

Friday, 8 July 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, 18 July 2022 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Lowlands Area Planning Sub-Committee

Councillors: Richard Langridge (Chair), Michael Brooker (Vice-Chair), Joy Aitman, Colin Dingwall, Harry Eaglestone, Ted Fenton, Andy Goodwin, Nick Leverton, Charlie Maynard, Lysette Nicholls, Elizabeth Poskitt, Andrew Prosser and Alaric Smith.

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

1. **Election of Chair for the 2022/23 Council Year**
2. **Election of Vice-Chair for the 2022/23 Council Year**
3. **Minutes of Previous Meeting (Pages 3 - 10)**
To approve the minutes of the meeting held on 20 June 2022 at 2.00pm.
4. **Apologies for Absence**
To receive any apologies for absence.
5. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
6. **Applications for Development (Pages 11 - 62)**
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 No	Application No	Address	Officer
13-28	21/03834/FUL	10 Burford Road Carterton	David Ditchett
29-39	22/00764/FUL	26 Milestone Road Carterton	David Ditchett
40-52	22/00946/FUL	Land (E) 428959 (N) 207797 Monahan Way Carterton	Abby Fettes
53-62	22/00947/FUL	Brooklyn Nurseries 65 Shilton Road Carterton	Sarah Hegerty

7. **Applications Determined under Delegated Powers and Appeal Decisions (Pages 63 - 76)**
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 **Monday, 20 June 2022**

PRESENT

Councillors: Richard Langridge (Chair), Michael Brooker (Vice-Chair), Colin Dingwall, Harry Eaglestone, Ted Fenton, Andy Goodwin, Nick Leverton, Charlie Maynard, Lysette Nicholls, Elizabeth Poskitt and Andrew Prosser

Officers: David Ditchett (Senior Planner), Esther Hill (Planner) and Kelly Murray (Senior Planning Officer), Michelle Ouzman (Strategic Support Officer) and Anne Learmonth (Strategic Support Officer).

67 Minutes of Previous Meeting

The minutes of the meeting held on 23 May 2022 were approved and signed by the Chair as a correct record.

68 Apologies for Absence

Councillor Dan Levy substituted for Councillor Alaric Smith who sent his apologies.

69 Declarations of Interest

Declarations of Interest were received as follows:

- Councillor Nick Leverton knew the applicant for 21/01924/S73 - Right Side Unit B The Old Foundry and stated he would leave the room whilst the application was heard.
- Councillor Nick Leverton knew the applicant for 21/03834/FUL - 10 Burford Road Carterton and stated he would leave the room whilst the application was heard.

70 Applications for Development

The Chair, Councillor Langridge changed the order in which the applications would be heard, to:

- 1 - 22/00723/FUL Land West Of Ferndale New Yatt Road
- 2 - 21/01924/S73 Right Side Unit B The Old Foundry
- 3 - 21/03834/FUL 10 Burford Road Carterton
- 4 - 22/00947/FUL Brooklyn Nurseries 65 Shilton Road

22/00723/FUL Land West Of Ferndale New Yatt Road

The Planning Officer Esther Hill introduced the application for the erection of 2 detached and 3 terraced houses together with associated garaging, car parking and landscaping works. Alterations to existing accesses.

Councillor St John addressed the committee, stating the main issue was surface water drainage, which is via a water pipe beside Green Lane. Since the Bellway development, water rushes down Green Lane. This has become a main concern, as Green Lane is a popular route used by villagers. Section 278 would assist the issue with sewage and blockages and request the County Council to address this. There were no clarifications.

The Chair asked planning officers if the surface water could be addressed.

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The Planning Officer confirmed that in 2018 the application was approved, drainage was assessed and consulted upon. As for the blocked drain in Green Lane the Oxfordshire County Council (OCC) officer did say that he would pass on the concerns raised to the relevant teams to be investigated.

The Chair requested that this information be noted so it would not be lost.

Councillor Leverton noted Thames Water had no comments to make, he was concerned that they had no comment to make as councillors were genuinely concerned about drainage issues, could we not make a condition to address the drainage issue.

The Planning Officer suggested Informatives would be the best way to address the issue, there were no changes to the application that had been approved before, but lapsed in time. Bellway application was dealt with separately and again all third parties were consulted on and were discharged on completion.

The Chair agreed with Councillor Leverton and noted that third parties don't always give the Council full details of assessments. This application was a previously approved application with no changes.

Councillor Fenton asked when the application was first approved was it delegated approval?

The Planning Officer confirmed that the original approval was a delegated decision. The Parish Council had raised issues and these were addressed and therefore it went to delegated decision.

Councillor Fenton raised that in point 5.25 of the report, section 278 could be negotiated by OCC with the applicant. Could we strengthen that condition with a should be rather than a could be?

The Planning Officer stated that section 278 is not part of the planning application, it's a separate agreement between OCC and the applicant.

The Senior Planning Officer David Ditchett added that section 278 is a legal agreement with the highways authority OCC and the applicant. We have to rely on Thames Water as the experts, to give us information, and they have not given any comment, we have gone back to them and raised it again, but still no comment. Planners are not the specialist and cannot force a section 278 agreement without any official reasons from the third party. Mr Ditchett concluded that the Planning Officer will advise the applicant to contact OCC to discuss section 278 agreement.

Councillor Dingwall suggested that grey water tanks could be put in like the EU Belgium have as its used to collect rainwater and used to water the gardens etc.. moving forward could we not request these or something like it.

The Planning Officer explained that at the moment they do not have the sustainable policies in place, to request these, but also as it is a preapproved application with no changes it would be unreasonable for the Council to request additional measures. Mr Ditchett advised that when applications are received for new dwellings within the Lowlands area, that officers always seek for sustainable drainage measures to be in place.

Councillor Prosser stated Thames Water won't comment on developments that are less than 10 houses, the 0.2% capacity figure that Thames Water quote, refers to capacity of what? More information is required. Mr Ditchett was able to confirm that Thames Water have commented on less than 10 houses before, but what warrants comments he was not sure. He would ask Thames Water the question re the 0.2% capacity, and get back to the committee.

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Councillor Fenton queried the value of condition one have where re submission after 3 years. Mr Ditchett confirmed it was the trigger point to begin development.

Councillor Eaglestone proposed the acceptance of the officers recommendation, this was seconded by Councillor Brooker, it was duly put to the vote and was carried, and therefore

Resolved for delegated planners approval with additional Informatives:

Sustainability Informative

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/>

S278 Informative

The LPA have concerns regarding drainage issues and the impact/damage this has caused within Green Lane. It is strongly suggested that the applicant enters discussions with OCC regarding a potential Section 278 agreement, relating to drainage improvement and repair works within Green Lane.

21/01924/S73 Right Side Unit B The Old Foundry.

Councillor Levertton left the Chambers.

The Planning Officer Kelly Murray introduction the application for a variation of Condition 3 of application 18/01411/FUL (Change of use from Car Sales/Motor home Hire to Boxing and Fitness Gym/Motor home Hire (Retrospective)) - Extension to permitted business hours, Mon-Fri 6am - 9pm and Sat-Sun 8am - 4pm.

Harriet Healey spoke in support of the application, a copy of the submission is attached to the original copy of these minutes.

Councillor Levy requested clarification of detail on noise issues, Harriet Healey confirmed that voices and punch bag noises, were the main noise issues, and confirmed that the punch bag had been recited onto a fixed beam. Councillor Fenton asked about the level of music, Harriet Healey confirmed that music was on low and not excessive and confirmed that other industrial units, next to the site, also played music all day.

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Councillor Brooker asked how many were on site at capacity, Harriet Healey stated that no more than 20 at any one time would be on site, but often occupancy was one to one.

The Planning Officer continued with her presentation and referred members to late representation, in which neighbours had stated that there was no increase in noise whilst the gym was open and no problem with parking and that therefore they have no objections to the planning application.

Originally there were conditions placed on the premises, restricted hours and matting on the floor to reduce the noise travel, but there have still been complaints.

The planning officers did request a noise report from the applicant, however the results do not show what was in the gym at the time of the analysis, or if it was done at peak time or what activities or equipment was being used at the time. As permission was originally given for use as a community gym, an increase in hours might allow the use to expand as a commercial business in the future and it was necessary to try and find ways to protect neighbour amenity. Applicants have said they are not adverse to a personal permission.

Councillor Fenton confirmed the site was in his ward and that he was constantly being contacted with complaints about parking around the businesses of the area, which was not just this site, but neighbouring premises too. He was pleased to hear that the punch bag had been moved. If personal permission was possible, and as long as it does not become commercial occupancy, and does not exceed 20 in occupancy at any one time if that's viable, could there be extra conditions, and informative to encourage applicants to sound proof. Councillor Fenton also asked for confirmation of extended hours. The Planning Officer confirmed an extension of day time hours may be acceptable, however officers would not recommend further extension of hours into the evenings and weekends on the basis of the information provided to date. Planners could grant a personal permission.

Councillor Dingwall wanted to congratulate the applicants on the service they were providing and suggested that applicants look at community facility grants available from WODC, and asked that they had support and advice re the grants which would help retain the community status, helping to ensure it does not turn into a commercial gym. Councillor Poskitt agreed with this approach, suggested that Saturdays would be a better approach rather than Sunday to be in line with the other businesses. Planners stated that Sundays were in the original application which was agreed as they were not aware at the time noise would become an issue.

The Chair agreed if a balance could be struck for weekends it would benefit neighbouring residents.

Councillor Brooker stated he agreed that parking was out of the applicants' control as there were other businesses on site, and that should not have an influence on the decision, he supported a personal permission. Councillor Goodwin agreed and suggested a limit on the number of years that the permission runs, so it can be reviewed. The Chair agreed and asked if a temporary permission could be granted. The planning officer confirmed it was possible but suggested that this might not give the applicants the certainty they required for investing in the operation. Councillor Maynard wondered if the committee could ask the owners if they would prefer Saturday or not. Councillor Dingwall suggested Saturday opening in line with other business on site, and no Sundays. On this occasion the Chair thought it would be useful to ask, the applicant confirmed that they would be happy with Saturdays 8am to 4pm and it was mostly only one person that ever used the gym for a couple of hours on a Sunday. Councillor Levy thought that the community gym was a fantastic, exercise is good for your health, and suggested Environmental Health moving forward should get involved if there were further noise issues.

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The Planning Officer also suggested that the authority could request that the layout of the gym be approved before any changes occur, and anti-vibration matting could be looked at.

Councillor Nicolls proposed that the Sunday opening hours be substituted by Saturday hours in line with the other business operating hours 08:30 to 16:00, it should be a personal permission, restricted to maximum of 20 at any one time occupancy, layout approval by the authority and anti-vibration matting should be looked at, this was seconded by Councillor Fenton. This was duly put to the vote and was carried unanimously, therefore

Resolved approved for planners delegated decision with additional conditions:

- The use of the premises as a boxing gym facility shall be confined to the area marked in blue on plan X. It shall not be open as a boxing gym facility outside the following hours: -
07:00 to 20:30 on Mondays to Fridays;
08:30 to 16:00 on Saturdays.

REASON: To safeguard living conditions in nearby properties.

- To the extent that this permission allows an extension of hours for use of that part of the premises which is a boxing gym, the use hereby permitted shall be carried on only by Tom Brennan and/or Harriet Healey.

REASON: The intensification of use hereby permitted has the potential to cause increased noise and other disturbance to nearby residents but is considered acceptable based on the particular circumstances of the named applicants.

- Training equipment, weights and boxing punch bags shall be used in the premises in locations in which noise and disturbance to nearby residents is minimised. An internal layout plan showing the current location of this equipment shall be submitted to the Local Planning Authority within one month of the date of this permission. Thereafter any relocation of the punch bags or the addition of further equipment (including punchbags) within the premises which is likely materially to increase noise or vibration shall be subject to the prior written approval of the local planning authority.

REASON: The building is not purpose-built as a commercial boxing training facility and certain use of the equipment may cause increased noise and disturbance to the detriment of nearby residents.

- Occupation of the boxing gym during the additional hours hereby permitted (07:00 to 18:30 on weekdays and 11:30 to 16:00 on Saturdays) shall be limited to 20 people at any one time.

REASON: To minimise noise and disturbance to nearby residents and parking congestion arising from the intensification of the use hereby permitted.

INFORMATIVE: The Local Planning Authority would encourage the applicants to investigate the options for installing upgraded anti-vibration matting in order to minimise harm to the amenity of nearby residents.

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21/03834/FUL 10 Burford Road Carterton

The Senior Planning Officer David Ditchett introduced the application for demolition of existing bungalow, and erection of six 2 bed flats together with associated parking and access. The planning officer did comment that originally when the application came in, it was for eight flats, then reduced to seven, and now to six.

The Senior Planning Officer demonstrated to members how planners could assess loss of light impacts when reviewing applications with neighbouring properties

A submission from Mr Richard Turner was read out in his absence, which was against the application, a copy of his submission is attached to the original copy of these minutes.

