

Wednesday, 10 April 2024

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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 Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Monday, 22 April 2024 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Lowlands Area Planning Sub-Committee

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Colin Dingwall, Phil Godfrey, Nick Leverton, Dan Levy, Andrew Lyon, Lysette Nicholls, Andrew Prosser, Harry St John, Adrian Walsh and Alistair Wray

Recording of Proceedings – The law allows the public proceedings of Council, Executive, 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. **Apologies for Absence**
To receive any apologies for absence.
2. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
3. **Minutes of Previous Meeting (Pages 5 - 10)**
To approve the minutes of the meeting held on Tuesday 2 April 2024.
4. **Applications for Development (Pages 11 - 52)**
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	Application No.	Address	Planning Officer
13-28	23/03347/FUL	Barn adj to 11 Farmhouse Close, Stanton Harcourt.	Elloise Street
29-37	23/03349/LBC	Barn adj to 11 Farmhouse Close, Stanton Harcourt.	Elloise Street
38-43	24/00175/HH D	Olde Well Cottage 109 Station Road, Brize Norton.	Elloise Street
44-47	24/00285/LBC	Olde Well Cottage 109 Station Road, Brize Norton.	Elloise Street
48-51	24/00574/HH D	4 Rose Close, Carterton.	Elloise Street

- 4.1 23/03347/FUL Barn Adj to 11 Farmhouse Close, Stanton Harcourt.
- 4.2 23/03349/LBC Barn Adj to 11 Farmhouse Close, Stanton Harcourt.
- 4.3 24/00175/HHD Olde Well Cottage, 109 Station Road, Brize Norton.
- 4.4 23/00285/LBC Olde Well Cottage, 109 Station Road, Brize Norton.
- 4.5 24/00574/HHD 4 Rose Close, Carterton

5. **Applications Determined under Delegated Powers (Pages 53 - 58)**

Purpose:

To inform the Sub-Committee of applications determined under delegated powers and any appeal decisions.

Recommendation:

That the reports be noted.

6. **Appeal Decisions (Pages 59 - 60)**

Purpose:

To inform the Sub-Committee of any appeal decisions.

Recommendation:

That the reports be noted.

(END)

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WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

Lowlands Area Planning Sub-Committee

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 2.00 pm on **Tuesday, 2 April 2024**

PRESENT

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Nick Leverton, Dan Levy, Andrew Lyon, Michele Mead, Andrew Prosser, Harry St John, Alaric Smith, Adrian Walsh and Alistair Wray

Officers: Joan Desmond (Principal Planner) and Abby Fettes (Development Manager), Clare Anscombe (Senior Planner), Elloise Street (Planning Officer), Max Thompson (Senior Democratic Services Officer) and Anne Learmonth (Strategic Support Officer).

Other Councillors in attendance: Rosie Pearson.

78 Apologies for Absence

Apologies for absence were received from Councillors Phil Godfrey, Lysette Nicholls and Colin Dingwall.

Councillor Martin McBride substituted for Councillor Lysette Nicholls.

Councillor Michele Mead substituted for Councillor Colin Dingwall.

79 Declarations of Interest

There were no declarations of interest received.

80 Minutes of Previous Meeting

The minutes of the meeting held on Monday 4 March 2024 were approved and signed by the Chairman as a correct record, subject to

Page 5; Councillor Dan Levy asked for the word Chair to be changed to spokesperson as Jenny MacDonald was not the Chair of Standlake Parish Council.

Councillor Adrian Walsh proposed that the minutes of the previous meeting held on 4 March 2024 be agreed by the Sub-Committee as a true and accurate record and be signed by the Chair.

This was seconded by Councillor Andy Goodwin was put to the vote and was agreed by the Sub-Committee. The vote was unanimous.

The Sub-Committee **Resolved** to:

- I. Agree the minutes of the previous meeting held on Monday 4 March 2024 as a true and accurate record.

81 Applications for Development

The Chair advised the Sub-Committee that the applications would be heard in a revised order starting with Viscount Industrial Estate, Brize Norton, the two applications for Olde Well

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Cottage, 109 Station Road, Brize Norton would be heard together then the final application Laurel Cottage, Foxburrow Lane, Crawley.

82 23/03 I I I /FUL Plot 4, Viscount Industrial Estate, Brize Norton.

Joan Desmond, Principal Planner introduced the application for the erection of four industrial units and associated works.

