS2 and OS4 in terms of the design, scale, form and layout of the proposed development and Policy EH2 as it would fail to protect or enhance the local landscape and the setting of the village.

### **Highway Safety**

- 5.33 Highway safety did not form a refusal reason for the previous scheme. However, OCC Highways did initially object to the previous scheme as the Refuse Collection Vehicle (RCV) used in the swept path analysis was of insufficient size. That matter was dealt with during the previous application and it was demonstrated that the swept path for the RCV is very tight within the turning head but the manoeuvre was possible.
- 5.34 Notwithstanding that the previous scheme was acceptable in highway safety terms. Arguably, this scheme is an improvement when compared to the previous as two separate vehicular accesses were proposed. The existing access for the bungalow retained to serve plot 1 and the rest of the plots accessed by a new entrance. This would have led to a proliferation of accesses in close proximity to each other. As noted, only one access is now proposed, which is considered to be an improvement against the previous scheme in highway safety terms.
- 5.35 OCC have no objections to the scheme subject to S106 contributions towards highway works and public transport infrastructure and highway conditions.
- 5.36 The proposed development therefore is acceptable in highway safety terms and accords with policies T1, T2, and T3 of the West Oxfordshire Local Plan 2031 and the NPPF.

### **Drainage and Flood Risk**

- 5.37 Refusal reason 3 of the previous application stated 'the proposed development fails to provide an acceptable SuDS solution in line with Local and National Standards and water quality standards are not met'.
- 5.38 The Lead Local Flood Authority objected to the previous scheme and they are also currently objecting to this scheme. However, in their comment dated 07/02/2022 they stated 'generally we don't have an objection to the SuDS design principles. However, additional and corrected information should be provided for the LLFA to be able to fully review'. Officers also note the number of comments received relating to foul drainage (sewerage) issues in the area. TWA have commented on this aspect of the scheme and are satisfied that there is capacity in the foul water sewerage network to accommodate the needs of the development. There are no objections in regards to foul drainage therefore. The LLFA have also not raised water quality standards as a concern.

- 5.39 The site is in flood zone I and is therefore at the lowest risk of flooding. Nonetheless, the proposed development must provide a detailed surface water management strategy in accordance with the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire. The applicant has submitted additional information in relation to this and the LPA is awaiting the reply from the LLFA.
- 5.40 Officers are satisfied that the proposed development will not increase flood risk at the site or elsewhere, subject to an acceptable drainage strategy being agreed and officers consider that this technical issue can be overcome. It may be that this is overcome prior to the application being heard at the April 19th Committee, if that is the case, officers will update Members on the additional representations report. Should that not be the case, officers would request that this application be delegated back to officers to overcome this drainage matter.

### **Trees and Ecology**

- 5.41 Local Plan Policy EH3 (Biodiversity and geodiversity) states 'the biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity'.
- 5.42 Paragraph 180 of the NPPF sets out a clear hierarchy for proposals affecting biodiversity. The hierarchy is to firstly, avoid harm; secondly, where this is not possible, to mitigate any harm on-site; thirdly, as a last resort, to compensate for any residual harm.
- 5.43 Most of the existing trees on the site are to be removed, although the submitted tree schedule indicates that all of the trees are defined as category C and of low overall quality. As such, the loss of these trees is acceptable.
- 5.44 The impact to biodiversity, particularly that biodiversity net gain (BNG) was not proposed, formed refusal reason 4 of the previous application. In response, the applicant has submitted a biodiversity net gain calculation.
- 5.45 The proposal would result in a loss of biodiversity, but this loss would be of low value habitats (part garden and part field), as evaluated in the Ecological Survey Report, and there is minimal ecologically meaningful opportunity within the proposed development site to create new habitat (other than hedgerows). The majority of the site would remain within residential garden use and it would therefore be difficult to ensure delivery and ongoing management of the required biodiversity units.
- 5.46 The applicant has stated that they are willing to pay a sum of money to ensure 10% BNG can be achieved off site. The Council's biodiversity officer has commented on this and stated 'I am supportive of the approach advocated by the agent for the 10% biodiversity net gain to be secured as a financial payment towards habitat creation off-site. There are potential opportunities for this to be delivered within the local area, for example the Wychwood Project, which could be explored via a broker such as the Trust for Oxfordshire's Environment (TOE) in partnership with the council'.
- 5.47 The proposed development is unlikely to result in the loss of protected species habitats. However, the development would lead to a reduction in biodiversity value at the site and full on-site mitigation is not achievable. Compensation for residual harm is therefore required. In this regard, although The Environment Act 2021 has now passed, secondary legislation is required for

it to be implemented. Therefore, the 10% biodiversity net gain requirement set out in the Act is not yet law. Furthermore, Local Plan Policy EH3 and Paragraph 174 of the Framework, both seek a net gain in biodiversity without identifying a specific percentage. The applicant has stated that they are willing to agree off site biodiversity net gain of 10% through a financial contribution. This is above what is currently required by law and national or local policy.

- 5.48 Overall, the proposals would meet the biodiversity hierarchy as set out in Paragraph 180 of the NPPF (subject to complying with the conditions and paying the sum required). As such, the proposal would not have an unacceptable effect on biodiversity and the proposal accords with Policy EH3 in that regard. Indeed, arguably, while off site, the scheme is likely to improve biodiversity value when taken holistically. Refusal reason 4 is overcome therefore.

### **Residential Amenities**

- 5.49 Residential amenity was not raised as a refusal reason previously and as assessed, the layout of the site is broadly the same as the previous scheme. Nonetheless, an assessment is still completed below.
- 5.50 Adopted Local Plan Policy OS2 states that all development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. In terms of the properties fronting onto Common Road (Nos 42-38), Plot 10 would be located to the rear of Nos 42 and 40. The dwelling would be off-set from the boundary by approximately 2m with the closest element comprising a single storey car port. Given the proposed form of the development and generous depth of the gardens to Nos 42 and 40 (over 20m), it is not considered that the proposed development would have a significant adverse impact through overbearing or over-shadowing. In addition, there are no facing windows between Plot 10 and Nos 42, 40 and 38.
- 5.51 Concerns have been raised in relation to the new access road passing to the side of No 42 and its impact on their amenity through noise, vibration and air quality. No 42 is however separated from the site with a single storey garage and appropriate boundary treatment could ensure that there would be no significant loss of amenity.
- 5.52 The dwellings backing onto properties fronting onto Common Close would have gardens in excess of 11m and window to window distances of approximately 30m. This exceeds the 22m industry standard required for facing window distances. Those new dwellings to the south of the site would predominantly overlook onto open land.
- 5.53 Whilst the new pair of semi's adjoining No 46 would be sited slightly further forward in the plot, this is an overlap of just 4m and would be located to the north of No 46, as such loss of light and overshadowing is unlikely. Also, the side window of No 46 is noted. However, this is a small side window at second floor so is unlikely to allow significant views out of to detrimentally affect the privacy of the proposed dwellings. In addition, this window is north facing, so receives very little direct sunlight. The proposed dwelling (plot 1) is unlikely to adversely affect sunlight into this window.
- 5.54 Taking all of this into consideration, officers are satisfied that the proposal will not detrimentally impinge on the residential amenities of the area in regards loss of privacy, or loss of light, overbearing or overshadowing impacts, noise, pollution (including light), odours or vibration. In addition sufficient private external amenity space is proposed for each property.

## **S106 matters**

- 5.55 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.
- 5.56 Policy H3 requires that 40% of the homes are provided as affordable housing. However, the proposed development does not propose sufficient floorspace that would engage Policy H3. Nonetheless, the applicant is proposing to provide two affordable homes and this will be secured via the S106.
- 5.57 OCC seeks Household Waste Recycling Centre contribution of £940.
- 5.58 OCC seeks Highway works contribution for the part funding of a shared use cycle-track along the A4095 of £ 10,000.
- 5.59 OCC seeks Public transport services contribution for improved public transport in this area of £10,510.
- 5.60 OCC seeks Public transport infrastructure (if not dealt with under S278/S38 agreement) for replacement poles, flags and timetable cases at the Common Close bus stops of £2,330.
- 5.61 OCC require the Applicant to enter into a S278 agreement and a S38 agreement to mitigate the impact of the development.
- 5.62 Refusal reason 5 of the previous application was related to not entering into a legal agreement. The applicant has stated that they are willing to enter into a legal agreement to secure the above contributions.