Conditions placed for obscure glazing, acoustic fencing could mitigate noise, assess as moderate harm to neighbour for noise and loss of sunlight. Following the planning application presentation, the planning officer concluded with recommendation of approval.

Councillor Dingwall asked if a condition could be placed on the rear landscaping height, the Senior Planning Officer confirmed that yes a condition could be placed to limit the height of landscaping. He was also concerned about the pitch and height of the roof, the Senior Planning Officer confirmed the height of the proposed buildings.

Councillor Brooker was concerned about the effect on sunlight hours, parking numbers and landscaping. The planning officer confirmed 1.25 hours, loss of sunlight ,however it depends on the date you are assessing, parking has not decreased since the decrease of the number of flats, and landscaping design would need to be agreed upon.

Councillor Poskitt stated sunlight in the winter is less anyways, she was also concerned about the proposed room sizes and the narrow width of the lane to the carpark.

Councillor Fenton proposed a site visit, seconded by Councillor Poskitt, duly went to the vote and was carried.

Resolved that application is deferred for site visit which was set for Monday 18th July 2022.

22/00947/FUL Brooklyn Nurseries 65 Shilton Road.

Councillor Leverton returned to the Chambers.

The Senior Planning Officer David Ditchett introduced the application and informed the committee that originally planners recommending refusal. However the applicant has submitted revised the plans, which need to be consulted on, therefore planners are now asking for this application to be deferred to enable this consultation to take place.

Refusal was recommended and the Parish Council was not objecting. As officer recommendation was contrary to the views of the Parish Council, it was before the committee for a decision. As we are consulting the Parish Council again, it may be that their views change and this application may not come before the committee.

Councillor Fenton proposed that the application be deferred as per late representations report and planning officers advice, this was seconded by Councillor Nicolls. The proposal was duly put to the vote.

Resolved the application be deferred for planners to consult with the Parish Council and neighbours regarding the revised plans.

71 Applications Determined under Delegated Powers and Appeal Decisions

The report giving details of applications determined under delegated powers was received, questions were asked about the following items:

Item 18 - Councillor Prosser asked when this application came forward the Parish Council requested more information on car parking. The Senior Planning Officer confirmed the extra information request was relayed to the agent, information was provided, reported back to the Parish Council, they then were satisfied and had no further objections and therefore application was approved.

Item 28 – Councillor Levy asked if change of use is a planning application, the planning officer confirmed that yes change of use typically requires planning consent.

Item 36 – Councillor Fenton queried the code, The Senior Planner was able to confirm that it means an environmental impact assessment. It's a significant piece of work for larger developments.

The Chair asked where planning were on latest appeals, the Senior Planning Officer was able to confirm that there were a couple of public enquiries going on at the moment which the appeals team were very busy on. Appeals team have not yet pulled a report together but members can go on-line appeal planning inspectorate website, you can filter appeal decisions by WODC and a list will appear. However by the next committee a report will be published.

The Meeting closed at 3.40 pm

CHAIR

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WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th July 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.

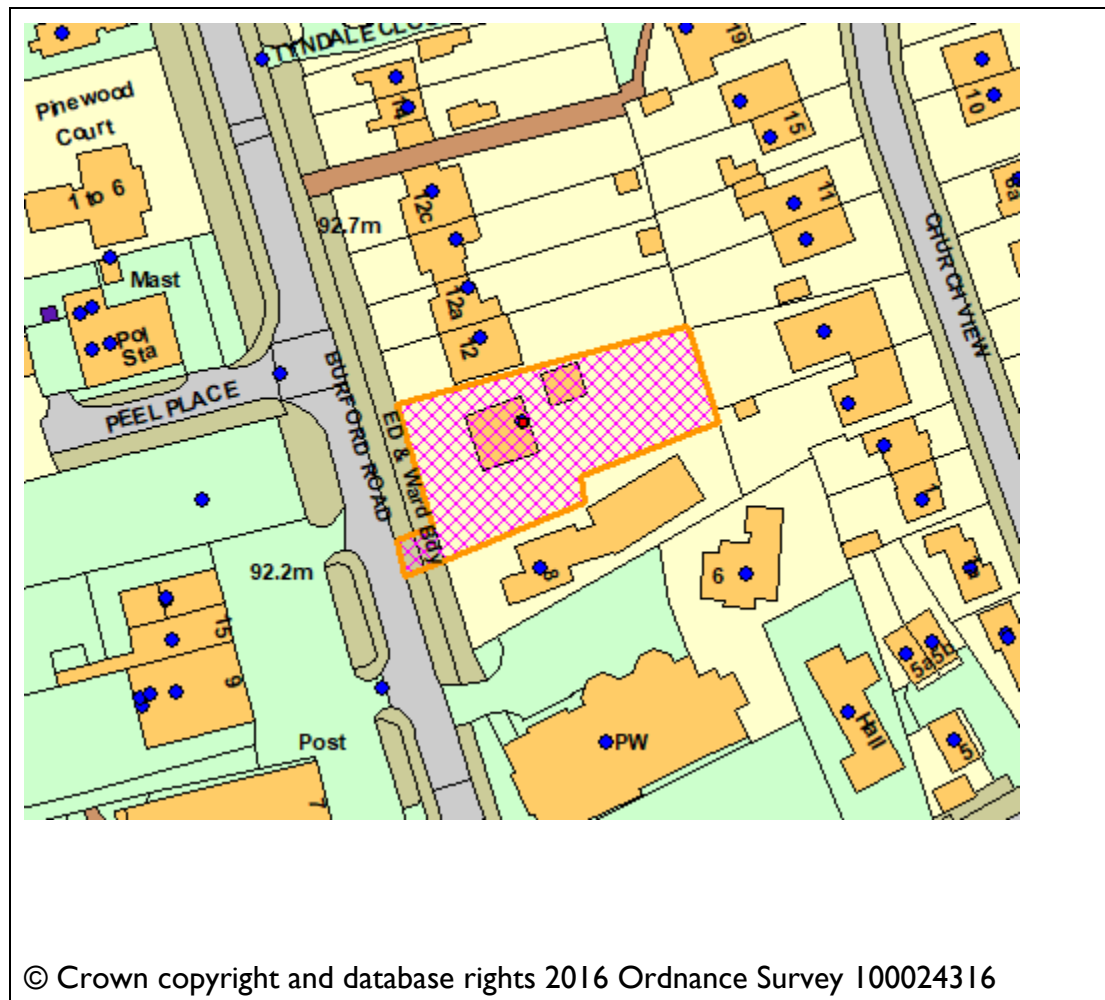
Please note that:

- 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

Pages	Application Number	Address	Officer
13-28	21/03834/FUL	10 Burford Road Carterton	David Ditchett
29-39	22/00764/FUL	26 Milestone Road Carterton	David Ditchett
40-52	22/00946/FUL	Land (E) 428959 (N) 207797 Monahan Way	Abby Fettes
53-62	22/00947/FUL	Brooklyn Nurseries 65 Shilton Road	Sarah Hegerty

Application Number	21/03834/FUL
Site Address	10 Burford Road Carterton Oxfordshire OX18 3AA
Date	6th July 2022
Officer	David Ditchett
Officer Recommendations	Approve
Parish	Carterton Parish Council
Grid Reference	428089 E 206916 N
Committee Date	18th July 2022

Location Map



Application Details:

Demolition of existing bungalow and erection of six 2 bed flats together with associated parking and access (Amended plans).

Applicant Details:

Mr Don Herring
17 Rock Close
Carterton
Oxfordshire
OX18 3BP

I CONSULTATIONS**OCC Highways**

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

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

- G28 parking as plan
- G11 access specification
- G13 close ex access and reinstate the public highway
- Safe and secure cycle parking in accordance with a scheme to be submitted and approved

ERS Env. Consultation Sites

Thank you for consulting our team, I have looked at the application in relation to contaminated land and potential risk to human health. Please consider adding the following condition to any grant of permission as a precaution.

I. 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 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	I have No Objection in principle. A standard condition around a Construction (Demolition) Environmental Management Plan (EMP), would be appropriate under the circumstances.
District Ecologist	No Comment Received.
WODC Drainage Engineers	11/01/2022 Clarification of the existing drainage and proposed drainage systems are sought. Soakaways are likely to be viable on site, given the geology for the postcode. However, this must first be proven by infiltration tests undertaken in the location of the proposed soakaway and in accordance with BRE365.
Parish Council	Access is not good from Burford Road, the height of the development is excessive and the flats would overlook properties in Church View.
WODC Drainage Engineers	15/03/2022 The design is fine now, so we just need a condition to state the s/w drainage should be implemented in accordance with the approved strategy.
OCC Highways	No Comment Received.
Parish Council	No Comment Received.

2 REPRESENTATIONS

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

20 third party objections received relating to:

Comments on initial scheme:

1. Overdevelopment;
2. Overlooking;
3. Loss of privacy;
4. Highway safety;
5. Out of keeping;

6. Insufficient parking spaces;
7. Excessive height;
8. Loss of property values;
9. Loss of light;
10. Worse than previous scheme;
11. Massing;
12. Overshadowing;
13. Loss of outlook;
14. Density;
15. Set a precedent;
16. Harm to environment;
17. Noise;
18. Development is unnecessary;
19. Should be reduced in height and flat numbers; and
20. Parking during construction should be controlled.

Comments on revised scheme:

1. Previous objections remain valid;
2. Doubts accuracy of the plans;
3. Overcrowding;
4. Increased crime;
5. Excessive height;
6. Loss of light;
7. Loss of privacy;
8. Set a precedent;
9. Highway safety;
10. Insufficient parking;
11. Noise pollution;
12. Flats are twice as deep as 12 Burford Road to the north;
13. Overlooking;
14. Out of character;
15. Development should be further reduced;
16. Set further forward than existing buildings;
17. Excessive footprint;
18. Overdevelopment;
19. No detail about new trees;
20. Future applications likely; and
21. Units should be reduced to four.

3 APPLICANT'S CASE

3.1 The supporting Planning Statement summarises their case as follows:

- 3.2 The scheme has been amended to meet officer advice. The building has been restricted to two storey and will result in an improvement to the street scene.
- 3.3 The use is less intensive than previously proposed and less intensive than several nearby granted permissions.
- 3.4 The scheme will contribute visually and economically to Carterton Town Centre and to the inhabitants of the flats when complete.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

EH3 Biodiversity and Geodiversity

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

NATDES National Design Guide

NPPF 2021

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

5. PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to 10 Burford Road Carterton. The site currently contains a bungalow and single storey outbuilding to the rear. The site is accessed by an existing access from Burford Road.
- 5.2 To the immediate south of the site is 8 Burford Road also known as Carterton Family Centre. To the west of the site is 19 Burford Road, a new commercial premises with 6 flats above and construction of further 4 flats over two floors to rear was approved in 2021 (20/00929/FUL). To the south west, across the highway is a rank of shops, which includes Burford Road Fish Bar, Martins Newsagents and Costa Coffee. In 2020, eight flats were approved to the rear of those shops under reference 20/00072/FUL. To the north are two storey semi-detached pairs fronting Burford Road. To the east are two storey dwellings and bungalows within Church View that back onto the site.

- 5.3 A previous application at the site (ref 21/01755/FUL) for 'Demolition of existing bungalow and erection of eight 2 bed flats together with associated parking and access' was withdrawn following officer concerns.
- 5.4 During this assessment, officers raised concerns with the scale; massing and number of dwellings proposed and subsequently secured a reduction in numbers from 7 flats to 6 along with a reduction in height, width and depth.
- 5.5 The site is not subject to any landscape or heritage designations.
- 5.6 The application is before the Lowlands Area Planning Sub-Committee as the Parish Councils views are contrary to officer recommendation.
- 5.7 This application is for the 'Demolition of existing bungalow and erection of six 2 bed flats together with associated parking and access'. 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;
 Siting, Design and Form;
 Highways;
 Residential amenities;
 Other Matters; and
 Planning Balance

Principle of Development

- 5.8 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).
- 5.9 The site is located within Carterton. Policy H2 states 'new dwellings will be permitted at the main service centres, rural service centres.....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'. The site is considered to be previously developed land within Carterton. As such, the principle of new homes is acceptable provided that the proposal is in accordance with other policies in the plan and in particular the general principles of OS2. Notwithstanding this, further assessment in regards to design, siting and form, access, highway safety and residential amenity is required, and this is completed below.