The Principal Planner drew the Sub-Committees attention to the Additional Representation Report and raised the following points:

Councillor Les Goble addressed the Sub-Committee on behalf of Brize Norton Parish Council.

Jayne Woodward addressed the Sub-Committee on behalf of Brize Norton School, Pre-School, Elderbank Hall and the Humble Bumble café.

The Principal Planner drew the Sub-Committee's attention to the following points:

- The planning history of the site, including applications in 2010, 2013 and 2020.
- The building had been relocated to protect the existing landscape buffer.
- The development site was within flood zone 1. A flood risk and drainage strategy had been submitted and flood risk was low on the site.
- There were objections from Oxfordshire County Council (OCC) Transport which raised concern over the number of parking spaces on the site and insufficient information had been submitted relating to the frequency / trip generation and size of vehicles for servicing / operational / delivery needs of the proposed industrial use and no swept path analysis has been undertaken of the largest anticipated vehicles at the site access with Station Road to demonstrate safe two-way operation. In addition, the proposal fails to demonstrate that safe visibility splays can be accommodated. The Council's Ecology consultant had objected to the application due to not complying with the requirements of the Local Plan policy with EH3, NPPF paragraphs 174,179 and 180. There had been insufficient information provided regarding biodiversity net gain. There were concerns over protection of conservation including the Great Crested newts' species.

The Chair then invited the Sub-Committee to discuss the application, which raised the following points:

- The site was a successful area of business however there were concerns about the safety of the access to and from the site, with particular focus on the students at the school and other members of the public who use the road.
- The Committee discussed the volume of vehicles that use Station Road currently and if the vehicles could only travel on A4095 approaching the village from Bampton. There were concerns raised that this would create more traffic congestion which would have a knock-on effect in Bampton and surrounding villages.
- Concerns were raised over the parking on site as the proposed provision failed to comply with OCC Transport.

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Councillor Michele Mead proposed that the application be refused in line with the Officer's recommendations.

This was seconded by Councillor Andrew Lyon, was put to the vote. There were 11 votes for the proposal and 1 against. The vote was carried.

The Sub-Committee **Resolved** to:

1. Refuse the application in line with the Officer's recommendations.

83 **24/00175/HHD and 24/00285/LBC Olde Well Cottage, 109 Station Lane, Brize Norton**

Elloise Street, Planning Officer, introduced the applications for 24/00175/HHD; the erection of a single storey extension with attached garage and wood store, and 24/00285/LBC for internal and external alterations to include erection of a single storey extension

Fiona Gove, applicant, addressed the Sub-Committee and clarified the following points regarding the measurements of the proposed extension. The use of the proposed extension which would enable less mobile members of the family to remain and live on one level as well as allow younger family to remain together in a multi-generational house. The house currently had 4/5 bedrooms and the proposal would add 2 more bedrooms. There were no issues with drainage and the property was not in a conservation area. The main concerns were having the additional bedrooms and the garage and store element could be removed from the proposal.

The Planning Officer drew the Sub-Committee's attention to the following points;

- The measurements of the proposed development and the planning history of the property.
- The harm and impact the development could have on the grade II listed building. The design would detract from the original character of the property and would have a negative appearance on the street scene.
- The property was in Flood Zone 2 and had a river running along the site.
- The proposal would result in less than substantial harm to the heritage asset, which would fail to be outweighed by the public benefit.
- The proposed development was in contrary to policies OS2, OS4, H6, EH9 and EH11 of the West Oxfordshire Local Plan 2031, and advice in the NPPF. The Planning Officer recommended refusal of the application.

The Chair then invited the Sub-Committee to discuss the application, which raised the following points:

- The Sub-Committee acknowledged the measurements of the proposed extension and asked if the size was reduced would it be a more suitable proposal. The Planning Officer confirmed that the proposed application before the Sub-Committee was not suitable for changes due to the new negotiation schedule.
- The Sub-Committee considered the conservation area and the visual impact of the proposed extension to the property. How this would block other properties that were

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not of the same age and era. It was also considered whether the existing outbuilding could be removed via condition.

- The Sub-Committee asked about the size of the proposed extension and considered a site visit to get a better understanding of the current house size.

Councillor Dan Levy proposed that the application be deferred for a site visit on Monday 22 April at 12pm.

This was seconded by Councillor Harry St. John, was put to the vote, was unanimous. The Vote was carried.

The Sub-Committee **Resolved** to:

- I. Defer the applications for a site visit on Monday 22 April 2024 at 12pm.