## **Conclusion (including previous refusal reasons) and Planning Balance**

- 5.63 The Council has recently undertaken a review (December 2021) and concludes it has a 5.3 year supply. Footnote 8 and Paragraph 11 of the NPPF are not therefore engaged; and the local plan policies which are most important for determining the application are not out-of-date and can be afforded full weight.
- 5.64 Policy H2 permits new dwellings on undeveloped land adjoining the built up area where 'convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the plan in particular the general principles in Policy OS2'.
- 5.65 The proposed development would add 9 dwellings (net) to West Oxfordshire Council housing stock. While WODC can demonstrate a five year supply of deliverable housing land, this is not a supply ceiling and officers are mindful of the Government's objective of significantly boosting the supply of homes (paragraph 60 of the NPPF). Furthermore, two affordable homes are provided. In light of this affordable housing provision and the addition of 9 homes (net), officers are satisfied

that the proposal would accord with Local Plan Policy H2 insofar as it relates to meeting identified housing needs.

- 5.66 The part of refusal reason 2 relating to mix of property types and sizes is not overcome as both the previously refused scheme and the current scheme propose the same mix of bedroom numbers (seven 3 bed homes and three 4 bed homes). As such, the conflict with Policy H4 remains.
- 5.67 This application therefore overcomes the part of refusal reason 2 that relates to affordable housing (but not mix of housing) and the parts of refusal reason 1 that relate to the need for the homes (H2).
- 5.68 However, H2 is clear in that proposals that accord with H2 also must accord with the Local Plan, in particular the general principles in Policy OS2. There are insufficient differences in terms of the general design, scale, form and layout that would warrant coming to a different conclusion than the previous refusal. As such, the development conflicts with Local Plan Policies OS2 and OS4 in terms of the design, scale, form and layout of the proposed development and Policy EH2 as it would fail to protect or enhance the local landscape and the setting of the village, and would fail to conserve the natural environment. The parts of refusal reason 1 relating to design, scale, form, layout and landscape therefore are not overcome. other policies in.
- 5.69 With regard to refusal reason 3 (SuDS solution in line with Local and National Standards and water quality standards). The LLFA have not raised water quality standards as a concern. As such, this element of refusal reason 3 is overcome. In addition, the site is in flood zone 1 (at the lowest risk of flooding) and while the LLFA are still objecting to the proposed drainage scheme, officers consider that this technical issue can be overcome. It may be that this is overcome prior to the application being heard at the April 19th Committee, if that is the case, officers will update Members on the additional representations report. Should that not be the case, officers request that this application be delegated back to officers to overcome this drainage matter. Officers are confident that refusal reason 3 can be overcome.
- 5.70 Moving to refusal reason 4 (biodiversity net gain (BNG)). There would be a loss of on-site biodiversity. However, subject to a financial sum being submitted and control through condition discharge submissions, a 10 % biodiversity net gain would be achieved. Officers acknowledge that this is above the minimum requirements. This overcomes refusal reason 4.
- 5.71 The applicant has agreed to enter into a legal agreement to secure the provision of affordable housing and contributions to public transport highways improvement schemes and waste. This overcomes refusal reason 5.
- 5.72 Application (ref. 20/02900/FUL) was refused in March 2021 for 10 homes on this site and this report has dealt with those reasons for refusal in detail. To summarise, refusal reasons 3, 4 and 5 are/can be overcome and refusal reasons 1 and 2 are part overcome. As some conflict with Local Plan policies remain, a planning balance is required to weigh up the benefits of the scheme against this conflict.
- 5.73 The proposed development would result in economic benefits to the local area during the construction phase and when the development is occupied by future residents by increasing the spending power in the area. This attracts moderate weight.

- 5.74 There would be a loss of on-site biodiversity however, offsite 10 % biodiversity net gain would be achieved. Officers acknowledge that this is above the minimum requirements. However, this attracts modest weight commensurate with the scale of development.
- 5.75 Financial contributions to local services/infrastructure through a Section 106 agreement is also a positive impact. This attracts moderate weight commensurate with the scale of development.
- 5.76 The proposed development would add 9 (net) dwellings in a sustainable location to West Oxfordshire District housing stock. In light of the Government's objective of significantly boosting the supply of homes, this attracts significant weight.
- 5.77 As of 04/04/2022, 119 applicants were registered on the Council's Homeseeker+ system to rent a home in North Leigh. In addition to these 119 applicants there are a further 2426 applicants on the wider district waiting list that could benefit from the development of affordable housing. It is clear that there is a need for affordable housing in North Leigh (and the wider district). While this application only proposes two affordable homes, in light of this identified need, this provision carries significant weight.
- 5.78 The proposed development would cause some harm to the character and appearance of North Leigh and its landscape setting. When considering the scale of the development proposed, this harm is considered to be moderate. In addition, the proposed mix of homes is unsatisfactory as only 3 and 4 bedroom homes are proposed. However, commensurate with the scale of development, this harm is considered to be modest.
- 5.79 As identified, significant weight is attributed to the addition of 9 new homes in a sustainable location. Significant weight is also applied to the provision of two much needed affordable homes. Positive weight is also attributed to 10% BNG, economic benefits from the construction phase and beyond, and contributions to public transport highways improvement schemes and waste.
- 5.80 Officers are satisfied, on balance, that the benefits of the scheme outlined overcome the moderate conflict when assessed against the Local Plan as a whole. The application is therefore recommended for approval.
- 5.81 However there are some outstanding technical matters and officers request delegated authority to determine the application subject to no new technical matters being raised, a S106 being completed and to confirm the final conditions with the Chairman.

## **6. CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3 The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4 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, AA, B, C, D, E, and G shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to protect the character and appearance of the development, the wider area and neighbour amenity.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/rooflights shall be constructed in the side elevation(s) of the building(s) hereby approved.

REASON: To safeguard privacy in the adjacent properties.

6 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roofs 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 and shall be retained as such thereafter.

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

7 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 and to accord with West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

8 The dwellings hereby approved shall be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 Guidance for Sound Insulation and Noise Reduction for Buildings (or later versions).

REASON: In the interests of residential amenity.

9 Prior to work commencing on the site, an Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Environmental Management Plan shall include the following details:

Development contacts, roles and responsibilities

Public communication strategy, including a complaints procedure.  
Dust suppression, mitigation and avoidance measures.  
Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.  
Use of fences and barriers to protect adjacent land, properties, footpaths and highways.  
Details of parking and traffic management measures.  
Avoidance of light spill and glare from any floodlighting and security lighting installed.  
Wheel washing facilities

REASON: To prevent pollution of the environment in the interests of amenity and in the interests highway safety.

- 10 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.

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

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

- 12 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.

- 13 The carports hereby permitted shall be used for the parking of vehicles and ancillary domestic storage only and shall not be enclosed or used as additional or independent living accommodation without the prior approval, in writing, of the Local Planning Authority.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety and to protect the amenity of nearby occupiers.

- 14 Prior to the first occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

REASON In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

- 15 No development shall commence unless and until a certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required 0.5 biodiversity units has been submitted to and agreed in writing by the Local Planning Authority.

The written approval of the Council shall not be issued before the certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Offset Provider and issued to the Council for their records.

REASON: To secure the delivery of off-site measures to ensure that a biodiversity net gain is achieved in accordance with Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and paragraphs 174, 179 and 180 of the National Planning Policy Framework.

- 16 The development shall be completed in accordance with the recommendations in Section 6 of the Ecological Survey Report dated September 2020 prepared by Philip Irving (pages 10 to 12 inclusive), as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained and maintained.

REASON: To ensure that biodiversity is protected and enhanced in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, paragraphs 174, 179 and 180 of the National Planning Policy Framework, 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.

- 17 Before the erection of any external walls of the new dwellings hereby approved, full details of the following biodiversity enhancements shall be submitted to, and approved in writing by, the local planning authority:

- At least 1 no. integrated bat box integrated into each of the northern elevations of the properties on plots 1, 3, 4, 5 and 6 (i.e. 5 no. boxes in total);
- Clusters of at least 3 no. integrated swift bricks into the northern elevations of the new buildings on plots 2, 7, 8, 9 and 10 (i.e. 15 no. swift bricks in total); and
- Creation of gaps beneath fencing to provide 'hedgehog highways'.

The details shall include technical drawings showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained and maintained.

REASON: To provide biodiversity enhancements and ensure permeability through the site for hedgehogs in accordance with paragraphs 174, 179 and 180 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.

- 18 A Hedgerow Planting and Management Plan (HPMP) shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of the development hereby approved. The content of the HPMP shall include, but not necessarily be limited to, the following information:

- Full landscaping specification for the planting of new native and species-rich hedgerows (at least 6 no. native tree/shrub species) and enhancement of the existing hedgerow, including species composition and planting regime (e.g. double staggered rows);
- Aims and objectives of the long-term management of existing and new hedgerows;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- An annual work schedule (i.e. identifying timing of management operations); and
- Details of how the HMP will be communicated to the occupiers of the development (e.g. as part of a 'homeowners information pack' or similar).