Siting, Design and Form

- 5.10 Policy OS2 states that all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality; form a logical complement to the existing scale and pattern of development and/or the character of the area; and be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants.
- 5.11 The site is within the built up area of Carterton, close to the town centre and as such, the existing type of development is very mixed. Within a short walk, there are detached, semi-detached, and terraced dwellings of both single and two storey nature. A family centre is located immediately to the south. A rank of shops with flats above is across the highway to the south west. Immediately to the west is an empty site with permission for a new commercial building with flats above and further flats behind. Permission also exists for flats to the rear of the rank of shops to the south west. Further to the south is the Church of St John the Evangelist (a relatively modern building), and a further ranks of shops on the crossroads. A pub and an Asda supermarket/petrol station is just beyond the crossroads. The addition of a block of flats would only add to this mix of development types and would not detract from it.
- 5.12 Moving to the pattern of development. Officers acknowledge that the existing bungalow reinforces the building line of dwellings to the north and the proposed building would be erected 2m to beyond the line, closer to the road. However, the building line is not an integral part of the character and appearance of this area. Indeed, it is the exception, as the density and layout of the area is archetypal of a high density urban area with mixed densities, orientations, distances to the road and heights. No harm is found as a result of the siting of the building or the proposed density.
- 5.13 Several objections referenced the excessive height. The scheme was reduced in height and a third storey removed through officer negotiations and is now two storey and approximately 8.4m in height (at its highest point). As noted, 12 Burford Road is 7.6m in height. The proposed building therefore is just 0.8m higher than its immediate neighbour to the north. When considering the mix of heights in the area, the height of the proposed building is acceptable.
- 5.14 In terms of the general design of the building. This is two storey with a twin gable feature fronting the road. Front gables of differing designs are common in the area. Indeed, 8 Burford Road immediately to the south has its gable end fronting the road. Two storey buildings are prevalent in the area and this proposal would reinforce that. It has a more modern appearance. However, in light of the mix of development types in the area, this is not harmful.
- 5.15 In terms of materials, these are shown as rendered and cladded elevations, grey roof tiles and white Upvc windows. These materials are present, or are similar to materials in the immediate area. While they are acceptable, samples of these materials would be secured by condition.

- 5.16 Officers are satisfied therefore that the siting of the building would form a logical complement to the existing pattern of development. The scale, materials, massing and design would ensure the building integrates successfully into the site and its surroundings and would not be harmful to the character and appearance of the area. The proposed building would be in accordance with Local Plan Policies OS2 and OS4.

Highways

- 5.17 The new building is proposed to be accessed via a new access from Burford Road. Ten parking spaces are proposed. This allows 1.6 parking spaces per two bed dwelling. There are on street parking restrictions in the area. However, the site is within the centre of Carterton where car parks are present. As such further parking can be accommodated outside of the site.
- 5.18 A turning area within the site is also proposed. This would allow vehicles to enter and exit the site in a forward gear. In addition, the speed limit of this area of Burford Road is 30mph and it is quite straight, so visibility is high and vehicles will be moving at relatively low speeds. Furthermore, the development is for two bed flats and the site is in a very sustainable area with access to public transport services. This is likely to attract persons who may not rely on vehicles and will use public transport/bicycles, thereby reducing car dependency and thus vehicle movements.
- 5.19 County Council Highway Team were consulted on this scheme and they have raised no objection, subject to conditions that will be applied.
- 5.20 The NPPF (paragraph 111) states 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The proposed development of six two bed flats is not considered to result in an unacceptable or severe impact on highway safety.
- 5.21 Officers are satisfied, based on the assessment above, that the proposed development will have a safe and suitable access for all users and sufficient parking is proposed to serve the new dwellings. The proposal therefore accords with Local Plan Policies T1, T2 and T3; and Section 9 of the NPPF (in particular paragraphs 110, 111 and 112).

Residential Amenities

- 5.22 A number of comments were received relating to amenity impacts from the proposed development. Officers consider the pertinent points to this scheme to be overshadowing, loss of light, overbearing, loss of privacy, overlooking and noise.
- 5.23 Dealing with the overshadowing and loss of light elements first. With regard to overshadowing and loss of light to the properties on Church View. The nearest distance between proposed built form and the dwellings on Church View is approximately 38m.

This is a significant distance in a built up area such as this. Indeed, the distance between the existing 12 Burford Road and the nearest dwelling on Church View is just 6m more at 44m. The proposed building is 8.4m high at its highest point and 7.75m high at the rear most point (rear being closest to Church View). It is important to note that 12 Burford Road immediately to the north of the site is 7.6m in height. Furthermore, to the immediate south of the site is 8 Burford Road (Carterton Family Centre). This is two storey and extends far to the rear of the plot and is just 25m from the dwellings on Church View. The proposed building therefore would have no more of an impact in terms of loss of light and overshadowing to the dwellings on Church View than the existing dwelling 12 Burford Road and Carterton Family Centre.

- 5.24 While there would be no loss of light or overshadowing to the dwellings on Church View, there would be some of these impacts to 12 Burford Road. 12 Burford Road is approximately 11.4m deep and the proposed building is approximately 21m deep in total. The proposed building would be approximately 2m closer to the highway. As such, a rear overlap of approximately 6.5m would be created between the rear of 12 Burford Road and the rear of the proposed building. Also to note is that the proposed building would be located between 3m and 4m to south of the shared boundary with 12 Burford Road.
- 5.25 When assessing loss of light and overshadowing, it is important to understand the path of the sun. This travels from east to west and shines from the south. The rear elevation of 12 Burford Road faces in an east/northeast direction. The status quo therefore is that the rear elevation (and thus the internal living accommodation) only receives direct sunlight (on the longest day of the year 2022-June 21st) between sunrise and 11:30am. Between 11:30am, and 1pm sunlight is at an oblique angle and beyond 1pm, the rear elevation receives no direct sunlight and is overshadowed by its own built form. The proposed building would restrict sunlight reaching the rear elevation of 12 Burford Road between 10:45am and 1pm only. In addition to this, the rear garden of 12 Burford Road would be overshadowed from approximately 10am to 2pm. Of note is that gardens are not in use all year round and a rear garden area of No. 12 measuring roughly 280sqm would be unaffected. However, officers note that the rear patio area of No. 12 would be affected by the proposed scheme.
- 5.26 Taking this into consideration, there would be some loss of light and overshadowing to the rear elevation and garden of No. 12. In the context of the amount of light the dwelling and garden currently receives, these impacts are not considered to be detrimental to the living conditions of the current (or future) occupiers of No. 12. However, they are harmful nonetheless.
- 5.27 When considering the height of the proposed building and the separation distances, loss of light or overshadowing is unlikely to No. 14 Burford Road.
- 5.28 Moving to overlooking and loss of privacy. The separation distance between the windows on the rear elevation of the proposed building and the windows on the rear elevations of the dwellings on Church View are approximately 44m, 37m and 44m to

No. 9, 7 and 5 Church View respectively. The industry standard separation distance between facing windows is 22m. The proposed separation distance therefore far exceeds (and is double for 7 and 9) the industry standard. Overlooking and loss of privacy to the dwellings on Church View is therefore not a concern.

- 5.29 With regard to overlooking and loss of privacy to No. 12. Six windows and a glazed link face north towards No. 12. Three windows are at ground floor and views out of these will be restricted by the boundary treatment (controlled by condition). Three first floor windows are proposed and a condition is placed on the approval restricting the glazing on these to be obscure and non-opening (unless the opening parts exceed 1.7m above the floor of the room they serve), this also includes the glazed link. Views out of these windows therefore are not possible. The glazed link is for access only and not living accommodation such that persons are unlikely to spend time looking out of this link.
- 5.30 It is important to note that there are no windows on the proposed building that would directly face any windows on No. 12 that serve living accommodation. There is a window at ground floor on the extension of No. 12. However, this serves a downstairs WC and is obscure glazed. While views out will not occur, and there are no windows facing each other that serve living accommodation, officers acknowledge that a perception of overlooking will occur when the occupiers of No. 12 utilise their garden area. This is restricted to the garden area and is a perception of overlooking, as such would not result in loss of privacy. This perception is likely to create some harm to the occupiers of No 12 and to a certain extent No 14 when these occupiers use their garden area. While gardens are not used all year round, there is some harm as a result of this.
- 5.31 With regard to the windows facing south towards 8 Burford Road (Carterton Family Centre). This is a community centre where there is little expectation of privacy. The proposed building will not result in harm to the users of this building.
- 5.32 Moving to overbearing. When considering the scale of the built form and that the bulk would be erected to the side elevation of No 12 with a modest overlap beyond the principal and rear elevations, and that it would be somewhat shorter than 8 Burford Road to the south. Overbearing impacts to any nearby dwellings are unlikely.
- 5.33 With regard to noise, this is not a concern as a result of the occupation of the building as this is a residential use in a predominately residential area. However, as the proposed parking area is to the rear of the plot, in close proximity to rear gardens, vehicular movements will result in some disturbance when the occupiers of 12 Burford Road, and 5, 7 and 9 Church View use their gardens. While this impact would be mostly felt during warmer months and not all year round, this would result in some harm. It is possible to secure acoustic fencing by condition in order to mitigate this harm and a condition to that effect is recommended.

- 5.34 Officers are mindful of obscure glazed windows serving bedrooms and living accommodation for the new flats. However, all of the flats have alternate unaffected windows to ensure adequate light and outlook is achieved.

Other Matters

- 5.35 Parking and disturbance during construction will be controlled by adherence to a Construction (Demolition) Environmental Management Plan secured by condition.
- 5.36 Drainage concerns raised have now been addressed and the WODC drainage team raise no objection subject to a drainage condition.
- 5.37 The private value of property and setting a precedent are not planning matters and have not attracted any weight in the assessment of the scheme.
- 5.38 The provision of six flats is unlikely to increase crime rates in the area.

Planning Balance

- 5.39 Some harm is found to the occupiers of 12 Burford Road as a result overshadowing, loss of light, and perception of overlooking. This attracts moderate weight. Some harm is also found to the occupiers of 5, 7 and 9 Church View and 12 Burford Road from the noise created by the new parking area and driveway. However, acoustic fencing is required to be provided and the harm is restricted to when the occupiers of these dwellings utilise their garden areas. This harm attracts modest weight. No other harm is found.
- 5.40 The proposed development would create six new dwellings (5 net) in a highly sustainable area. These dwellings by virtue of their size and location are likely to attract first time buyers, single persons and couples. This attracts moderate to significant weight. 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.
- 5.41 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). 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.

Conclusion

- 5.42 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. Prior to work commencing on the site, an Construction (Demolition) 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 and in the interests of amenity and in the interests' highway safety.

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 side elevation(s) of the building(s) hereby approved.

REASON: To safeguard privacy in the adjacent properties.

5. Prior to the first occupation of the development hereby approved, all of the proposed first floor side elevation windows (including the glazed link) shall be fitted with obscure

glazing (and either non opening or more than 1.7 metres above the floor level) and shall be permanently retained as such thereafter.

REASON: To protect the residential amenities of the occupants of neighbouring dwellings.

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

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

8. 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.

9. On commencement of the development hereby approved, the proposed access shown on the approved plans shall be formed.

The existing access shall permanently closed prior to any development above slab level.

REASON: To ensure a safe and adequate access.

10. 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.

11. Before the dwellings hereby approved are first occupied, Electric Vehicle charging points shall be installed in at least 50% of the parking spaces in accordance with details

to be submitted to and approved in writing by the Local Planning Authority. The charging points shall be retained as such thereafter.

REASON: In the interests of air quality and to reduce greenhouse gases; and to minimise use of non-renewable resources and maximise opportunities for travel by sustainable means in accordance with Policy OS3 of the West Oxfordshire Local Plan 2031.

12. No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision of acoustic fencing to mitigate the noise created by the parking area and driveway; and the provision for hedgehog highways. The boundaries shall be completed in accordance with the approved details and retained as such thereafter.

REASON: In the interest of neighbour amenity, to safeguard the character and appearance of the area, and improve opportunities for biodiversity.

13. Prior to any development above slab level, a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and hedge enhancements, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be retained and maintained in accordance with the approved scheme.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

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

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

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

15. The surface water drainage shall be constructed as per the details submitted and approved as part of this application.

REASON: In order to ensure that the proposed development is satisfactorily drained in accordance with the Local Plan 2031 and the NPPF.

INFORMATIVES :-

- 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).