84 **23/02825/FUL Laurel Cottage, Foxburrow Lane, Crawley.**

Clare Anscombe, Senior Planner, introduced the application for the existing pair of flat roofed dormers to be replaced with a single dormer and a proposed additional dormer.

The Senior Planner drew the Sub-Committee's attention to the following points;

- The existing dormer windows were to be replaced on the north elevation.. The materials used would be in keeping with the house design and would include rendering and timber.
- The proposed dormers would be of the same height to match the existing dormers on the southern elevation.
- The application would not affect the surrounding environment and complied with policy H6.
- There was a condition proposed for the glazing of the new dormer windows to be obscured. The existing dormers on the southern elevation are not obscure glazed so it is considered that light spill into the first floor would be acceptable.

The Chair then invited the Sub-Committee to discuss the application, which raised the following points:

- The Sub-Committee asked for clarification on the internal plans of the 1st floor, whether this was one open space or various rooms. The Senior Planner referred the Sub-Committee to her presentation and slides of the application which showed that the first floor is open and not separate rooms.
- The Sub-Committee asked for clarification as to why there was a condition to obscure the glazing on the north windows when there was not for the existing ones. The Senior Planner explained that the existing dormers on the north elevation did not benefit from planning permission and so that was why the windows had not been conditioned to be glazed.

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- The Sub-Committee asked that if the application was to be determined under delegated powers, what would the recommendation have been. The Senior Planner explained that the recommendation would have been to approve the application, subject to conditions.

Councillor Dan Levy proposed that the application be approved in line with the Officers recommendations.

This was seconded by Councillor Michele Mead, was put to the vote and was agreed unanimously by the Sub-Committee.

The Sub-Committee **Resolved** to:

- I. Approve the application in line with the Officer's recommendation.

85 Applications Determined under Delegated Powers.

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

86 Appeal Decisions

The report giving details of appeal decisions was received and noted.

The Meeting closed at 3.00 pm

CHAIR

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WEST OXFORDSHIRE DISTRICT COUNCIL LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 22nd April 2024

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 Business Manager. 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.

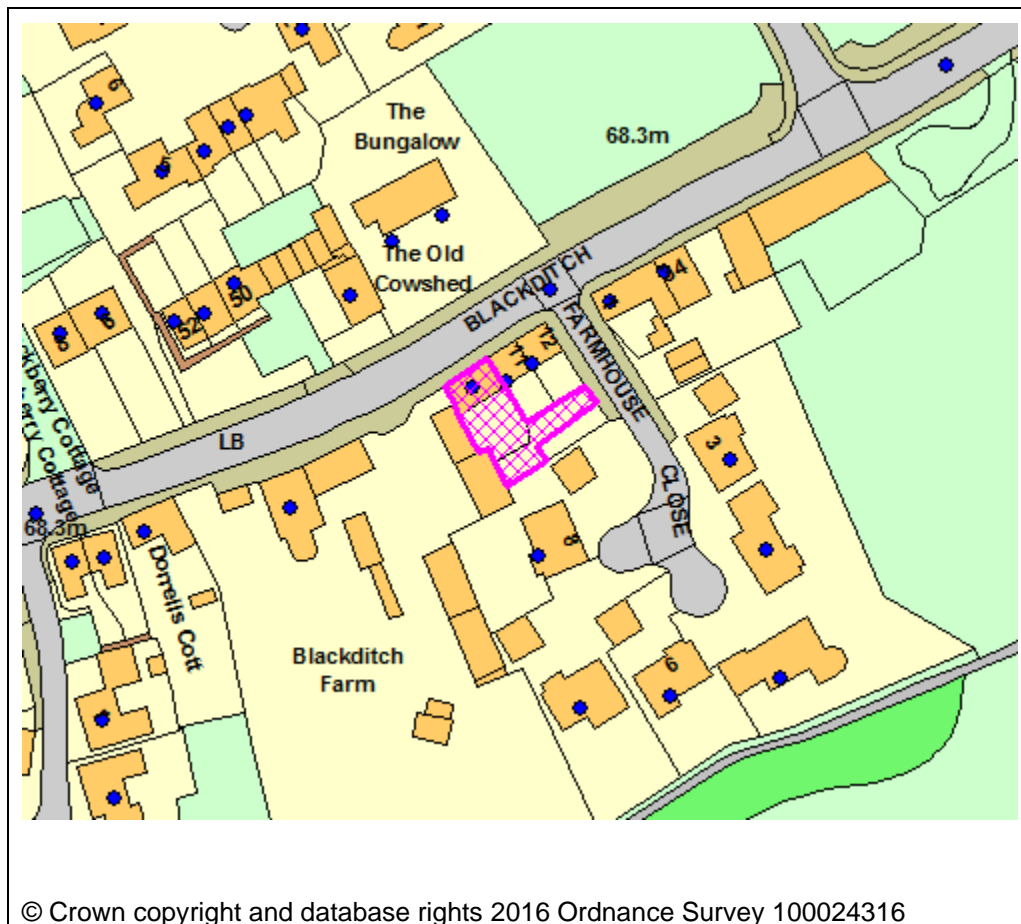
Please note that:

- 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

Item	Application Number	Address	Officer
13-28	23/03347/FUL	Barn Adj To 11 Farmhouse Close	Elloise Street
29-37	23/03349/LBC	Barn Adj To 11 Farmhouse Close	Elloise Street
38-43	24/00175/HHD	Olde Well Cottage 109 Station Road	Elloise Street
44-47	24/00285/LBC	Olde Well Cottage 109 Station Road	Elloise Street
48-51	24/00574/HHD	4 Rose Close Carterton	Elloise Street

Application Number	23/03347/FUL
Site Address	Barn Adj To 11 Farmhouse Close Stanton Harcourt Oxfordshire
Date	10th April 2024
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	441118 E 205715 N
Committee Date	22nd April 2024

Location Map



Application Details:

Conversion of agricultural barn to a single dwelling and the addition of a single storey extension and associated works (amended description and plans).

Applicant Details:

Mr J Bury
C/O Agent

I CONSULTATIONS

Parish Council

22.01

The Parish Council has reviewed the above application and raised the following OBJECTIONS:

Policy OS3

There is no provision for any renewable energy use, no solar panels or ground/air source energy recovery. The use of a wood fired stove in one corner does not fit with this policy. There is no evidence of rainwater recovery, discharge to the ground water system is part of the reason for the issues recently experienced with overflowing foul water systems.

Policy T1

While the plans identify two parking spaces for the property, the entrance would cross ground that the neighbouring properties are currently using for parking. This will result in two or more cars having to park in the roadway which negatively affects this policy's requirement for the safe movement of vehicles and pedestrians.

The Parish Council feels very strongly that prior to any more houses being built, Thames Water would need to upgrade the Sewage infrastructure significantly, in the last few days there have been reports of sewage coming up the pipes into properties in Flexneys and Blackditch, adding another property is not going to help this situation. Admittedly there was unusually heavy rain, but until these issues are sorted out this application, or any other new builds, should be refused.

Concern was also raised regarding Nature, many of the barns in the village have been converted into dwellings, while 'bat boxes' are all very well, what about other wildlife, .e.g. owls, barn owls in particular.

Thames Water

Waste Comments - With regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into a public sewer. Recommend an informative is added.

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

WODC Drainage

22.01

Soakaways should be designed to accommodate a 1 in 30 year + 40% climate change event with a minimum 1m clearance from the base to the water table at all times. They should be at least 5m from any building and a minimum of 2m from any property boundary.

The site should contain surface water for all return periods up to and including the 1 in 100 year + 40% climate change event without building flooding.

An exceedance flow plan should be provided for storm events in excess of 1 in 100 year + 40% cc, based on proposed ground levels and directing runoff away from neighbouring properties.

OCC Highways

18.01

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

District Ecologist

No objections subject to conditions

Env Health Noise And Amenity

No objection in principle to the conversion but I have the following comments to make;

The inclusion of a wood burning stove is not recommended by this department due to their adverse impact on air quality. I am unable to recommend refusal on this aspect but would ask the applicant to consider an alternative heating source.

I would ask for the following conditions to be attached to any consent granted:

The flue to the wood burning stove should be a minimum of 600mm above the ridge height of the building.

The wood burning stove should be installed by a HETAS registered engineer and maintained annually thereafter.

The hours of work during the conversion shall be restricted to 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturday with no working on Sunday or Bank/Public holidays.

Env Health Contamination

Our records indicate that the proposed development site was previously part of a haulage depot until the 1999 aerial photograph where it is no longer shown. Please could the applicant confirm if any fuels or potentially contaminating substances have been stored in or in the vicinity of the barn?