The planting of the new hedgerows and the provision of the management plan to new residents shall be implemented in full in accordance with the approved details.

**REASON:** To ensure that new hedgerows are planted and maintained appropriately in order to enhance their biodiversity value, for example for nesting birds, pollinating insects and hedgehogs, in accordance with paragraphs 174, 179 and 180 of the NPPF, 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.

#### INFORMATIVES:-

- 1 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2 Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Electricity-fed heating systems and renewable energy, for example solar panels and heat pumps; thus avoiding fossil fuel based systems, for example gas boilers
  - Wall, ceiling, roof, and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy and water efficient appliances and fittings
  - Water recycling measures
  - Sustainably and locally sourced materials

For further guidance, please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

- 3 The Acoustics Ventilation and Overheating Residential Design Guide. Version 1.0 (Jan 2020) provides current additional valuable guidance.
- 4 If any of the roads within the new development are to be offered up for adoption to the Local Highway Authority, a S38 Agreement will be required. For any private roads, a Private Road Agreement will be required between the developer and Oxfordshire County Council. For guidance and information on road adoptions please contact the County's Road Agreements Team on 01865 815700 or email [Road.Agreements@oxfordshire.gov.uk](mailto:Road.Agreements@oxfordshire.gov.uk)

- 5 Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners.
- 6 Several "offset" providers can take financial payments to deliver off-site biodiversity net gain projects in Oxfordshire, including the Trust for Oxfordshire's Environment (TOE) - <https://www.trustforoxfordshire.org.uk/biodiversity-offsetting> . The number of Biodiversity Units required to delivery biodiversity net gain for this permission is 0.5.

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.

For more information on hedgehog highways, please visit <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

With regard to the condition for bat and bird boxes, it is recommended that at least 1no. bat box be integrated into the southern elevations of plots 1, 3, 4, 5 and 6; and clusters of at least 3no. swift bricks be integrated into the northern elevations of plots 2, 7, 8, 9 and 10. The applicant and their architect should note the advice of Swift Conservation with regard to the installation of the swift bricks available at <https://www.swift-conservation.org/Nestboxes&Attraction.htm#Built%20in>

With regard to hedgerow planting, a mixture of the following native tree/shrub species is considered to be appropriate for this location: Dog rose, Elder, Field maple, Field rose, Guelder rose, Hawthorn, Hazel, Holly, Honeysuckle, Hornbeam, Oak, Spindle, Wild privet and Wych elm.

## Notes to applicant

- 1 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2 Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Electricity-fed heating systems and renewable energy, for example solar panels and heat pumps; thus avoiding fossil fuel based systems, for example gas boilers
  - Wall, ceiling, roof, and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy and water efficient appliances and fittings
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- 6 Several "offset" providers can take financial payments to deliver off-site biodiversity net gain projects in Oxfordshire, including the Trust for Oxfordshire's Environment (TOE) - <https://www.trustforoxfordshire.org.uk/biodiversity-offsetting>. The number of Biodiversity Units required to delivery biodiversity net gain for this permission is 0.5.

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.

For more information on hedgehog highways, please visit <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

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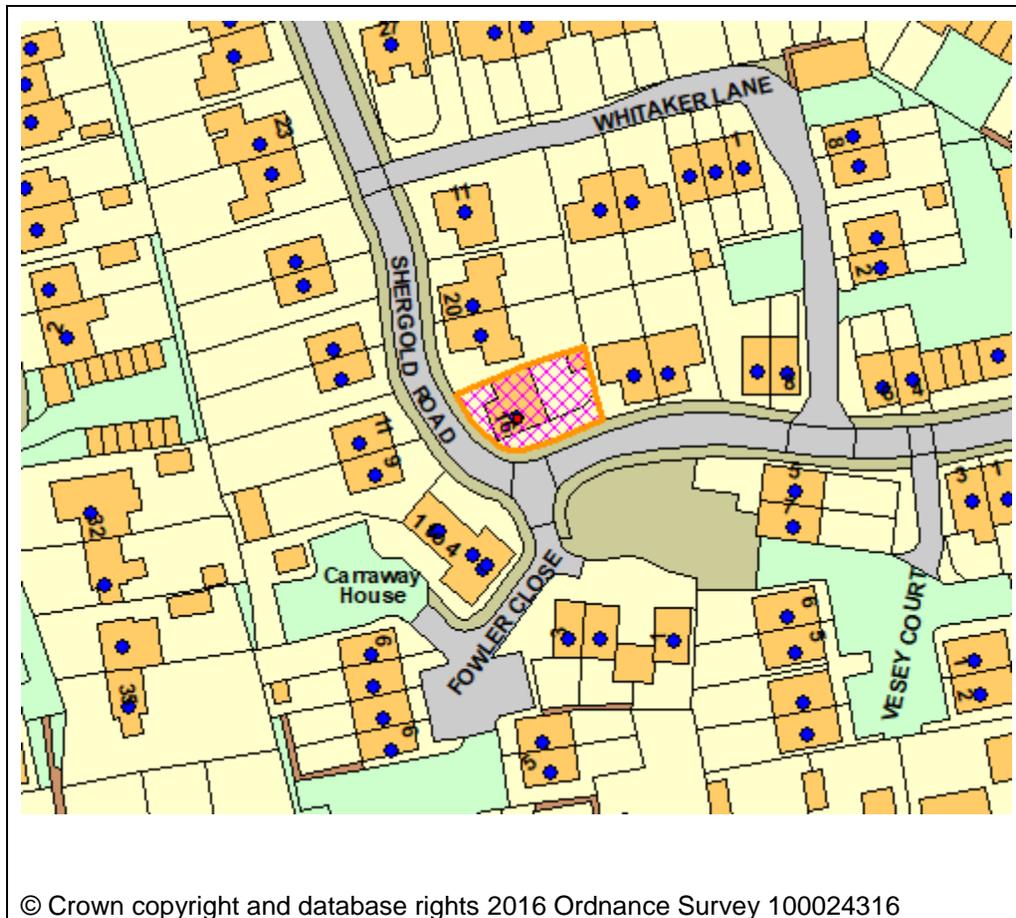
**Contact Officer:** David Ditchett

**Telephone Number:** 01993 861649

**Date:** 11th May 2022

Application Number	22/00198/FUL
Site Address	16 Shergold Road Bampton Oxfordshire OX18 2FG
Date	11th May 2022
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431867 E 203679 N
Committee Date	23rd May 2022

**Location Map**



**Application Details:**

Conversion of part of the existing garage to a hairdressing salon. (Retrospective).

**Applicant Details:**

Mrs Dawn Steele  
16 Shergold Road  
Bampton  
Oxfordshire  
OX18 2FG

**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.

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 - Lowlands

I have no objections to the application but would recommend the conditioning of opening hours as specified within the application.

No amplified music or sound reproduction equipment used in association with the unit shall be audible at the boundary of any noise sensitive property (residential dwelling/house) or on the adjoining highway, during the opening hours as specified within the application.

Reason: In the interest of safeguarding the aural and general amenities of neighbouring dwellings.

Parish Council

Objection on the basis that we do not believe this is single house owner operating from home. There is clearly only 1 parking space in front of the garage and the 2nd parking space doesn't have a drop kerb. Visitor parking is for everyone in that area.

If you are minded to approve this application we request that it is a temporary approval for this applicant only, renewable every 3 years.

**2 REPRESENTATIONS**

2.1 No representations received

**3 APPLICANT'S CASE**

3.1 This is a retrospective planning application for the occupier of 16 Shergold Road to operate a very low key hairdressing business from the property. The garage has been converted in order to provide a salon space and the remaining space is used to store bicycles and garden equipment. The application has been submitted following receipt of a complaint to the Council.

3.2 The applicant has advised that she has a maximum of 4 clients in any given day but not every day. She often sees clients in their own homes. She does not work at weekends and does not have an assistant. Whilst she advertises that she operates between 9am-5pm Monday to Friday she only works periodically through the day allowing for school runs and caring for her mother.

3.3 There is car parking space on the site and also one car parking space opposite the property which is available for use by visitors to the estate.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

T4NEW Parking provision

E1NEW Land for employment

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

#### **5 PLANNING ASSESSMENT**

##### **5 Background Information**

5.1 This application is retrospective and is before Members for consideration because the Parish Council has raised an objection to the development.