- 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:

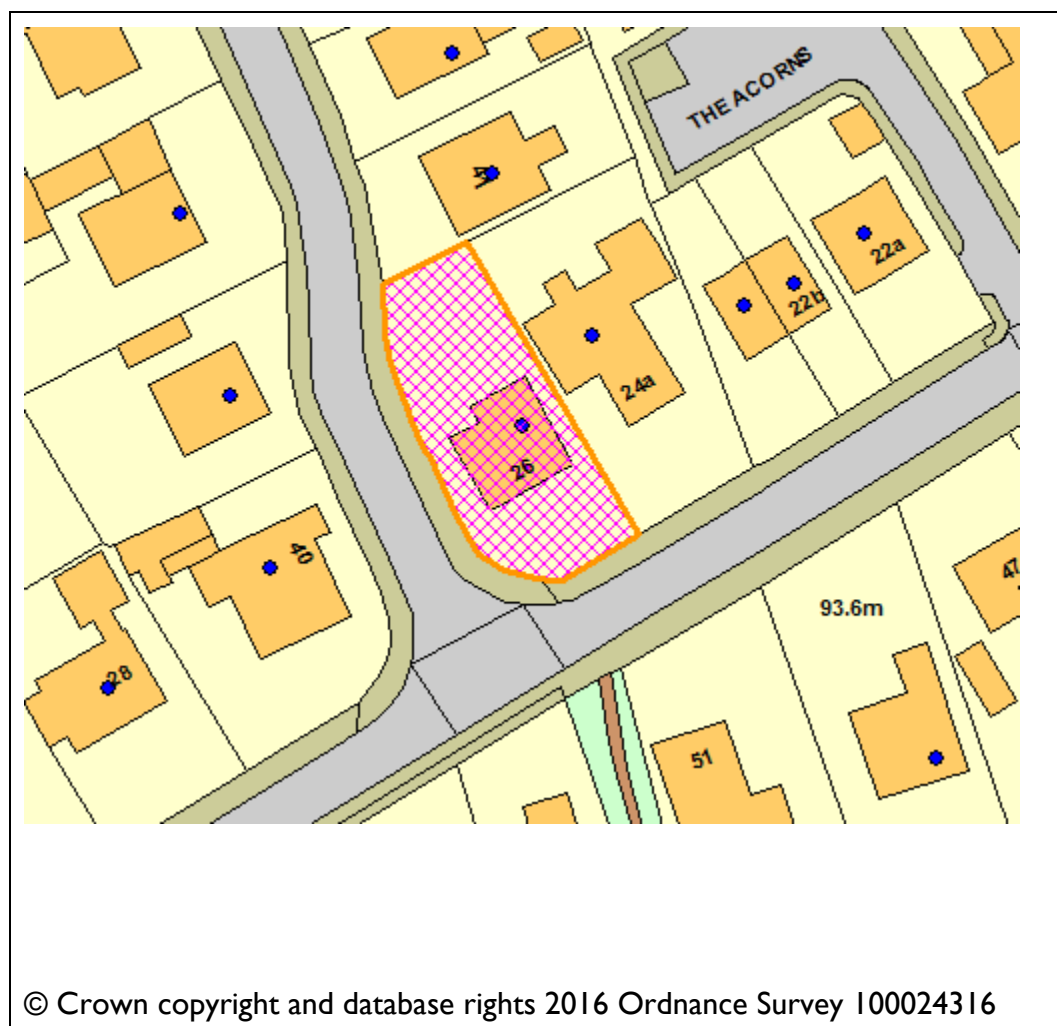
<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

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

Contact Officer: David Ditchett
Telephone Number: 01993 861649
Date: 6th July 2022

Application Number	22/00764/FUL
Site Address	26 Milestone Road Carterton Oxfordshire OX18 3RF
Date	6th July 2022
Officer	David Ditchett
Officer Recommendations	Approve
Parish	Carterton Parish Council
Grid Reference	427944 E 206251 N
Committee Date	18th July 2022

Location Map



Application Details:

Demolition of existing bungalow and erection of two semi-detached dwellings with formation of a new access and associated works.

Applicant Details:

Mr James Purdue
26 Milestone Road
Oxfordshire
Carterton
OX18 3RF

I CONSULTATIONS

Parish Council

The Committee had concerns over lack of parking and possible overlooking of adjacent properties.

OCC Highways

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

Recommendation:

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

- G28 parking as plan
- G11 access specification
- Prior to first occupation the construction of a footway to replace the existing verge between the proposed access and the existing footway system in accordance with a scheme to be submitted and approved

INFORMATIVE

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

WODC Env Health -
Lowlands

No objection in principle.

Thames Water No Comment Received.

WODC Drainage Engineers No objection subject to a pre-commencement surface water condition being applied.

3 **2 REPRESENTATIONS**

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

2 third party objections received relating to:

1. Loss of light impacting on the effectiveness of newly installed solar panels at the adjacent dwelling;
2. Overly large and imposing;
3. Overlooking;
4. A bungalow should be built instead;
5. Parking provision;
6. Highway safety; and
7. Design

3 **APPLICANT'S CASE**

3.1 The supporting Planning Statement summarises their case as follows:

3.2 The dwellings will provide high quality accommodation and private amenity for the future and positively contributes to the street scene, enhancing the character of the setting, its immediate neighbours and the locale. Careful consideration of the site's constraints and contextual surroundings have been taken into account to ensure the site layout responds to the challenges offered.

4 **PLANNING POLICIES**

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

EH7 Flood risk

EH8 Environmental protection

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking and cycling

T4NEW Parking provision

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

5 5. PLANNING ASSESSMENT

Background Information

- 5.1 This application relates to 26 Milestone Road Carterton. The site contains a single storey detached dwelling situated on a corner plot within a residential area of Carterton.
- 5.2 The site does not fall within any areas of designated control. Milestone Road and Ashfield Road are not classified roads.
- 5.3 This application follows pre application advice. Design, scale, parking and materials advice was offered and this is included into the current scheme.
- 5.4 The application is before the Lowlands Area Planning Sub-Committee as the Town Councils views are contrary to the officer recommendation.
- 5.5 This application is for the 'Demolition of existing bungalow and erection of two semi-detached dwellings with formation of a new access and associated works.' 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;
Siting, Design and Form;
Highways;
Residential Amenities; and
Other Matters

Principle of Development

- 5.6 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).
- 5.7 The site is located within Carterton. Policy H2 states 'new dwellings will be permitted at the main service centres, rural service centres.....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.' The site is considered to be previously developed land within Carterton. As such, the principle of new homes is acceptable provided that the proposal is in accordance with other policies in the plan and in particular the general principles of OS2. Notwithstanding this, further assessment in regards to design, siting and form, access, highway safety and residential amenity is required, and this is completed below.

Siting, Design and Form

- 5.8 Policy OS2 states that all development should be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality; form a logical complement to the existing scale and pattern of development and/or the character of the area; and be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants.
- 5.9 The existing pattern of development in the wider area is quite mixed. However, on the northern side of Milestone Road in this area, residential development is mostly linear and is set back from the road. Soft landscaping and parking areas are between the built form and the road. In this regard, the proposed building would accord with this pattern of development by maintaining this linear pattern and being set back from the road to include a parking area and areas of soft landscaping between the building and the road.
- 5.10 Officers acknowledge that 24A Milestone Road immediately to the east and 41 Ashfield Road immediately to the north are single storey dwellings, as are the dwellings to the south on the opposite side of the highway (49, 51 and 55 Milestone Road). However, to the west and north-west of the site are two storey dwellings. Furthermore, just beyond 24A to the east is a pair of 1.5 storey semi-detached dwellings and a further detached 1.5 storey dwelling. Indeed, it is clear that the current scheme is modelled on the scale and design of the existing semi-detached pair (22B and 24 Milestone Road). In that regard the proposed development takes cues from its immediate surroundings, as it seeks to replicate a pair of semi-detached properties just 20m away. As such, the 1.5 storey nature is acceptable.
- 5.11 In terms of the general design of the dwellings. Individually, they are 1.5 storey with two traditional dormers set into the eaves of the front of the dwelling and two traditional dormers set into the roof slope of the rear of the dwelling. The roof is pitched with a cat slide element to the rear. In terms of dimensions, each dwelling is approximately 5.7m wide, 9.3m deep and 8.4m high. As noted, the proposed design is strikingly similar to the existing semi-detached pair at 22B and 24 Milestone Road.
- 5.12 In terms of materials, these are shown as yellow buff brickwork, concrete interlocking roof tiles and grey uPVC windows and doors. There is a wide mix of materials in the area (including yellow brick and concrete tiles) and while these materials are likely to be acceptable, samples of these materials would be secured by condition to ensure the materials ultimately used in the development are suitable.

- 5.13 Officers are satisfied therefore that the siting of the dwellings would form a logical complement to the existing pattern of development. The scale, materials, massing and design would ensure the dwellings integrate successfully into the site and its surroundings and would not be harmful to the character and appearance of the area. The proposed building would be in accordance with Local Plan Policies OS2 and OS4.

Highways

- 5.14 Two 3 bedroom dwellings are proposed. Each dwelling would have two parking spaces each. The two parking spaces for 26b would be newly created with a new access from Milestone Road. The two parking spaces for 26a are to the rear of the dwellings, accessible from Ashfield Road. Of note is that the parking spaces for 26a exist as they currently serve the existing bungalow. This amount of parking provision is sufficient for the size of the dwellings proposed.
- 5.15 While turning spaces are not proposed, the proposed parking layout proposed is common on Milestone Road and Ashfield Road. As such, highway users would be aware of vehicles entering and exiting the site in a reverse gear.
- 5.16 County Council Highway Team were consulted on this scheme and they have raised no objection, subject to conditions, that will be applied.
- 5.17 Officers are satisfied, based on the assessment above, that the proposed development will have a safe and suitable access for all users and sufficient parking is proposed to serve the new dwellings. The proposal therefore accords with Local Plan Policies T1, T2 and T3; and Section 9 of the NPPF (in particular paragraphs 110, 111 and 112).

Residential Amenities

- 5.18 The proposed 1.5 storey building at 8.4m in height would be located in line with existing built form to the east and would be in place of an existing bungalow (5m in height). As such, overbearing impacts are unlikely.
- 5.19 The siting, adjacent to built form to the east also ensures (as light travels from the south) that the proposed building will not result in detrimental loss of light or overshadowing impacts to any neighbours. Some loss of light will occur to the ground floor side and front elevation windows on the neighbouring 24a Milestone Road. However, this is already impacted because of the existing bungalow. While 1.5 storey dwellings erected in its place would increase built form in the area, and would have some impact on light entering the ground floor of 24a, this is not considered to be detrimental to the living conditions of the occupiers of 24a.
- 5.20 First floor side elevation windows are proposed, however, these will be obscure glazed and non-opening below 1.7m as they serve bathrooms. While windows would be at first floor of the dwellings and the previous dwelling is a single storey bungalow. These

windows look out on to the highway and the proposed rear gardens of the new dwellings. As such, overlooking and loss of privacy impacts are unlikely.

- 5.21 A suitable amount of private external amenity space is proposed to serve the dwellings.
- 5.22 Officers are satisfied, for the reasons outlined, 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.

Other Matters

- 5.23 The proposed development also includes the demolition of the existing bungalow. Officers visited the site and when considering the age of the building and the construction, it may be the case that the building contains asbestos. There is a legal requirement to remove most asbestos containing materials (ACMs) from buildings before demolition. The developer must adhere to the relevant legislation when demolishing the building. Additionally, the Council's Environmental Regulatory Services were consulted. They are the relevant specialists and have not suggested any conditions relating to the demolition of the building.
- 5.24 A comment was received raising concerns that the proposed development would affect the effectiveness of newly installed solar panels on the adjacent dwelling (No 24a). This is a material consideration as the solar panels are an environmental benefit and the mitigation of climate change is a legitimate planning consideration.
- 5.25 The solar panels are on the western/south-western roof slope of the neighbouring dwelling and the new dwellings would be erected to the east. Of note is that the proposed dwellings would be erected slightly behind where the existing bungalow was, however, they would be closer to the solar panels than the existing bungalow. The eaves of the dwellings are just 4m in height and the roof slopes are pitched with a cat slide element.
- 5.26 It is acknowledged that the erection of a pair of 1.5 storey dwellings in the proposed location would increase additional built form in close proximity to the solar panels. However, the solar panels are on a roof slope that faces west/south west, as such direct sunlight does not reach the panels until 12:30pm (on the longest day of the year). Furthermore, the existing roofs and dormers of 24a reduce light reaching some of the panels throughout the day, as well as a telegraph pole to the south. Therefore, their effectiveness is already mitigated. When considering the scale and siting of the development proposed in relation to the solar panels, in particular the massing of the roof in the context of the existing bungalow to be demolished, and the path and direction of the sun. It is acknowledged that the proposed development is likely to reduce some light reaching the solar panels. However, for the reasons set out, this overshadowing and loss of light not considered to be a detrimental loss of light reaching

the panels and thus is not considered to have an unacceptable impact on the effectiveness of the panels and the mitigation of climate change that provide. As such, this impact is acceptable.

Conclusion

5.27 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. Prior to the erection of any external wall of the development hereby approved, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site, to demonstrate the infiltration rate. Three test results should be submitted for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

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 side elevation(s) of the building(s) hereby approved.

REASON: To safeguard privacy in the adjacent properties.

5. Prior to the first occupation of the development hereby approved, all of the proposed first floor side elevation windows shall be fitted with obscure glazing (and either non opening or more than 1.7 metres above the floor level) and shall be permanently retained as such thereafter.

REASON: To protect the residential amenities of the occupants of neighbouring dwellings.

6. Prior to the erection of any external wall of the development hereby approved, a schedule of materials (including samples) to be used in the elevations, roofs, windows and doors 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. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

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

8. 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.

9. Prior to the first occupation of the development hereby approved, details of a new footway to replace the existing verge between the proposed access on Milestone Road and the existing footway system shall be submitted to the Local Planning Authority for approval. The extended footway shall be constructed in accordance with the agreed details prior to the first occupation of the development and shall be retained as such thereafter.

REASON: To ensure a safe and adequate access.

10. The bat tube and bird box included in the application shall be installed prior to the first occupation of the development hereby approved and shall be retained as such thereafter.

REASON: To ensure biodiversity net gain is achieved at the site.

INFORMATIVES :-

- 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).

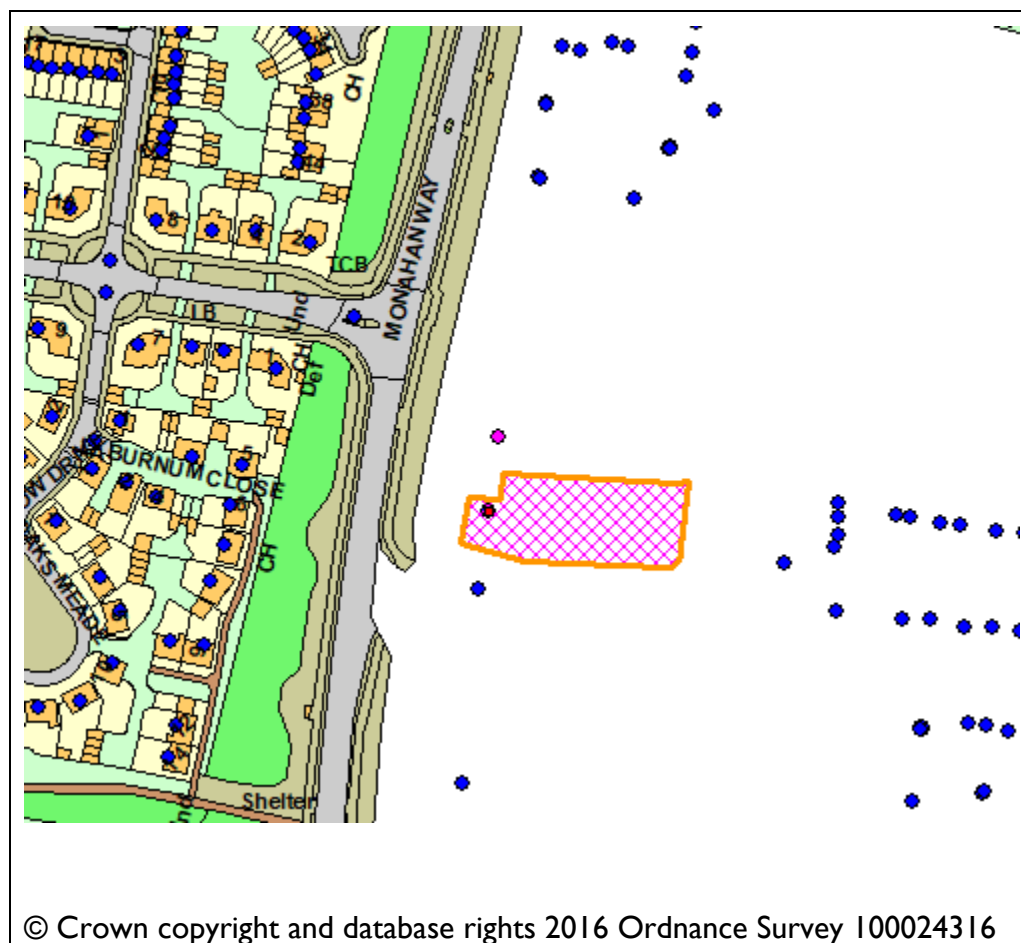
- The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))

- Code for sustainable homes - A step-change in sustainable home building practice
- Oxfordshire County Council's Local standards and guidance for surface water drainage on major development in Oxfordshire (VI.2 December 2021)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Non-statutory technical standards for sustainable drainage systems (March 2015)
- Please note works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

Contact Officer: David Ditchett
Telephone Number: 01993 861649
Date: 6th July 2022

Application Number	22/00946/FUL
Site Address	Land (E) 428959 (N) 207797 Monahan Way Carterton Oxfordshire
Date	6th July 2022
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Brize Norton Parish Council
Grid Reference	428959 E 207797 N
Committee Date	18th July 2022

Location Map



Application Details:

Construction of coffee shop/bakery with ancillary drive through (use class Ea/b) and associated works.

Applicant Details:

Mr Aiden Murray
Trafalgar House South
Trafalgar Street
Winchester
SO23 9DH

I CONSULTATIONS

Parish Council

BNPC has reviewed the documentation supporting the above application and wish to comment as follows: -

The Council is pleased that this proposal will provide job opportunities for the local communities. It is also appreciative of the fact that the applicant has reduced the number of 'hi-vis' panels which normally form part of the client's corporate identity and has replaced them with reconstituted stone, which reflects the location and vernacular of the surroundings as detailed in the Supplementary Planning Statement. This reflects earlier pre-application comments from BNPC.

Unfortunately, BNPC is disappointed that the 4M high totem remains in a bright blue colour which is completely out of context with its surroundings. This 'drive through' is not in an urban area or retail park where it's competing for business. Rather, it is in a rural setting opposite a 66 bed care home and on the edge of a housing development. As detailed above, BNPC consider that to respect and reflect its location and the vernacular of its surroundings, it should be constructed from reconstituted stone with the company logo at the top. This approach has been successfully incorporated into the front elevation as detailed on drawing M21-32-B002.

BNPC would also respectfully bring to your attention that as defined on the 'Bird and Bat Box Plan', the sparrow box should be on a north facing elevation whereas it is shown to be on the south elevation.

BNPC has very serious concerns over two matters which it would bring to your attention.

1. Opening hours.

BNPC notes that the applicant has failed to declare the opening hours for this proposed 'drive through'. This building will be on the edge of a large housing development and is directly opposite a 66 bed care home. This proposal should be mindful and respectful of its neighbours with regards to noise and light. With this in mind, BNPC consider that suitable planning conditions are put in place regarding opening hours to reflect its location and to show due respect to its neighbours.

2. Traffic.

BNPC has noted that to date, OCC has not provided any feedback relating to traffic. BNPC is extremely concerned about traffic congestion and traffic safety because although the traffic flow within the 'drive through' itself has been carefully calculated, the traffic leaving Brize Meadow at this location from the spine road, exits onto Monahan Way, via an uncontrolled junction. Taking into account that this junction will serve approximately one third of the housing development, local school, care home and the remaining c1 ha of employment land, this proposed 'drive through' will only exacerbate any traffic congestion at this junction, especially those vehicles wanting to turn right.

BNPC would bring to your attention that within a 500M distance, not only is there this junction on the east side of Monahan Way, there is a second uncontrolled junction on the west side of Monahan Way for Shilton Park. There are also three uncontrolled pedestrian crossing points, two Toucan pedestrian crossing points, the new fire station exit point and four bus-stops, all of which are within a 40mph speed limit.

BNPC considers that this 'drive through' will ultimately lead to traffic using either Archer Place past the children's Neighbourhood Equipped Area for Play (NEAP), the school and houses and flats as a 'rat run' or the spine road through the housing development, to obtain an easier and safer exit from Brize Meadow onto Monahan Way at the northern exit roundabout.

BNPC strongly recommends that this junction should be 'turn left only' so traffic only has to travel south for 220 meters to the roundabout or traffic lights are installed to allow traffic to leave Brize Meadow in a safe and timely fashion.

BNPC would also bring to your attention that the road names

referred to within this application are incorrect. Faulkner Place is a road in the north west corner of Brize Meadow. The entrance to the Commercial area is actually off Archer Place and the name of the southern section of the spine road has not been forwarded to BNPC at this stage, although we understand that it has been selected.

Having now seen the full planning application, the above points have now come to light that were not apparent at our pre-application meeting so unfortunately BNPC opposes this planning application until such times as the above issues are resolved i.e. Colour of Totem, increased traffic volumes and congestion, and potential noise nuisance to residents.

Thames Water

No objection subject to informatives

WODC Drainage Engineers

No Comment Received.

WODC Env Health -
Lowlands

I have No Objection in principle.

A standard condition around a Construction (Demolition) Environmental Management Plan (CEMP), would be appropriate under the circumstances.

ERS Env. Consultation Sites

Thank you for consulting our team, I have looked at the application in relation to contaminated land and potential risk to human health. The application site appears to have historically been used as agricultural land. Please consider adding the following condition to any grant of permission as a precaution.

I. 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 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.

OCC Highways

The approved outline application I4/0091/P/FP included for, in part, a local centre this application complies with the consented uses contained within the wider outline consent.

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

Recommendation:

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

- G28 parking as plan

Adjacent Parish Council

Carterton TC - no comments received

Conservation Officer

No Comment Received.

5 2 REPRESENTATIONS

2.1 There have been 14 objections received, summarised as follows:

- Contrary to local plan policies CO1, CO11
- Encouraging car use
- Increasing traffic into residential area
- Location too close to school
- Already allowed a drive through cafe close by
- Will raise pollution levels, already high because of air base
- Chains will ruin small local independent businesses
- Don't need another fast food place
- Unhealthy food too close to school
- Will encourage anti-social behaviour
- Not in keeping with spirit of the development
- This is a residential family area

- Should be on industrial estate
- Will endanger children and pets

2.2 There have been 6 representations of support summarised as follows:

- more jobs
- more food options
- good for Carterton
- supporting thriving community
- healthy competition for town

2.3 There has been one general comment received, summarised as follows:

- extra litter in surrounding area
- additional bins and litter picks

3 APPLICANT'S CASE

3.1 The planning statement submitted in support of the application is concluded as follows:

The site is located within the designated Brize Meadows Local Centre approved as part of the wider outline application. It's contained within the wider mixed-use area which includes the defined employment area to the south. The principle of development is therefore accepted. The design of the building has been developed to take account of the local vernacular and the sites location within the Cotswolds AONB and have been informed by discussions with the Parish Council.

The stand-alone nature of the building and its location on the corner plot of the Local Centre provides it with a landmark presence, which is also visible from Monahan Way, as well as the internal road network. These features combine to make it very much a focal point within the wider development.

The development will provide up to 8 FTE jobs for local people as well as providing additional jobs within the wider construction and supply chain of the development.

Landscaping opportunities have been maximised to provide a complementary landscaping scheme to the local centre and the wider development.

The application complies with the provisions as set out within the overarching outline planning consent as well as within both Local and National Planning Policies. The proposal is considered to be of a proportionate and appropriate scale to its context within the local centre and the wider development. As such the Presumption in favour of sustainable development (Policy OS1) apply and the application should be approved.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

E1NEW Land for employment

E5NEW Local services and community facilities

EH3 Biodiversity and Geodiversity

EH7 Flood risk

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

NPPF 2021

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

6 5 PLANNING ASSESSMENT

Background Information

5.1 The proposal seeks full planning consent for the construction of a 167m² coffee shop and bakery with associated drive through lane, parking and landscaping.

5.2 The site is part of Brize Meadows development area approved under 14/0091/P/OP and this parcel of land forms part of the local centre, an area identified for mixed use development under the outline application. The outline allowed for a local centre of 1 hectare (use classes A1 to A5, B1(a), C1, C2, C3, D1 and D2) (now known as class E).

5.3 The site is bounded by Monahan Way to the west, a retail unit approved under permission 21/00937/RES to the north, car parking for the future primary school to the east and the unnamed spine road to the south with a recently approved care home to the south of the spine road. The retail unit and care home are currently under construction.

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

Principle

5.5 The proposal is for a coffee shop and bakery with associated drive through so falls within class E of the Use Class Order. The site is identified for mixed use development

comprising a local centre and it is considered that this use is acceptable in that regard. Whilst this is a full application rather than reserved matters it still falls within the parameters of the outline application which allowed for class E in this area.

5.6 The applicant states that this proposal would create at least 8 full time equivalent roles within the new store. It would also provide for additional jobs within the immediate and wider supply chains which is a material consideration for the determination of the application. The hours of operation are proposed to be 6am-10pm Monday to Saturday and 8am-10pm Sundays and bank holidays.

5.7 There have been concerns raised with the nature of the proposal being a drive through. It is considered that the drive through is ancillary to the primary use which is a coffee shop and bakery. If this were to be a takeaway (which would also be permitted under the terms of the outline permission) the likelihood is most customers would be driving to pick up food or getting it delivered by drivers so this proposal is very similar in that respect.

5.8 Officers consider that the proposals are in accordance with the outline application and an appropriate use for a local centre and therefore the principle is considered to be acceptable.

Siting, Design and Form

5.9 In terms of appearance, the development will incorporate composite cladding and will reflect the local vernacular in terms of that which was approved for the retail centre to the north and will include grey cladding and reconstituted stone. Hard landscaping will again complement the natural landscaping and will incorporate block paving and the same principles of the wider retail scheme. The design of the building and elevations have been drawn to complement the emerging vernacular of the wider development whilst also adhering to the design code which was approved as part of the outline application.

5.10 The Parish Council expressed concerns regarding the proposed totem signage. The applicant has submitted amended plans to address those concerns, changing the materials to natural stone and reducing the height of the totem. Officers consider this amendment to be acceptable.

Highways

5.11 Primary access to the whole site will be off Monahan Way to the west. The local centre site is serviced by its own access off the spine road (which is yet to be named) as approved under the outline and subsequent reserved matters. The site is therefore well located on the main road network.