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**

5.2 The principle of this type of low level business use within a residential area can be considered acceptable subject to the amenity of neighbouring occupiers not being adversely affected by the business activity and highway safety and convenience not being compromised.

##### **Highways**

5.3 Given that the visitors to the property will be within the working day (Monday to Friday only) and not at weekends and given the limited number of visitors in any given day, it is highly unlikely given the off street parking provision that the level of use will be harmful in highway terms. County Highways has concurred with this assessment in raising no objections.

##### **Residential Amenities**

5.4 The activities carried out in the course of a hairdressing business are not ones that in the normal course of events are likely to make any or excessive noise. Given that the number of visitors to the property at any one time will be low, 'one to one' treatments, customers entering or leaving the premises are not going to intrude on the amenity of neighbours.

## Conclusion

5.5 Notwithstanding the above assessment, in order to ensure that the levels of business activity remain low key in the interests of both neighbour amenity and the provision of off street parking, Officers are recommending a number of conditions which include the following:

A Personal and temporary consent (2 years) to allow for a full assessment of the affects of the development prior to considering a permanent consent;

Limited hours and days of operation, excluding weekends;

Limiting the maximum number of customers in any one day to four;

The requirement to keep a log of appointments.

Members will note that your Environmental Health Officer has suggested the imposition of a condition relating to amplified sound. In your Officers opinion such a condition is unreasonable and unnecessary given that the business is a hairdressers based in a residential property.

Subject to the above conditions the application is considered acceptable and compliant with policies OS2 and T4 of the West Oxfordshire Local Plan and relevant paragraphs of the NPPF.

## 6 CONDITIONS

- 1 The use hereby permitted shall be carried on only by Dawn Steele and shall be for a limited period of two years from the date of this notice, or until the premises cease to be occupied by Dawn Steele, whichever is the sooner.

REASON: A permanent and non-personal permission is inappropriate until the effects of the development on the area have been assessed.

- 2 The premises shall not be open for customers outside the hours of 09:30 to 16:30 on Mondays to Fridays. The schedule of appointments shall be made available to the Local Planning Authority on request. and shall not exceed more than four customers in any one day.

REASON: To safeguard the living conditions and highway safety and convenience of nearby occupiers.

- 3 Appointments shall be booked so as to ensure that only one client is on the premises at any time.

REASON: To protect the amenity and highway safety and convenience of neighbours.

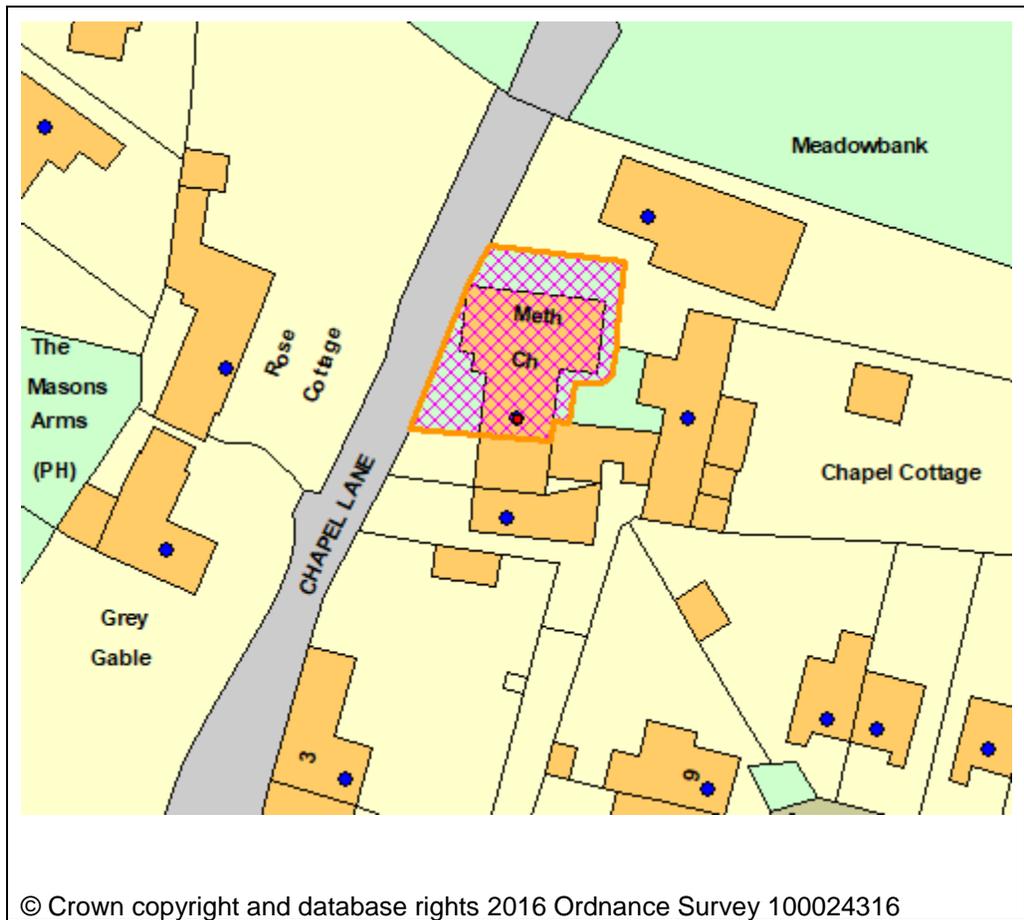
**Contact Officer:** Kim Smith

**Telephone Number:** 01993 861676

**Date:** 11th May 2022

Application Number	22/00465/FUL
Site Address	North Leigh Methodist Church Chapel Lane North Leigh Witney Oxfordshire OX29 6SD
Date	11th May 2022
Officer	David Ditchett
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	438683 E 213042 N
Committee Date	23rd May 2022

### Location Map



### Application Details:

Conversion of church to dwelling (part retrospective) (Amended plans).

**Applicant Details:**

Mr Guy Kemball Williams  
50 Garden Flat  
Redcliffe Gardens  
London  
SW10 9HB

**I CONSULTATIONS**

Parish Council

NLPC OBJECTS to the application

Comments;

Condition 4 of the previous approval 18/03415/FUL, states;  
"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/rooflights shall be constructed in the elevation(s) of the building. REASON To safeguard privacy in the adjacent property."

Application 22/00465/FUL includes numerous additional rooflights and alterations to existing windows which will impact on the privacy of adjacent properties. This is a direct contradiction of the earlier prohibition and should therefore be rejected.

OCC Highways

The existing use has the potential to generate a greater number of traffic movements than that proposed. The proposal, if permitted, will result in a reduction of movements along the narrow lane.

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

WODC Drainage Engineers

Confirmation is required whether the development resulted in an increase of the building footprint. If that is not the case, all that will be required is for the existing s/w drainage to be surveyed and repaired/ renovated as necessary.

WODC Env Health - Lowlands

Thank you for the opportunity to consult.  
I have no objection in principle.

## **2 REPRESENTATIONS**

2.1 A summary of the representations received are detailed below. Full details can be found on the Council's website.

*Six third party objections received relating to:*

- 1) Contravene previous conditions;
- 2) Overlooking and loss of privacy;
- 3) Not enough room to erect scaffolding;
- 4) Limited space for skips, turning for lorries delivering building materials and restricted parking for builders vans;
- 5) Any damage to Chapel Lane must be made good;
- 6) Planners should make a site visit;
- 7) No site notice as of 08/03/2022;
- 8) Insufficient parking and turning areas;
- 9) Future applications;
- 10) Highway safety;
- 11) Fencing;
- 12) Land ownership; and
- 13) Scheme is too large.