5.12 There are 24 proposed parking spaces including 6 EV charging points located on the western flank of the site, adjacent to those approved under the retail scheme. The

proposals are considered to provide safe and convenient pedestrian access and connectivity to and from the wider development to maximise opportunities for walking and cycling to the site and providing a separation between pedestrians and vehicles.

5.13 The Parish Council have expressed concerns and suggested amendments to the existing road layout. This won't be possible as the internal road network and functions have been agreed through the outline permission and are being adopted as part of the wider development through a Section 38 agreement so fall outside the scope of this application.

5.14 There have also been concerns regarding the use being adjacent to a school. This mix of uses was planned at outline stage, and highways have been consulted on all the subsequent individual reserved matters and full applications and there have been no technical objections raised on highway/pedestrian safety grounds.

5.15 Oxfordshire County Council were consulted as the Highway Authority and have raised no objection to the proposals stating that *The approved outline application 14/0091 IP/FP included for, in part, a local centre - this application complies with the consented uses contained within the wider outline consent.* They have requested that a parking condition be included in the consent. The proposals are considered to accord with the relevant local plan policies.

Drainage

5.16 Drainage conditions that were attached to the outline application have been put in place for the whole site. This proposal will tie in with those previously approved drainage details. Thames Water have requested informatives be attached to the permission.

Residential Amenities

5.17 The nearest residential properties are some distance away in every direction. The closest residents will be in the care home to the south, but distances are such that it is not considered the proposal will unduly harm residential amenities. Likewise, the building will be sufficiently distanced from any other building so as to avoid being overbearing or impacting on sunlight.

Ecology

5.18 A landscaping plan has been submitted with this application. Low level mixed species hedges are proposed along with a number of native shrubs which ties in with the previously consented landscaping scheme for the retail units. Bird and bat boxes have also been included on a plan but as the PC have pointed out there is a bird box in an inappropriate location so amended plans have been sought to remedy this.

Conclusion

5.19 The application complies with the provisions as set out within the outline planning consent for the East Carterton site as well as within both the Adopted Local Plan and the NPPF 2021. The proposal is considered to be of a proportionate and appropriate scale to its context within the local centre and the wider development.

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 materials schedule M21-32.

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

4. The 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.

5. Development shall not begin until a construction phase traffic management plan has been submitted and approved by the Local Planning Authority and the approved plan shall be implemented and adhered to throughout the period of construction.

REASON: In the interests of Highway safety.

6. 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 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.

7. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details (External Lighting Proposals 8th March 2022), and these shall be retained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

8. No building shall be occupied until the bin and cycle parking to serve the site have been constructed and retained thereafter in accordance with the approved details.

REASON: In the interests of residential amenity and sustainability.

9. The premises shall be used for Class E (a) and (b) and for no other purpose (including any other purpose in Class E of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: The site is only suitable for the use specified because of the special circumstances of the site.

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

6am-10pm Mondays - Saturdays

8am-10pm Sundays and bank holidays

REASON: To safeguard residential amenity.

INFORMATIVES :-

- 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).

- 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/>
- 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-nearour-pipes>
 - 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.

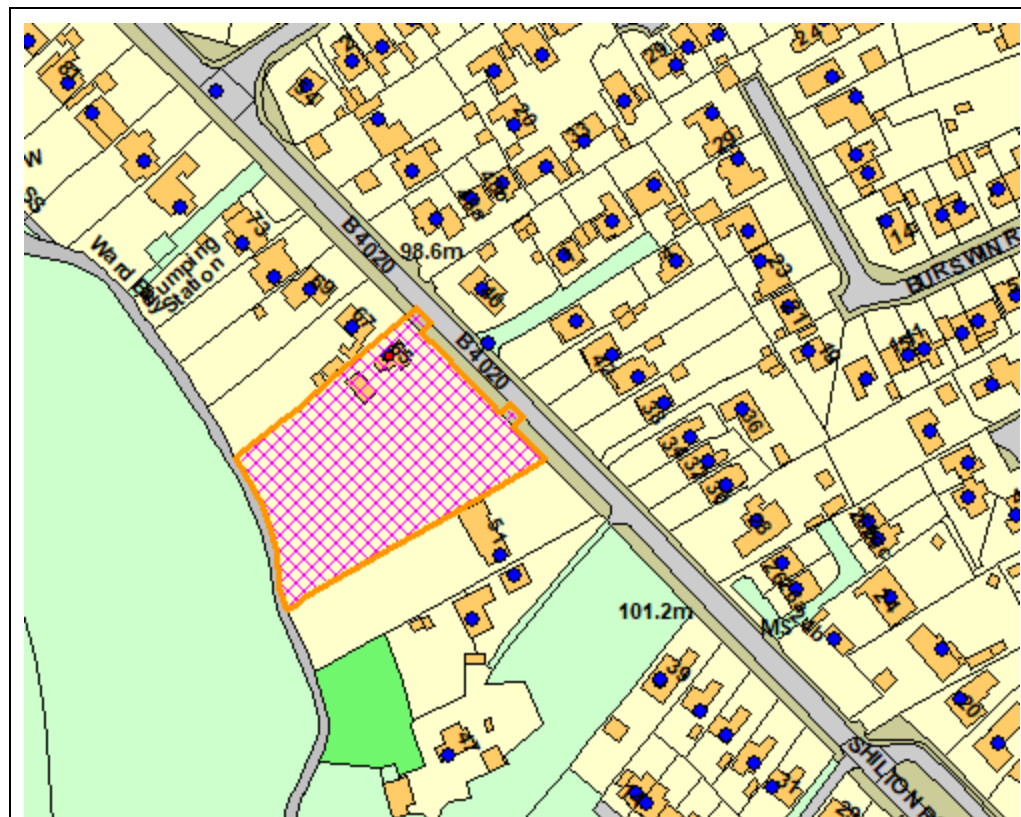
Contact Officer: Abby Fettes

Telephone Number: 01993 861684

Date: 6th July 2022

Application Number	22/00947/FUL
Site Address	Brooklyn Nurseries 65 Shilton Road Carterton Oxfordshire OX18 1EN
Date	6th July 2022
Officer	Sarah Hegerty
Officer Recommendations	Refuse
Parish	Carterton Parish Council
Grid Reference	427495 E 207992 N
Committee Date	18th July 2022

Location Map



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Application Details:

Demolition of existing dwelling and associated outbuildings and construction of 4no detached dwellings with associated parking, private gardens and amenity space. Alterations to existing vehicular accesses.

Applicant Details:

Mr Tom Fletcher
Unit 21 Wheatley Business Centre
Wheatley
Oxon
OX33 1XW

I CONSULTATIONS

Parish Council	Customer made comments in support of the Planning Application
Conservation Officer	<p>The existing building first features in our historic mapping on the 1912-1923 sheet - so, it appears that it is an early C20 structure. It has decent proportions, and it sits happily in relation to the road. And as an example of a relatively historic building in an area where modern building predominates, our preference is that it should be retained.</p> <p>In addition, from our point of view, it also seems unfortunate that the land beside should be developed - as it provides interest and a green foil along a fairly suburban streetscape.</p> <p>Anyway, should the land be developed beside the existing building, then I am not sure that the current house designs are suitable, by comparison with the existing development around. They are too tall, they have concealed high level flat roofs, and the current spacing looks somewhat dense.</p>
Parish Council	Carterton Parish Council - Made comments in support of the Planning Application
Conservation Officer	No Comment Received.
Adjacent Parish Council	No Comment Received.

Thames Water	No Comment Received.
WODC Drainage Engineers	No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
WODC Env Health - Lowlands	<p>Mr ERS Pollution Consultation Thank you for the opportunity to consult.</p> <p>I have no objection in principle.</p> <p>Kind regards</p> <p>Karen Awre Officer Noise & Amenities</p>
OCC Highways	Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission Subject to Conditions
ERS Env. Consultation Sites	<p>Mr ERS Pollution Consultation Thank you for consulting our team, I have looked at the application in relation to contaminated land and potential risk to human health.</p> <p>There is a former quarry with unknown filled ground in the vicinity of the proposed development. Given the proposed residential use of the site please consider adding the following condition to any grant of permission.</p> <p>I. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site</p>

investigation, a Remediation Scheme specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

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

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

Reason: To 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.

Regards
Jackie McLaren
Technical Officer - Contamination

Environment Agency No Comment Received.

5 **2 REPRESENTATIONS**

2.1 58 Objection comments received summarised as the following

Overdevelopment of the site
Amenity Impacts
Impacts on road safety
Monitoring during construction
Retain Historic existing dwelling on site

Fails to take into account local character
Lack of parking
Loss of dry stone wall
Concerns over design

2.2 General Comments

1. I do feel is a shame that the trees from the front of the site have been removed and that the original property will be lost.
I feel strongly that the dry stone wall should be reinstated at the front of the properties rather than a hedge being planted. This would be in keeping with the majority of the properties along that part of Shilton Road. I also think having the garages/bike store buildings in front of the houses isn't very attractive. This design has been used on a development further along Shilton Road and I don't think it works.
I think 4 dwellings is too many across the site and that 3 would be visually, less intrusive for the neighbouring properties.
I am concerned about the impact on that stretch of road the traffic will have if the build goes ahead. It is a narrow part of Shilton Road and when a similar development was built further along Shilton Road, the trade vans caused chaos by parking along the road. It would be essential that safety measures be put in place during the build to prevent a nasty accident. It is a 30mph road but being a straight stretch of road people continually drive at speeds well in excess of this.
It is important that if planning permission is granted WODC monitor the build carefully to ensure road safety.
2. The original property on this land should be retained, and refurbished as part of Cartertons heritage.
This land and property belonged to a working plant nursery with glasshouses that provided Carterton tomatoes by the Timms family and is one of only a handful of properties left standing in Carterton. I lived opposite this site with my parents and we purchased tomatoes to sell in our shop in Burford. This site means a lot to myself and others living in Carterton.
3. Save the Heritage of our area Save the original cottage

5 Support Comments Summarised Below

- Good to see redevelopment of land with small number of properties
- Existing house in poor state of repair and not economical to restore
- Could have been sold to a care company for more profit
- Land unattended and proposed scheme is sympathetic to the character of the area.

3 APPLICANT'S CASE

3.1 Taken from the Design and Access statement

The proposed residential development at Shilton Road, presents an excellent opportunity to provide a high quality development that will greatly enhance and benefit the local context. The existing dwelling which has no significance or interest within the context and the new development will enhance the street scene.

Principles of good design will ensure the new development will sit comfortably within the setting of Shilton Road, while ecological and landscape enhancements will contribute towards the immediate environment.

4 PLANNING POLICIES

T3NEW Public transport, walking and cycling

EH16 Non designated heritage assets

DESGUI West Oxfordshire Design Guide

NPPF 2021

H2NEW Delivery of new homes

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

T1NEW Sustainable transport

T2NEW Highway improvement schemes

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

5 PLANNING ASSESSMENT

Background Information

The application seeks permission for demolition of existing dwelling and associated outbuildings and construction of 4no detached dwellings with associated parking, private gardens and amenity space. Alterations to existing vehicular accesses.

Site Characteristics and Constraints

The site is located on the edge of Carterton with open countryside beyond the western boundary of the site. The character of the area is low density dwellings in a linear pattern on large plots allowing for glimpsed views between the dwellings to the open countryside beyond. The dwellings are predominantly single and one and half storey with a mix of materials. The plot itself sits to the west of the B4020 and the overall topography of the area falls from east to west extending out into the open countryside beyond the western boundary of the site. There is also a slight gradient north to south with the site sitting in a dip in the road. The existing property is a traditional dual pitched dwelling with a simple form. It is sited to the top right corner of the plot approx. 13m from the road.

Following the submission of amended plans the application was deferred from the previous planning sub-committee meeting to allow the relevant consultations and assessment of the plans.

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
- Impact on Heritage Assets
- Siting, Design and Form
- Highways
- Residential Amenity

Principle

Carterton is identified within policy OS2 as a Main service centre. Therefore under policy H2 the principle of re-development of this site for housing is considered acceptable as it relates to undeveloped land within the built up area. Such schemes should be in accordance with the other policies in the plan and in particular the general principles set out in Policy OS2. These principles are considered in more detail below.

Heritage Impacts

The property on site appears on historical maps between 1912 and 1923, which means at a minimum the property is 99 years old. Whilst it is not Listed it still holds historical merit given its age. The majority of the objections received for this application make reference to the loss of this historic property which sits in a prominent location within the streetscene and entranced into the settlement of Carterton.

It should be noted that there is currently an application to determine whether the existing property can be demolished under the criteria of the GDPO. At the current time this application has not been determined and this application has been assessed based on the site as it currently exists which includes the existing property.

The Design and Access statement states

"The existing buildings fail to make a positive contribution to the street scene due to their dilapidated condition and they have not been occupied or used for a number of years."

The dilapidated condition of the existing property holds no weight within the planning assessment. The property itself is a simple form with traditional dual pitch roof and render and slate finish. No information has been submitted as part of this application to suggest why the existing dwelling could not be retained and renovated and whilst dilapidated the building still represents a traditional and historic feature within the streetscene. It is therefore considered that the proposal fails to accord with policy OS2 which states development should

- Conserve and enhance the natural, historic and built environment;

Similarly policy EH16: Non-designated heritage assets states

When considering proposals that would affect, directly or indirectly, non-listed buildings, non-scheduled, non-nationally important archaeological remains or non-Registered Historic Parks and Gardens, as such assets are also irreplaceable, the presumption will be in favour of the avoidance of harm or loss. A balanced judgement will be made having regard to this presumption, the significance of the heritage asset, the scale of any harm or loss, and the benefits of the development.

This balanced judgement approach also accords with Paragraph 203 of the National Planning Policy Framework (NPPF) which states

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Whilst the scheme proposes 3 additional properties into the general housing stock, given that the presumption is in favour of the avoidance of loss and no evidence has been submitted to suggest that the existing property cannot be renovated, the development is considered to be contrary to this Local Plan policy EH16 and advice in the NPPF.

Siting, Design and Form

Notwithstanding the loss of the historic property on site officers are also concerned with the design, form and massing of the proposed properties.

Policies OS2 and OS4 seek a high quality of design. Policy OS2 clearly advises that new development should be proportionate and appropriate in scale to its context and should form a logical complement to the existing scale and pattern of development and should relate well to the character of the area. Similarly Policy OS4 seeks a high quality of design that respects, inter alia, the historic and architectural character of the locality, contributes to local distinctiveness and, where possible, enhances the character and quality of the surrounding. The NPPF also makes it clear that creating high quality buildings and places is fundamental to what the planning and development process can achieve and the recently published National Design Guide provides advice on the components of good design which includes the context for buildings, form and scale, appearance, landscaping, materials and detailing.

As identified above, the character of the area is low density in a linear pattern on generous plots. The overall topography of the area is on a gradient falling from the east to west meaning that the properties on the east side of the (B4022) road are in an elevated position to the site and dwellings on adjacent side of the road. The properties along this section of the road are set back from the road by approx. 12m on the west side and approx. 20m on the east side.

In terms of scale and form the 4 proposed detached dwellings are significantly larger than the properties surrounding the site and appear cramped with little spacing between the dwellings. Whilst this gap may be similar to spacing with other plots in the vicinity the significantly larger

dwellings of this scheme mean the gap appears smaller and the plot cramped and overdeveloped as viewed within the streetscene. Whilst the amended scheme removed the forward projecting/separate garages and tall chimneys, the dwellings are still considered to be out of character for the locality.

The 4 large detached dwellings, with hipped roof formations and high level flat roof elements have significant deep plan forms. Also whilst in form the dwellings are one and half storey, in height they are comparable to a two storey dwellings, which are significantly taller than the surrounding properties. This difference is particularly apparent when compared to the property to the south of the site with a difference of 1.7m between ridge heights.

The increase in ridge heights is further accentuated by the uncharacteristic hip roof design (of Plot 1 and 4) which draw the eye up making them appear even taller and therefore out of character for the area.

As identified within Chapter 4 of the West Oxfordshire Design Guide (Local Character) the area (Lime Wolds) is characterised by;

"Distinctive building features include the famous, creamy limestone, which, together with the extensive use of limestone slates for roofs, creates built environments of strong local character and consistency. Long fronts, narrow gables, and steeply pitched roofs are typical."

Whilst they may not be visible the use of high level flat roof elements in this scheme which extend the plan form and overall size of the dwellings means that they lose the traditional proportions which characterise the area. Many of the single and one and half storey bungalows in the locality have traditional pitches, proportions and simple forms. However the proposed scheme has a series of hips and gables which leads to contrived extended plan and roof forms. This leads to the resulting dwellings being discordant with the local character for the area.

Whilst Officers do not expect a replication of the surrounding bungalows and appreciate that the site can accommodate larger dwellings, the overall design needs to be rooted in traditional proportions and forms, rather than the use of flat roof elements to enlarge and extend the size of the dwellings.

Overall the taller ridge heights and the uncharacteristic deep plan form means the dwellings are significantly larger than any of the surrounding properties. Officers therefore consider that the design of the dwellings fails to form a logical compliment to the existing established character of the locality and the proposed scheme is not considered proportionate and appropriate in scale in comparison to its context.

Highways

County Highways were consulted as part of the application and raised no objection to the scheme. Officers therefore consider the scheme acceptable in this regard.

Residential Amenities

The site has properties adjacent to both the north and south boundaries. The property adjacent to the northern boundary (No 67) sits at a slightly elevated position to the site. Therefore given the separation distance of approx. 7m and with no windows along the side

elevation of plot 1 officers are satisfied that there will be no negative impacts by way of overlooking, overbearing or loss of light, over and above the existing dwelling on the site.

On the southern boundary the property, adjacent (No 51) sits in similar position to the development site. There is a planning permission (19/01221/HHD) relating to this property. However the 3 years expiry was the 29.05.19 therefore officers have not considered this as an extant permission as no evidence could be found to confirm that the development had commenced. The proposed design of plot 4 is significantly taller (approx. 1.7m difference in ridge heights) compared with No 51 with a separation distance of 5m (side to side). There are no habitable rooms along the side elevation of No 51. therefore officers consider there to be no negative amenity impacts as a result of the development.

Conclusion.

In light of this assessment, taking in consideration the design, neighbouring amenity and layout, this proposal fails to comply with policies OS2, OS4, and EH16 of the adopted Local Plan 2031, relevant sections from the NPPF and West Oxfordshire Design Guide 2016.

6 REASONS FOR REFUSAL

1 The proposed scheme by reason of its siting, design, massing and scale would create an uncharacteristic form of development that fails to form a logical compliment to the existing scale and pattern of development and results in the loss of a historical building (a Non-Designated heritage asset). The proposal is therefore considered contrary to Policies OS2, OS4 and EH16 of the West Oxfordshire Local Plan 2031, the relevant advice in the NPPF and the West Oxfordshire Design Guide.

Contact Officer: Sarah Hegerty
Telephone Number: 01993 861713
Date: 6th July 2022

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th July 2022

Report of Additional Representations



WEST OXFORDSHIRE
DISTRICT COUNCIL

Agenda Index

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22/00947/FUL	Brooklyn Nurseries, 65 Shilton Road, Carterton, Oxfordshire, OX18 1EN.	4

Report of Additional Representations

Application Number	22/00764/FUL
Site Address	26 Milestone Road Carterton Oxfordshire OX18 3RF
Date	14/07/22
Officer	David Ditchett
Officer Recommendations	Approve
Parish	Carterton
Grid Reference	(E) 427944 (N) 206251
Committee Date	18/07/22

Following the publication of the Committee Report, the LPA received correspondence from a neighbour that the existing dwelling 26 Milestone Road was being demolished. The Case Officer contacted the Applicant who confirmed that the building had been demolished.

The Applicant subsequently supplied a 'dismantling procedure' document and an 'asbestos disposal certificate' covering the demolition of the building and the disposal of asbestos. These documents are available in the online case file to view.

ERS did not raise any objections during the application process, and did not suggest any conditions relating to the demolition process. While the demolition was completed without express permission/without completing the demolition prior approval process, the LPA had no objections to the demolition and no conditions relating to the demolition process were suggested in the Committee Report.

For clarity, officers have no objections to the demolition of the existing dwelling 26 Milestone Road and this does not alter the recommendation to approve.

Report of Additional Representations

Application Number	22/00947/FUL
Site Address	Brooklyn Nurseries 65 Shilton Road Carterton Oxfordshire OX18 1EN
Date	14/07/22
Officer	Sarah Hegerty
Officer Recommendations	Refuse
Parish	Carterton
Grid Reference	(E) 427495 (N) 207992
Committee Date	18/07/22

Further consultation response received 06.07.22

Conservation Officer

My previous comments still stand. In summary, it is regrettable that the existing building should be lost, and that the open quality of the site should be lost. And the proposed houses remain bulky and the layout dense. I suggest that they retain the existing house, and look at less new development on the rest of the site.

Other Matters

Application 22/01651/DEM has subsequently been determined (confirming that in line with the criteria set out in the General Permitted Development Order the existing dwelling could be demolished at any time) and a fall-back position has been established for its removal. Officers consider that the retention and renovation of the existing property is still preferable over its total removal, however on balance, given that it could be demolished at any time this element of the refusal reason has been removed (see below).

Amended Reason for refusal

The proposed scheme by reason of its siting, design, massing and scale would create an uncharacteristic form of development that fails to form a logical compliment to the existing scale and pattern of development. The proposal is therefore considered contrary to Policies OS2 and OS4 of the West Oxfordshire Local Plan 2031, the relevant advice in the NPPF and the West Oxfordshire Design Guide.

Agenda Item 7

West Oxfordshire District Council – DELEGATED ITEMS

Application Types Key

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

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

West Oxfordshire District Council – DELEGATED ITEMS Week Ending 4th July 2022

Application Number.	Ward.	Decision.
I. 21/02445/FUL	Hailey, Minster Lovell and Leaffield	SI06
Affecting a Conservation Area		
Replacement building to provide ancillary accommodation to be used as a holiday let/staff accommodation. (Amended).		
Delly End Farm Delly End Hailey		
Mr And Mrs S Henson		

2. **21/02803/LBC** Hailey, Minster Lovell and Leaffield APP
 Replace four wooden windows to the front (west) elevation to match the style of the existing windows
87 Brize Norton Road Minster Lovell Witney
 Mr David Haley
3. **21/03107/HHD** Bampton and Clanfield APP
 Conversion of existing carport to guest suite/office and erection of single storey extension to garden room with glazed link between the two. Construction of a detached garden shed together with associated works, car parking and landscaping. (Amended)
West Court Bampton Road Clanfield
 Mr Ian Smith
4. **21/03108/LBC** Bampton and Clanfield APP
 Internal and external alterations to include conversion of existing carport to guest suite/office and erection of single storey extension to garden room with glazed link between the two, changes to fenestration and internal layout, installation of a wood burning stove together with associated works. (Amended)
West Court Bampton Road Clanfield
 Mr Ian Smith
5. **21/03784/FUL** Ducklington APP
 Construction of B8 Warehouse with ancillary three story office Service Area and Car Parking
Land Opposite Penycae Carrick Road Curbridge Business Park
 Chris Hayter
6. **21/04089/FUL** Eynsham and Cassington APP
 Conversion of existing stable buildings to workshops/starter units (Use Class E)
Livery Yard Worton Park Worton
 Mr Adam Hulewicz
7. **22/00090/FUL** Standlake, Aston and Stanton Harcourt APP
 Erection of single storey side and rear extensions (amended)
Hillview Barn Calais Lane Yelford
 Mr And Mrs Beavis

8. **22/00103/OUT** Burford WDN
Outline application for provision of two self build/custom house building plots with new vehicular access from the A40/Oxford Road and pedestrian/cyclist access from Shilton Road. All matters reserved except for access.
Land North East Of Lantern House 15 Shilton Road Burford
Mr And Mrs Richard And Barbara Allen
9. **22/00209/HHD** Bampton and Clanfield APP
Affecting a Conservation Area
Construction of proposed summer house and associated landscape works.
The Deanery Church Close Bampton
Mr and Mrs Eric and Nicola Armitage
10. **22/00210/LBC** Bampton and Clanfield APP
Affecting a Conservation Area
Construction of proposed summer house and associated landscape works.
The Deanery Church Close Bampton
Mr and Mrs Eric and Nicola Armitage
11. **22/00353/CND** Standlake, Aston and Stanton APP
Harcourt
Discharge of conditions 13 (assessment of the hydrological and hydro-geological) of planning permission 21/02708/S73
Land To The Rear Of 65 High Street Standlake
Mr Joost Barnas
12. **22/00471/FUL** Carterton North West APP
Erection of detached dwelling and associated works to include formation of a new access and the resiting of the existing access to serve Carton Lodge
Carton Lodge Swinbrook Road Carterton
Mr David Abbots
13. **22/00502/FUL** Bampton and Clanfield APP
Affecting a Conservation Area
Installation of a sub-surface electric vehicle chargepoint in the public footway outside the property.
3 Bridge Street Bampton Oxfordshire
Mr Gordon Attar

14. **22/00503/FUL** Witney East APP
 Installation of a sub-surface electric vehicle chargepoint in the public footway outside the property.
16 Compton Way Witney Oxfordshire
 Mr Andrew Tyrrell
15. **22/00537/FUL** Witney Central APP
 Construction of attached dwelling together with associated works and provision of new vehicular access and off-street parking to serve existing dwelling.
7 Burford Road Witney Oxfordshire
 Mr Murray Hamilton
16. **22/00700/CND** Ducklington APP
 Discharge of conditions 3 (schedule of materials), 5 (details of integrated bat roosting and nesting opportunities) and 9 (full surface water drainage scheme) of planning permission 21/02118/FUL
Far Horizons Lew Bampton
 Mr Francis Gooddy
17. **22/00724/HHD** North Leigh APP
 External alterations to include changes to fenestration and doors and installation of additional front dormer window. Construction of first floor rear extension, removal of existing chimney and installation of new flue in revised position.
1 Wilcote View North Leigh Witney
 Mr Karl Elisha
18. **22/00757/HHD** Standlake, Aston and Stanton APP
 Harcourt
 Affecting a Conservation Area
 Erection of a garden shed.
Golden Bridge Cottage Sutton Lane Sutton
 Mr Nigel Eagle
19. **22/00811/HHD** Alvescot and Filkins WDN
 Affecting a Conservation Area
 Conversion of stock shed/barn into residential living accommodation, ancillary to main farmhouse.
Home Farm Kelmscott Lechlade
 Mchale