## **3 APPLICANT'S CASE**

3.1 No planning statement was submitted to support this application.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H2NEW Delivery of new homes

T1NEW Sustainable transport

T4NEW Parking provision

EH12 Traditional Buildings

EH16 Non designated heritage assets

EH3 Biodiversity and Geodiversity

DESGUI West Oxfordshire Design Guide

NPPF 2021

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

## 5 PLANNING ASSESSMENT

### Background Information

- 5.1 The site North Leigh Methodist Church which is located to the east of Chapel Lane. The site is located amongst a number of residential properties and does not fall within any special designated areas of control. There are three Grade II Listed Buildings nearby including the Masons Arms, Windmill Cottage and Gable Cottage. However, these are located around 50m-60m away from the site and do not read within the visual context of the former church itself. The church is currently vacant.
- 5.2 Planning permission was granted in March 2019 to change the use of the building to a dwelling (ref. 18/03415/FUL). That permission did not propose any external alterations.
- 5.3 The submitted application form for the current application states that the previous permission was implemented on 29/04/2021. The applicant states that foundations were dug internally for the supporting posts. Officers are satisfied that this constitutes a material start and therefore the previous permission is extant.
- 5.4 The proposed development is the conversion of the church to a dwelling (part retrospective). It is described as 'part retrospective' as the development has begun. However, as the previous permission was lawfully implemented, the 'part retrospective' element is not wholly accurate. The difference between this application and the previous is that the current scheme seeks the installation of eight roof lights and the change of one window on the north elevation to a door to include a set of steps and a handrail.
- 5.5 Formal pre-application advice was provided to the applicant to inform the current scheme. However, while the design changes advised in the pre-application advice were completed, the roof lights as submitted were low in the roof slopes and would have allowed some views into neighbouring properties. Officers have secured amended plans to ensure the roof lights are a minimum of 1.7m above the internal floor of the room they serve.
- 5.6 This application is before the Committee as the Parish Council have objected.
- 5.7 Taking into account planning policy, other material considerations and the representations of interested parties, officers are of the opinion that the key considerations of the application are:

Principle of Development;  
Design;  
Highways;  
Residential Amenities; and  
Other Matters

### Principle of Development

- 5.8 As noted, planning permission was granted in March 2019 to change the use of the building to a dwelling (ref. 18/03415/FUL). Officers are satisfied that permission was lawfully implemented. As such, the principle of the change of use to a dwelling has been established and is not considered as part of this application.

## **Design**

- 5.9 The building is a former church and is shown on 1875-1887 historic OS maps. It is therefore of some historic interest. However, it is not formally locally listed and the previous planning history at the site has not identified the building as a non-designated heritage asset. Nonetheless, the uncluttered roof slopes, arched windows and entrance door, scale and materials clearly indicate that the building is a church. It is important that any external alterations respect these features to ensure the character of the building is protected.
- 5.10 In terms of the physical changes to the building, these are the installation of eight roof lights and the change of one window on the north elevation to a door to include a set of steps and a handrail. The installation of eight roof lights would interfere with the currently uncluttered roof slopes. However, these would be spread throughout the elevations such that three would be on the west (street facing) and three on the east (rear facing) roof slopes. The northern and southern elevations would have just one roof light each. This dispersion combined with the very modest size of the roof lights and that the roof lights would be of a conservation type (secured by condition) ensures that the roof lights would not be on over proliferation of alterations in the roof slopes, thereby protecting the simplicity of the roofs.
- 5.11 Turning to the new door and steps, the door would be in place of an existing window and the arches of the window would be retained above the new door. The steps and handrail are modest in size and would form a symmetrical and simple feature leading to the new door. The simplicity of these features reflect the character of the building.
- 5.12 Overall, officers are satisfied that the proposed external changes will preserve the historic character of the building. The building would clearly read as a converted church. In addition, the changes would not be harmful to the character and appearance of the wider area or nearby built form.

## **Highways**

- 5.13 The proposed dwelling will have four bedrooms and two parking spaces are shown on the submitted plan (along the northern elevation of the building). Furthermore, the site is within the built up area of North Leigh so has reasonable access to local goods and services and parking is unrestricted in the immediate area. As such, two parking spaces are sufficient to accommodate the parking needs of the four bedroom dwelling.
- 5.14 Officers acknowledge that Chapel Lane is narrow. However, the lane serves several dwellings such that traffic movements in the area are commonplace. Furthermore, the County Council Highways Team have not objected to the scheme and have highlighted that the previous use as a church would have generated a greater number of traffic movements than the dwelling now proposed. Therefore, the proposal will reduce movements along the narrow lane.
- 5.15 Officers are satisfied therefore that the proposed development is acceptable in highways terms.

## **Residential Amenities**

- 5.16 In terms of amenity, the building exists and as such will not create overbearing, overshadowing or loss of light impacts. In addition, the immediate area is distinctly residential such that unacceptable noise, pollution (including light), odours or vibration impacts are unlikely. Indeed, officers consider

that the use of the building as a church would have generated a higher level of noise and disturbance in terms of the use of the church for services as well as vehicle movements and parking. The use of the property as a single dwelling house would result in less noise and disturbance than could result from its use as a church.

- 5.17 Officers note the objections received relating to loss of privacy and overlooking impacts from the new roof lights and door. As some of the roof lights were low in the roof slopes, the design as submitted would have allowed some views into neighbouring properties. Officers have now secured that all of the roof lights are a minimum of 1.7m above the floor of the room they serve. Further, owing the changes in internal floor levels, some of these windows are in excess of 2m above the floor of the room they serve. The new access door is into an open area where privacy is not expected. As such, the revised siting of the roof lights and new door will not allow views into neighbouring properties and loss of privacy and overlooking impacts are unlikely.
- 5.18 The assessment of the previous application found the external amenity space proposed be adequate and consistent with other properties nearby. The previous assessment also found that the orientation of the building in relation to neighbouring properties would not result in any undue overlooking or loss of privacy. The current scheme broadly accords with the previous, such that the previous assessment has not materially changed. However, a condition to remove permitted development rights for windows, extensions and outbuildings was included on the previous permission (so any further changes to the building will come under control). This is recommended to be replicated for this permission.
- 5.19 Officers are satisfied that the proposed development is acceptable in residential amenity terms.

### **Other Matters**

- 5.20 Neighbour concerns were raised with regard to scaffolding, space for skips, turning for lorries delivering building materials, restricted parking for builders vans, and that damage to Chapel Lane should be made good. These are not material planning considerations and have not attracted any weight in this assessment.
- 5.21 Neighbour concerns were raised regarding the placement of the front boundary fence. Officers do not have any concerns from a design or highway safety perspective with regard to the new fence.
- 5.22 Officers note neighbours are concerned about land ownership, this is a civil matter.
- 5.23 Objections were also raised that the new roof lights would contravene conditions on the original consent. Conditions were indeed added to the 2019 approval to prevent roof lights/windows/extensions being added without planning control. As such, the applicant must apply to the Council for approval before adding roof lights etc. and that condition has necessitated this application.
- 5.24 Officers visited the site on 15/03/2022 and the site notice was in place.

## Conclusion

5.25 The recommendation to GRANT permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## 6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

- 3 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, AA, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to protect the character and appearance of the area.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows/rooflights shall be constructed in the elevation(s) of the building other than that expressly authorised by this permission.

REASON: To safeguard privacy in the adjacent properties.

- 5 The new roof lights shall be of a design which, when installed, shall not project forward of the roof slope in which the roof lights are located and shall be permanently retained as such thereafter.

REASON: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings.

## INFORMATIVES :-

- 1 Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Wall, roof and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy efficient appliances and water recycling measures
  - Sustainably and locally sourced materials

For further guidance please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

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 Applicants are strongly encouraged to minimise energy demand, and take climate action, through fitting:
  - Wall, roof and floor insulation, and ventilation
  - High performing triple glazed windows and airtight frames
  - Energy efficient appliances and water recycling measures
  - Sustainably and locally sourced materials

For further guidance please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

- 2 Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (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).

**Contact Officer:** David Ditchett  
**Telephone Number:** 01993 861649  
**Date:** 11th May 2022

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# Agenda Item 5

## West Oxfordshire District Council – DELEGATED ITEMS

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### 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

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<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

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## West Oxfordshire District Council – DELEGATED ITEMS Week Ending 7th April 2022

Application Number.	Ward.	Decision.
I. 21/01699/FUL	Alvescot and Filkins	APP
Full planning application relating to proposed gardens and landscape design together with associated garden structures to serve new dwelling and artist's studio previously approved. <b>Cuckoo Pen Farm Westwell Burford</b> Mr K Tyson		

2. **21/01703/HHD** Witney West WDN  
 Conversion of garage within a coach house and formation of an additional parking space.  
 (Amended)  
**3 Painswick Close Witney Oxfordshire**  
 Mr Josh Douglas
3. **21/01806/CLE** Witney East REF  
 Certificate of Lawfulness (To allow the continued use as domestic garden)  
**20 Cherry Tree Way Witney Oxfordshire**  
 Mr Richard Hikins
4. **21/02568/S73** Bampton and Clanfield APP  
 Variation of condition 2 of planning permission 20/01809/FUL to allow use of attic space over  
 bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of  
 additional first floor and ground floor windows, inclusion of M and E riser rear cupboard  
 (Retrospective).  
**Plough Inn Black Bourton Road Clanfield**  
 G Pearman
5. **21/02640/ADV** Witney South APP  
 Affecting a Conservation Area  
 Retention of internally illuminated fascia sign (Retrospective).  
**42 Corn Street Witney Oxfordshire**  
 Mr David Woodcock
6. **21/02858/CND** Witney Central SPL  
 APPROVED:-REFUSED:-  
**4A Crundel Rise Witney Oxfordshire**  
 Mr Richard Francis
7. **21/02887/HHD** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Erection of small detached timber outbuilding  
**5 Deanery Court Broad Street Bampton**  
 Rev Janice Collier