20. **22/00825/HHD** Bampton and Clanfield APP
 Redesign of the garden to include provision of a kitchen garden, greenhouse, fruit cages and a lead-roofed gazebo. Associated landscaping works together with new fencing and gates.
The Water Mill Mill Farm Bampton Road
 Mr And Mrs Adam And Lucia Walker
21. **22/01201/LBC** Alvescot and Filkins WDN
 Affecting a Conservation Area
 Internal and external alterations to convert stock shed/barn into residential living accommodation, ancillary to main farmhouse.
Home Farm Kelmscott Lechlade
 Mchale
22. **22/00828/FUL** Standlake, Aston and Stanton APP
 Harcourt
 Affecting a Conservation Area
 To affix a solar array into the South-West facing roof of the Stanton Harcourt Village Hall to provide renewable energy together with a solar battery located within the building to store any excess energy.
Memorial And Millennium Hall Blackditch Stanton Harcourt
 Ms Lucy Heath
23. **22/00903/HHD** Witney East APP
 Two storey side extension
317 Manor Road Witney Oxfordshire
 Mr John Brown
24. **22/00854/CND** Witney West APP
 Discharge of conditions 3 (schedule of materials), 5 (details of parking area), 6 (details of cycle parking areas), 7 (details of electrical vehicle charging infrastructure), 14 (landscaping scheme) and 15 (landscape maintenance) of planning permission 21/02364/FUL
Land (E) 432925 (N)209696 Downs Road Curbridge
 c/o Agent
25. **22/00884/FUL** Alvescot and Filkins APP
 Affecting a Conservation Area
 The erection of a single dwelling and garage with associated access, parking and landscaping.
 (Amended)
Priory Barn Park Farm Lower End
 Mr Piers Holden

26. **22/00890/ADV** Witney Central APP
Affecting a Conservation Area
- Alterations to externally illuminated signage to shop front.
39 High Street Witney Oxfordshire
Mr Singh
27. **22/00927/HHD** Brize Norton and Shilton REF
Affecting a Conservation Area
- Construction of a natural stone boundary wall.
Shillbrook Cottage Shilton Burford
Ms Angela Shamoon
28. **22/00941/HHD** Brize Norton and Shilton APP
- Remove outbuilding and replace with annexe to serve Chance Cottage
Chance Cottage Kilkenny Lane Brize Norton
Mr And Mrs Alastair And Anna Eykyn
29. **22/00961/ADV** Witney South APP
Affecting a Conservation Area
- Installation of double reflective metal (composite aluminium), non-illuminated sign on metal posts above hedge to west of entrance.
Witney Town Bowls Club The Leys Witney
Mr Alan Scholan
30. **22/00970/HHD** Witney West APP
- Conversion of garage to home office and store. Includes for window and two doors.
33 Cotswold Meadow Witney Oxfordshire
Grace Robinshaw
31. **22/00991/HHD** Eynsham and Cassington APP
Affecting a Conservation Area
- Single storey ground floor rear extension and loft conversion incorporating a rear facing dormer.
11 Newland Street Eynsham Witney
Mr And Mrs Lockwood

32. **22/01008/FUL** Brize Norton and Shilton APP
 Change of use of land to allow campsite for tents and small campers in part of grass field from May until September.
West End Farm West End Shilton
 Mr John Edwards
33. **22/01027/HHD** Witney South APP
 Proposed single storey rear extension
111 Burwell Drive Witney Oxfordshire
 Mr Patel
34. **22/01042/HHD** Brize Norton and Shilton APP
 Proposed Rear Extension
39 Chichester Place Brize Norton Carterton
 Mr Michael Taylor
35. **22/01048/HHD** Bampton and Clanfield APP
 Affecting a Conservation Area
 Construction of rear extension (Amended Plans)
Khandou Buckland Road Bampton
 Mr + Mrs. E. Norrie
36. **22/01057/HHD** Ducklington APP
 Proposed front dormer window to create 3rd bedroom.
64 Well Lane Curbridge Witney
 Mr Mark Tredwell
37. **22/01060/HHD** Witney Central APP
 Single storey rear extension
23 Tower Hill Witney Oxfordshire
 Mr And Mrs Mark Townsend
38. **22/01122/ADV** Bampton and Clanfield APP
 Affecting a Conservation Area
 Replacement of existing signage to reflect new business name.
The Romany Inn Bridge Street Bampton
 Mr Oliver Bonte-Vassaux

39. **22/01143/HHD** Ducklington APP
Affecting a Conservation Area
- Erection of timber garden room
Nook Barn 9B Church Street Ducklington
Mrs Izzy Mckeand
40. **22/01206/FUL** Witney Central APP
Affecting a Conservation Area
- Additional portakabin type external storage units for clinical storage.
Witney Community Hospital Welch Way Witney
Mr Mark Waring
41. **22/01148/CLP** Standlake, Aston and Stanton APP
Harcourt
- Affecting a Conservation Area
- Certificate of lawfulness (Erection of roof mounted solar panels)
Magnolia House 26 Main Road Stanton Harcourt
Wilson
42. **22/01152/S73** Ducklington APP
- Variation of condition 2 of planning permission 21/02118/FUL to allow loft conversion with 3 additional dormer windows to front, 2 dormer windows to rear and a small round window to both side elevations.
Far Horizons Lew Bampton
Mr Francis Gooddy
43. **22/01154/CLP** Eynsham and Cassington REF
Affecting a Conservation Area
- Certificate of lawfulness (Demolition and replacement of an existing garage with a new garage)
11 Cassington Road Eynsham Witney
Renee And Kerry Watson And Fisher
44. **22/01166/HHD** Eynsham and Cassington APP
Affecting a Conservation Area
- Removal of existing gable porch and the erection of a replacement porch. Amendment to previous approval- 22/01166/HHD
3 Lords Row Oxford Road Eynsham
Felicity Burnell

45. **22/01167/LBC** Eynsham and Cassington APP
Affecting a Conservation Area
- Removal of existing gable porch and the erection of a replacement porch. Amendment to previous approval-20/03031/LBC
3 Lords Row Oxford Road Eynsham
Felicity Burnell
46. **22/01177/HHD** Eynsham and Cassington APP
- Creation of vehicular access and new hard standing within garden. (Amended)
13 Hanborough Road Eynsham Witney
Mr David Wilsdon
47. **22/01181/HHD** Witney East APP
- Single storey rear extension to replace existing conservatory
117 Eton Close Witney Oxfordshire
Mr G Cook
48. **22/01196/HHD** Hailey, Minster Lovell and Leafield APP
- Erection of a detached garage
36 Upper Crescent Minster Lovell Witney
Mr Anthony Pugh
49. **22/01204/CND** Alvescot and Filkins REF
Affecting a Conservation Area
- Discharge of condition 6 (access between the land and highway) of planning permission 20/00479/HHD
Garden Cottage Main Road Alvescot
Mr Philip Johnson
50. **22/01230/HHD** Eynsham and Cassington APP
- Removal of existing conservatories and erection of single storey rear extension.
Haley Cottage 68 Church End South Leigh
Mr D R Pimm

51. **22/01219/S73** Standlake, Aston and Stanton APP
Harcourt
Affecting a Conservation Area

Variation of conditions 2 and 9 of planning permission 15/03165/FUL to allow design changes to Plot 4 and to provide evidence of superfast broadband service connection.
Northmoor Park Church Road Northmoor
Mr Bull
52. **22/01231/CLP** Standlake, Aston and Stanton APP
Harcourt
Affecting a Conservation Area

Certificate of Lawfulness (erection of single storey rear extension).
47 Saxel Close Aston Bampton
Mr Paul Clark
53. **22/01241/HHD** Carterton South APP

Demolition of an existing conservatory and to construct a replacement single storey rear extension. Garden Room to be used as Temporary Living Accommodation during works (amended description)
14 Milestone Road Carterton Oxfordshire
Mr And Mrs Haines
54. **22/01259/HHD** North Leigh WDN

Detached garage and new access.
9 Bridewell Close North Leigh Witney
Mr Damon Lewis
55. **22/01240/HHD** Witney East APP

Demolition of existing conservatory and erection of single storey rear extension
16 Campion Way Witney Oxfordshire
Mr And Mrs Welch
56. **22/01269/FUL** Eynsham and Cassington APP

Construction of a detached dwelling with associated parking for the proposed and existing dwelling.
7 Clover Place Eynsham Witney
Mr C Prickett

57. **22/01279/RES** Brize Norton and Shilton REF
 Reserved Matters application for the erection of one dwelling and detached double garage together with associated works and provision of vehicular access.
Grange Cottage Burford Road Brize Norton
 Mr Paul Pagett
58. **22/01287/LBC** Brize Norton and Shilton APP
 Installation of replacement timber doors and windows.
Pilgrims 2 Chapel Hill Cottage Chapel Hill
 Mr Paul Butler
59. **22/01295/NMA** Bampton and Clanfield APP
 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 plots 82-85 and 91-92 changed from Recon Stone oolite cream over to Natural Stone Ancaster tumbled walling stone. The roof tiles of plots 19 to 21, 37 to 40, 41 and 42, and 96, 97 and 98 changed from brown to grey)
9 Mount Owen Road Bampton Oxfordshire
 Mrs Lorna Juarez
60. **22/01300/HHD** North Leigh APP
 Replacement of existing timber shed for new garage and gym / studio and modest alterations to existing dry stone wall (amended plans)
Lightpipe Cottage East End North Leigh
 Mr Rhydian Davies
61. **22/01302/HHD** Witney West APP
 Demolition of detached side garage and erection of single storey attached side extension to form garden room
316 Thorney Leys Witney Oxfordshire
 Mr D Fairhurst
62. **22/01313/HHD** Hailey, Minster Lovell and Leaffield APP
 Demolition of conservatory and construction of new pitched roof single-storey extension
7 Little Langley Leaffield Witney
 Mr Betteridge

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| 63. | 22/01314/HHD | Ducklington | APP |
| | Removal of garage, and erection of single storey rear extension to form additional bedroom with WC and external garden store
7 Park Road Ducklington Witney
Mr and Mrs Rose | | |
| 64. | 22/01320/HHD | Witney East | APP |
| | Affecting a Conservation Area

Replacement roof slating and alterations to a rear extension
Field View Woodgreen Witney
John Skeen | | |
| 65. | 22/01327/HHD | Freeland and Hanborough | REF |
| | Two storey rear extension
33 Church Road Long Hanborough Witney
Mr Paul Trimble | | |
| 66. | 22/01328/HHD | Witney South | APP |
| | Affecting a Conservation Area

Demolition of existing bay window and erection of single storey rear extension.
8 Oakfield Place Witney Oxfordshire
Mrs A Renton | | |
| 67. | 22/01332/FUL | Bampton and Clanfield | REF |
| | Construction of external bar. (Retrospective).
Plough Inn Black Bourton Road Clanfield
Mrs Georgina Pearman | | |
| 68. | 22/01334/HHD | Bampton and Clanfield | APP |
| | Erection of detached garage building with external stairs and first floor study above.
Holly Tree House Clanfield Road Weald
Mr Simon Edwards | | |
| 69. | 22/01341/CLP | Carterton South | APP |
| | Certificate of Lawfulness (formation of habitable room in roofspace with front and rear velux rooflights).
169 Queens Road Carterton Oxfordshire
Mr Piner | | |

70. **22/01433/NMA** Hailey, Minster Lovell and APP
Leaffield
- Amendments to the landscaping scheme(non-material amendment to allow the addition of subterranean car park extension accessed from within the extant below courtyard car park (16/02998/FUL) (amended)
St Johns House Akeman Street Ramsden
Mr Martin Hodgson
71. **22/01463/CND** Hailey, Minster Lovell and APP
Leaffield
- Affecting a Conservation Area
- Discharge of condition 3 (details of the flue) of Listed Building Consent 21/04042/LBC
Old Manor House School Lane Little Minster
Mr And Mrs J Feilden
72. **22/01496/DEM** Hailey, Minster Lovell and P2NRQ
Leaffield
- Demolition of residential dwellinghouse and outbuildings.
7 Bushey Ground Minster Lovell Witney
IE7 Limited
73. **22/01711/NMA** Carterton South APP
- Proposed loft and porch extension (non-material amendment to allow raised height of porch roof to facilitate headroom).
58 Corbett Road Carterton Oxfordshire
Mr And Mrs S Brooks

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