8. **21/02992/CND** North Leigh APP  
 Discharge of condition 6 (wallpaper) of planning permissions 20/01757/LBC  
**Eynsham Hall North Leigh Witney**  
 C/O Agent
9. **21/03029/HHD** Eynsham and Cassington WDN  
 Single storey and 1 1/2 storey extensions, interior remodelling, amendment to driveway and boundary fencing  
**Lime Cottage Bell Lane Cassington**  
 Iain Humphrey
10. **21/03030/LBC** Eynsham and Cassington WDN  
 Single storey and 1 1/2 storey extensions, interior remodelling, amendment to driveway and boundary fencing  
**Lime Cottage Bell Lane Cassington**  
 Iain Humphrey
11. **21/03031/FUL** Witney South REF  
 Change of use of land to extend the domestic curtilage along with the addition of decking (retrospective)  
**13 Willowbank Witney Oxfordshire**  
 H Frodsham
12. **21/03073/HHD** Brize Norton and Shilton APP  
 Erection of a two storey and single storey side extensions (Amended)  
**2 Masons Arms Cottages Burford Road Brize Norton**  
 Mr Stuart Finlayson
13. **21/03279/FUL** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Refurbishment of existing rear extension, the erection of a new single-storey rear extension, alterations to fenestration and formation of new doorways and associated landscaping.  
 (Amended)  
**The Romany Inn Bridge Street Bampton**  
 Mr Olivier Bonte-Vassaux

14. **21/03280/LBC** Bampton and Clanfield APP  
Affecting a Conservation Area
- Internal and external alterations and restoration work to include the refurbishment of the existing rear extensions and erection of a new single-storey rear extension, along with changes to fenestration and alterations to the internal layouts. (Amended).  
**The Romany Inn Bridge Street Bampton**  
Mr Olivier Bonte-Vassaux
15. **21/03585/HHD** Brize Norton and Shilton REF
- Erection of single storey extension. (Amended)  
**22 Carterton Road Brize Norton Carterton**  
Ms Lisa Clements
16. **21/03586/LBC** Brize Norton and Shilton REF
- Internal and external alterations to include erection of single storey extension and painting of all new and existing windows and doors. (Amended)  
**22 Carterton Road Brize Norton Carterton**  
Ms Lisa Clements
17. **21/03631/HHD** Standlake, Aston and Stanton APP  
Harcourt
- Erection of single storey rear and two story side extensions  
**14 Park Farm Place Northmoor Witney**  
Mr And Mrs Rusher
18. **21/03634/CLE** Alvescot and Filkins REF
- Certificate of Lawfulness (to allow the continued use of building as a dwellinghouse with associated garden area).  
**Land North Of Calcroft Lane Broadwell**  
Mr George Milne-Day
19. **21/03698/CND** Carterton South APP
- Discharge of conditions 3 (schedule of materials), 5 (details of external windows and doors), 7 (details of external lighting), 8 (scheme for biodiversity enhancement), 11 (full surface water drainage scheme), 13 (boundary treatment) and 14 (water consumption) of planning permission 21/01180/FUL  
**43 Milestone Road Carterton Oxfordshire**  
Mr Paul Mansbridge

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|-----|--|--|-----|
| 20. | <b>21/03830/HHD</b>  | Brize Norton and Shilton                 | APP |
|     | Erection of a two storey extension (part retrospective).<br><b>The Old Vicarage Carterton Road Brize Norton</b><br>Mr Park-Pearson   |  |     |
| 21. | <b>21/03850/HHD</b>  | Brize Norton and Shilton                 | APP |
|     | Affecting a Conservation Area<br><br>Landscaping works including new terraced walls, rebuilding an existing well and raising a wall at the front of the house from 1m to 1.2m. (Amended)<br><b>Pump House Shilton Burford</b><br>Mr James Dashwood             |  |     |
| 22. | <b>21/03896/LBC</b>  | Standlake, Aston and Stanton<br>Harcourt | APP |
|     | Affecting a Conservation Area<br><br>Internal alterations and upgrades<br><b>The Dun Cow Standlake Road Northmoor</b><br>Mr Tom Campbell   |  |     |
| 23. | <b>21/03921/FUL</b>  | North Leigh                              | APP |
|     | Replacement of metal windows with timber traditional single glazed windows.<br><b>Masons Arms 5 Park Road North Leigh</b><br>Mr Matt Kierney   |  |     |
| 24. | <b>21/03922/LBC</b>  | North Leigh                              | APP |
|     | Internal and external alterations to replace existing metal windows with timber traditional single glazed windows.<br><b>Masons Arms 5 Park Road North Leigh</b><br>Mr Matt Kierney  |  |     |
| 25. | <b>21/04045/FUL</b>  | Standlake, Aston and Stanton<br>Harcourt | APP |
|     | Change of use of land from agriculture to dog walking field to include creation of parking area and erection of shelter together with associated landscaping works.<br><b>Churchills Farmhouse Moreton Lane Northmoor</b><br>Mr And Mrs James And Fiona Florey |  |     |

26. **21/04068/CND** Carterton North East APP  
 Discharge of conditions 3 (external wall sample), 4 (roof sample) and 6 (scheme of landscaping) of planning permission 20/02380/S73  
**Former 24 Sellwood Drive Carterton**  
 Mr O'Brian
27. **21/04101/FUL** Brize Norton and Shilton APP  
 Erection of a detached dwelling with associated works  
**Kielder 48 Station Road Brize Norton**  
 Mr Daniel Bond
28. **21/04109/LBC** Eynsham and Cassington APP  
 Works to ceiling comprising insertion of structural support beam to replace existing deflected beams and post, to level the ceiling/floor structure, insertion of insulation and repairs to the structural ceiling.  
**Gill Mill Tar Road Stanton Harcourt**  
 Mr Maynard
29. **21/04141/HHD** Carterton North East APP  
 Part single storey, part two storey rear extension and improvements and conversion of garage. New roller shutter doors and addition of French doors to the side. (Amended)  
**4 Chestnut Close Carterton Oxfordshire**  
 Ms. Sa-ard Bradley
30. **22/00005/HHD** Witney West APP  
 Conversion of existing garage to create additional living space.  
**4 Rayson Lane Witney Oxfordshire**  
 Mrs Rheannon Common
31. **22/00010/CND** Brize Norton and Shilton APP  
 Discharge of conditions 4 (details of car parking areas), 5 (details of cycle parking areas), 6 (details of access between the land and the highway), 7 (travel plan), 9 (Construction traffic management plan), 11 (schedule of materials), 15 (details of integrated bat roosting and nesting opportunities for birds) and 16 (details of external lighting) of planning permission 21/02664/RES  
**Land At Grid Reference 428950 207707 Monahan Way Carterton**  
 Mr James Flynn

32. **22/00042/HHD** Ducklington APP  
 Pool house and dormer windows to existing garage/workshop  
**Field House Lew Road Curbridge**  
 Ray Robinson
33. **22/00054/HHD** Standlake, Aston and Stanton APP  
 Harcourt  
 Affecting a Conservation Area  
 1.5 storey rear extension, loft conversion with side pitched roof dormer, rooflights and front pitched roof dormers (amended description and plans)  
**22 Flexneys Paddock Stanton Harcourt Witney**  
 Mr Stephen Nicholls
34. **22/00104/HHD** North Leigh APP  
 Single storey rear extension with roof terrace above, alterations to existing rear dormer and installation of flue. (Retrospective). (Amended)  
**34 Bridewell Close North Leigh Witney**  
 Mr Peter Simpkin
35. **22/00129/FUL** Standlake, Aston and Stanton APP  
 Harcourt  
 The replacement of an existing fence with 7m fencing  
**Oxford Downs Cricket Club Abingdon Road Standlake**  
 Mr Nicholas Owens
36. **22/00145/CND** Brize Norton and Shilton APP  
 Discharge of conditions 4 (biodiversity mitigation measures and enhancement features), 5 (details of external lighting) and 10 (Construction Traffic Management Plan) of planning permission 21/00937/RES  
**Land East Of Monahan Way Carterton**  
 Mr Aiden Murray
37. **22/00164/CLP** Hailey, Minster Lovell and APP  
 Leafield  
 Certificate of Lawfulness (Erection of single storey side extension and construction of detached outbuilding in rear garden).  
**7 Bushey Ground Minster Lovell Witney**  
 IE7 Limited

38. **22/00166/FUL** Alvescot and Filkins APP  
 Alterations to close existing access and formation of new agricultural field access together with associated works, hardstanding and internal track.  
**Cuckoo Pen Farm Westwell Burford**  
 Mr K Tyson
39. **22/00248/OUT** Hailey, Minster Lovell and REF  
 Leaffield  
 Erection of a dwelling and detached garage (Outline application with all matters reserved except for access)  
**Providence Cottage Mount Skippett Ramsden**  
 Mr R Howfield
40. **22/00255/HHD** Witney South APP  
 Affecting a Conservation Area  
 Replace the existing bungalow roof with one that has a steeper pitch so as to allow for the addition of first storey living accommodation and convert the garage into a carport and store.  
**43A The Crofts Witney Oxfordshire**  
 Mr John Parry
41. **22/00263/LBC** Eynsham and Cassington APP  
 Affecting a Conservation Area  
 Structural repair work (retrospective)  
**36 Newland Street Eynsham Witney**  
 Mr And Mrs David And Gemma Ferrier
42. **22/00327/HHD** Witney North APP  
 Affecting a Conservation Area  
 Erection of single storey side and rear extension.  
**11 Woodstock Road Witney Oxfordshire**  
 Mr And Mrs G Woodroffe
43. **22/00337/S73** Witney North APP  
 Affecting a Conservation Area  
 Variation of condition 2 of planning permission 21/03573/HHD to allow revised rear glazed screen and fascia.  
**Witney House 17 West End Witney**  
 Mr And Mrs N And R Hough

44. **22/00354/HHD** North Leigh APP  
 Erection of timber outbuilding/summerhouse  
**1 Breakspear Way North Leigh Witney**  
 Mr Malcolm Shead
45. **22/00364/HHD** Standlake, Aston and Stanton APP  
 Harcourt  
 Internal and external alterations to kitchen/dining area and front entrance hall  
**Floreys Barn Brighthampton Witney**  
 Mr & Mrs S Peacock
46. **22/00365/LBC** Standlake, Aston and Stanton APP  
 Harcourt  
 Internal and external alterations to kitchen/dining area and front entrance hall  
**Floreys Barn Brighthampton Witney**  
 Mr & Mrs S Peacock
47. **22/00396/HHD** Ducklington APP  
 Additional side extension and adjustment of wall line at first floor (amendment to approved application 20/02254/HHD - Alterations and erection of single storey side extension and two storey rear extension with loft conversion, including rear box dormer)  
**2 Well Lane Curbridge Witney**  
 MR T BALDWIN
48. **22/00416/CND** Witney South APP  
 Discharge of condition 5 (details of external lighting) of planning permission 20/00974/FUL  
**Abingdon And Witney College Holloway Road Witney**  
 Mr Michael Chiyasa
49. **22/00418/HHD** Standlake, Aston and Stanton APP  
 Harcourt  
 Affecting a Conservation Area  
 Conversion of loft space to include insertion of new rooflights  
**The Green Eynsham Road Sutton**  
 Mr Trevor-Allen

50. **22/00420/CND** Brize Norton and Shilton APP  
 Discharge of condition 20 (programme of archeological work) of planning permission  
 14/0091/P/OP  
**Land East Of Monahan Way Carterton**  
 Mr Jon Bryan
51. **22/00421/HHD** Witney North APP  
 Conversion of existing garage, including raising of roof height, together with conversion of  
 existing loft to create additional living space.  
**71 Woodstock Road Witney Oxfordshire**  
 Mr Thomas Topham
52. **22/00422/HHD** Bampton and Clanfield APP  
 Erection of a two storey side and rear extension.  
**26 Mill Lane Clanfield Bampton**  
 Mr And Mrs Adam And Stacey Lygo
53. **22/00428/HHD** Carterton South APP  
 Erection of a double garage  
**7 Milestone Road Carterton Oxfordshire**  
 Mr Alexander hodgkinson
54. **22/00464/HHD** Hailey, Minster Lovell and APP  
 Leaffield  
 Affecting a Conservation Area  
 Erection of a single storey infill extension to existing dwelling  
**The Garden House Delly End Hailey**  
 Mr John Aldous
55. **22/00460/HHD** Alvescot and Filkins REF  
 Affecting a Conservation Area  
 Conversion and extension of existing garage to create additional two storey living space  
 together with the erection of a single storey link extension (amended plans)  
**Ivy Cottage Lower End Alvescot**  
 Mr Jeremy Mawle

56. **22/00468/CND** Ducklington APP  
 Discharge of conditions 4 (schedule of materials), 5 (details of external windows and doors), 7 (details of integrated bat roosting and nesting opportunities for birds) and 13 (scheme of hard and soft landscaping) of planning permission 21/02175/FUL  
**Land West Of Glebe Cottage Lew Road Curbridge**  
 Mr T Northey
57. **22/00470/HHD** Brize Norton and Shilton APP  
 Installation of new Air Source Heat Pump to rear elevation.  
**4 Acer Close Bradwell Village Burford**  
 Mr David Cornish
58. **22/00472/FUL** Standlake, Aston and Stanton Harcourt REF  
 Erection of four detached dwellings and associated works  
**Store And Premises Linch Hill Stanton Harcourt**  
 Mr Pascoe and Mr Waite
59. **22/00473/FUL** Alvescot and Filkins REF  
 Affecting a Conservation Area  
 Erection of a dwelling with detached garage and associated works  
**Land South West Of Main Road Alvescot**  
 Malvern Estates Plc
60. **22/00474/HHD** Brize Norton and Shilton APP  
 Fitting of solar panels to the roof of the house  
**18 Birch Drive Bradwell Village Burford**  
 Mr Peter Hopkins
61. **22/00476/CND** Bampton and Clanfield APP  
 Discharge of conditions 5 (access between the land and highway) and 6 (parking area and driveways) of planning permission 21/03027/FUL  
**Old Farmhouse Burford Road Black Bourton**  
 Mr. Neil Wiffen

62. **22/00489/CND** Bampton and Clanfield APP  
 Discharge of condition 3 (schedule of materials), condition 4 (details of bat roosting and nesting opportunities for birds) and condition 5 (full surface water drainage scheme) of planning permission 21/01457/FUL  
**Old Farmhouse Burford Road Black Bourton**  
 Mr. Neil Wiffen
63. **22/00497/CND** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Discharge of condition 4 (window and door details) of planning permission 20/01398/S73 and 19/02371/FUL  
**Lavender Place Queen Street Bampton**  
 Mr Ben Whiting
64. **22/00498/HHD** Hailey, Minster Lovell and Leafield APP  
 Affecting a Conservation Area  
 Erection of post and rail fencing around the exposed front and side perimeter of the property  
**1 Delly Close Hailey Witney**  
 Katherine Harris
65. **22/00499/HHD** Eynsham and Cassington APP  
 Single storey extension to front of property to extend garage and porch.  
**32 Beech Road Eynsham Witney**  
 Mrs Adrian Pinnock
66. **22/00578/FUL** Alvescot and Filkins APP  
 Change of use of agricultural land to residential curtilage.  
**Newmans Cottage Broadwell Lechlade**  
 Mr Christopher Goldingham
67. **22/00516/HHD** Hailey, Minster Lovell and Leafield APP  
 Affecting a Conservation Area  
 Single-storey pitched roof front extension, replacement porch structure and alterations.  
**4 Poffley End Hailey Witney**  
 Mr Jonathan Price

- |     |  |                        |       |
|-----|--|------------------------|-------|
| 68. | <b>22/00557/HHD</b>  | Alvescot and Filkins   | APP   |
|     | <p>Front single storey extension to porch.<br/> <b>Rose Barn Main Road Alvescot</b><br/> Mrs Kathy Coates</p>  |                        |       |
| 69. | <b>22/00520/NMA</b>  | Bampton and Clanfield  | APP   |
|     | <p>Reserved Matters application for the construction of 160 dwellings and provision of public open space with associated infrastructure and earthworks, pursuant to outline planning permission 16/03415/OUT (Non Material Amendment to allow the change from stone on plots 48-53, 58-63, 89 and 90 to Forticrete's Blackmoor Olde Heather (Cottage Finish))<br/> <b>Land East Of Mount Owen Road Bampton</b><br/> Lorna Juarez</p> |                        |       |
| 70. | <b>22/00527/HHD</b>  | Witney West            | APP   |
|     | <p>Proposed single and two storey side extensions and single storey rear extension (part retrospective)<br/> <b>90 Raleigh Crescent Witney Oxfordshire</b><br/> Mr D Phipps</p>  |                        |       |
| 71. | <b>22/00529/FUL</b>  | Carterton South        | APP   |
|     | <p>Change of use from indoor entertainment centre to garage for car repairs, servicing, MOT's and sale of new and used cars. (Retrospective)<br/> <b>Unit 2B Carterton Industrial Estate Carterton</b><br/> Dowleys</p>  |                        |       |
| 72. | <b>22/00533/HHD</b>  | Bampton and Clanfield  | APP   |
|     | <p>Erection of detached greenhouse.<br/> <b>16 Giles Place Bampton Oxfordshire</b><br/> Ms Abigail Jones</p>   |                        |       |
| 73. | <b>22/00559/HHD</b>  | Eynsham and Cassington | APP   |
|     | <p>Ground floor front extension<br/> <b>63 Evans Road Eynsham Witney</b><br/> Ms Natalie Mendzil</p>   |                        |       |
| 74. | <b>22/00573/PN42</b>   | Witney South           | P4REF |
|     | <p>Erection of a single storey rear extension (6m x 2.5m height to eaves/3.3m max height)<br/> <b>111 Burwell Drive Witney Oxfordshire</b><br/> Mr Patel</p>   |                        |       |

75. **22/00568/HHD** Eynsham and Cassington APP  
 Erection of a single storey front extension  
**66 Spareacre Lane Eynsham Witney**  
 Ms Cristina Ovas
76. **22/00597/FUL** Bampton and Clanfield APP  
 Construction of an agricultural building  
**Land (E) 427182 (N) 201668 Mill Lane Clanfield**  
 Mr J Theyer
77. **22/00598/HHD** Hailey, Minster Lovell and Leafield APP  
 Affecting a Conservation Area  
 Erection of a two storey rear extension to include alterations to existing roof and construction of porches to front and side.  
**Field House 6 Church Lane Hailey**  
 Mr And Mrs Dyde
78. **22/00599/HHD** Witney North APP  
 Affecting a Conservation Area  
 Installation of an electric car charging unit.  
**35 - 37 Woodgreen Witney Oxfordshire**  
 Mrs Katy Lysley
79. **22/00602/HHD** Witney North APP  
 Proposed two storey and single storey rear extensions  
**2 Schofield Avenue Witney Oxfordshire**  
 Mrs Bryda Jenkins
80. **22/00681/LBC** Witney North APP  
 Affecting a Conservation Area  
 Internal and external alterations to install an electric car charging unit.  
**35 - 37 Woodgreen Witney Oxfordshire**  
 Mrs Katy Lysley

81. **22/00607/HHD** Eynsham and Cassington APP  
Affecting a Conservation Area
- Erection of a single storey rear extension.  
**Bee Cottage Abbey Street Eynsham**  
Mr Richard Paulin
82. **22/00717/LBC** Eynsham and Cassington APP  
Affecting a Conservation Area
- Internal and external alterations to include the erection of a single storey extension  
**Bee Cottage Abbey Street Eynsham**  
Mr Richard Paulin
83. **22/00615/S73** Hailey, Minster Lovell and APP  
Leaffield
- Variation of conditions 2 and 8 of planning permission 20/02536/FUL to allow alterations to landscaping and proposed driveway  
**The Haybarn Burycroft Farm Crawley Road**  
Mr. B Bowles
84. **22/00644/CND** Brize Norton and Shilton APP
- Discharge of condition 18 (comprehensive landscape scheme) of planning permission 21/02664/RES  
**Land At Grid Reference 428950 207707 Monahan Way Carterton**  
C/O Agent
85. **22/00649/PDET28** Alvescot and Filkins P5WDN
- Erection of steel portal frame agricultural building.  
**Lower Church Farm Little Faringdon Oxfordshire**  
Mr Andrew Stevens
86. **22/00657/HHD** Brize Norton and Shilton APP
- Erection of a single storey rear extension and installation of PV array to garage roof  
**Meadow View 99 Shilton Road Carterton**  
Mrs Iris Jos-Wynne
87. **22/00676/HHD** Brize Norton and Shilton APP
- Erection of single storey front and rear extensions  
**Devonia Burford Road Brize Norton**  
Ms Megan Dalton

88. **22/00662/HHD** Witney West APP  
 Erection of a single storey rear extension  
**23 Snowhill Drive Witney Oxfordshire**  
 Mr Gary O'Donovan
89. **22/00665/HHD** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Erection of a single storey rear extension.  
**Cotswold Lodge Aston Road Bampton**  
 Mr Andrew Ogg
90. **22/00667/CLP** Standlake, Aston and Stanton APP  
 Harcourt  
 Affecting a Conservation Area  
 Certificate of lawfulness (erection of replacement summer house and refurbishment of first floor of existing garage)  
**Wishing Well House Bull Street Aston**  
 Mr Robbert Mead
91. **22/00701/PN42** Witney West P2NRQ  
 Erection of single storey rear extension (6m x 2.9m).  
**313 Thorney Leys Witney Oxfordshire**  
 Mrs Leila Aidi
92. **22/00692/HHD** Ducklington APP  
 Erection of a single storey rear extension  
**76 Well Lane Curbridge Witney**  
 MR David Carter
93. **22/00705/HHD** Standlake, Aston and Stanton APP  
 Harcourt  
 Affecting a Conservation Area  
 Construction of detached carport and storage building.  
**Farm View Back Lane Aston**  
 Mr Jeremy Tucker

94. **22/00697/HHD** Eynsham and Cassington APP  
Affecting a Conservation Area
- Erection of a replacement conservatory  
**2 Orchard Close Eynsham Witney**  
Dr And Mr Kathryn And David Gregory
95. **22/00738/PN42** Witney West P2NRQ
- Erection of single storey rear extension (5m x 2.5m, height to eaves/3.5m max height).  
**72 Thorney Leys Witney Oxfordshire**  
Ms Vicky Read
96. **22/00716/CLP** Witney East APP
- Certificate of Lawfulness (Formation of habitable rooms in roofspace with front and rear  
velux rooflights)  
**Constables Close Oxford Hill Witney**  
Mr Maycock
97. **22/00730/HHD** North Leigh APP
- Erection of single storey extension to form boot room.  
**17 Park Road North Leigh Witney**  
Mr John Mitchell
98. **22/00750/HHD** Witney East APP
- Erection of a single storey rear extension  
**14 The Crescent Witney Oxfordshire**  
Mr Malcolm Townsend
99. **22/00748/HHD** Eynsham and Cassington APP  
Affecting a Conservation Area
- Erection of single storey rear extension.  
**Holly View 16 Queen Street Eynsham**  
Mr Alex Wiscombe
100. **22/00919/HHD** Hailey, Minster Lovell and APP  
Leaffield
- Affecting a Conservation Area
- Extensions to the side and rear.  
**13 Hemplands Poffley End Hailey**  
Mr Daniel Maddocks

101. **22/00908/CND** Standlake, Aston and Stanton Harcourt APP  
 Discharge of conditions 5 (sample of external walls) and 6 (roof sample) of planning permission 20/00067/HHD  
**Cote Farm Barn Cote Bampton**  
 Mr And Mrs T Keen
102. **22/00916/HHD** Ducklington APP  
 Two storey rear extension  
**6 Dovecote Place Curbridge Witney**  
 Mr And Mrs Jain Liu
103. **22/00843/HHD** Hailey, Minster Lovell and Leafield APP  
 Affecting a Conservation Area  
 Single storey rear extension to kitchen and side extension to form additional bedroom with ensuite (amended description)  
**25 Middletown Hailey Witney**  
 Mr & Mrs Amy
104. **22/00863/NMA** Carterton North West APP  
 Erection of thirty two dwellings and associated works (non-material amendment to allow the increase of width and height of garage doors).  
**Linden House Kilkenny Lane Brize Norton**  
 Mr Martin Diamond
105. **22/00924/HHD** Carterton South APP  
 Loft conversion  
**15A Butlers Drive Carterton Oxfordshire**  
 Mr And Mrs Bridges
106. **22/00910/NMA** Hailey, Minster Lovell and Leafield APP  
 Affecting a Conservation Area  
 Alterations to include erection of single storey rear extension, replacement of skylights with dormer windows and upgrading existing fenestration (non-material amendment to allow changes to approved fenestration and internal layout together with the omission of the single storey rear extension).  
**Stag & Hounds High Street Ramsden**  
 Mr And Mrs Forsyth

107. 22/01018/HHD

Eynsham and Cassington

WDN

Proposed two storey rear extension, floor plan redesign and all associated works

**104 Dovehouse Close Eynsham Witney**

Richard Pitts

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