Depending on the response a planning condition might be applicable for the application.

Parish Council

11.03.24

The Parish Council have reviewed the application and feel that the following objections still apply:

Policy OS3

There is no provision for any renewable energy use, no solar panels or ground/air source energy recovery. The use of a wood fired stove in one corner does not fit with this policy. There is no evidence of rainwater recovery, discharge to the ground water system is part of the reason for the issues recently experienced with overflowing foul water systems.

The Parish Council feels very strongly that prior to any more houses being built, Thames Water would need to upgrade the Sewage Works significantly, in the last few days there have been reports of sewage coming up the pipes into properties in Flexneys and Blackditch, adding another property is not going to help this situation. Admittedly there was unusually heavy rain, but until these issues are sorted out this application, or any other new builds, should not be refused.

Concern was also raised regarding Nature, many of the barns in the village have been converted into dwellings, while 'bat boxes' are all very well, what about other wildlife, .e.g. owls, barn owls in particular.

WODC Drainage

No further comments.

OCC Highways

No further comments

2 REPRESENTATIONS

2.1 One third party consultee comment received as per below:

In principle this is ok, however, the recent development across the road on Blackditch resulted in construction vehicles repeatedly parking in such a way as to prevent safe egress from Farmhouse Close by obscuring the junction. Please ensure we do not suffer similar issues, nor any obstructions to Farmhouse Close during any works. Please also ensure that the parking for the existing adjacent cottages is also clearly defined (they currently use the area proposed for vehicular access) so as to avoid any further congestion/parking on the highway at the top of Farmhouse Close. There is already considerable pressure and constrictions from other vehicles.

3 APPLICANT'S CASE

3.1 A design and access statement was submitted as part of the application and can be fully viewed on the online portal.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH3 Biodiversity and Geodiversity

E3NEW Reuse of non residential buildings

EH10 Conservation Areas

EH9 Historic environment

EH11 Listed Buildings

EH16 Non designated heritage assets

T4NEW Parking provision

EH7 Flood risk

NPPF 2023

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

5 Background Information

5.1 The application seeks planning permission for the conversion of agricultural barn to a single dwelling and the addition of a single storey extension and associated works (amended description and plans) at Barn Adj to 11 Farmhouse Close, Stanton Harcourt.

5.2 The application is brought before Members of the Lowlands Area Sub Planning Committee as Stanton Harcourt Parish Council have raised an objection to the Listed Building application and as per the scheme of delegation, the Listed Building Consent is required to be determined by the Committee should Officers views be contrary to the Parish Council.

5.3 The application site relates to an existing curtilage listed barn and is locally listed. Blackditch Farmhouse is the associated Grade 2 listed building under different ownership.

5.4 The site falls within the Stanton Harcourt and Sutton Conservation Area and is located within Flood Zone 1. There are no other constraints to consider as part of this application.

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

- Principle
- Siting, Design and Visual Impact
- Impact on Conservation Area
- Impact on Listed Building
- Impact on Neighbouring amenity
- Highways
- Flood Risk
- Biodiversity
- Other Matters

Relevant Planning History

5.6 No relevant planning history

Principle

5.7 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority (LPA) shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The revised NPPF reiterates the pre-eminence of the local plan as the starting point for decision making (Paragraph 2 of the NPPF). The NPPF is a material consideration in any assessment and makes clear in Paragraph 12 that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Therefore, development coming forward must be determined in accordance with the Local Development Plan, which in this case is the West Oxfordshire Local Plan 2031 (WOLP).

5.8 As per Policy OS2 (Locating Development in the Right Places) it refers to the settlement hierarchy which splits the district in different classifications. The site lies within the village of Stanton Harcourt and the proposal is therefore assessed against policies OS2 and H2 of the Local Plan.

5.9 Policy OS2 states that "The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. A number of site allocations are proposed to ensure identified needs are met. Further allocations may be made through Neighbourhood Plans. Proposals for residential development will be considered in accordance with Policy H2 of this Local Plan."

5.10 Policy H2 of the adopted Local Plan states that "New dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:"

- On sites that have been allocated for housing development within a Local Plan or relevant neighbourhood plan;

- On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan;
- On undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2.
- On undeveloped land adjoining the built up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy HI and is in accordance with other policies in the plan in particular the general principles in Policy OS2.

5.11 Officers consider that due to the nature of the curtilage listed barn and the fact that the barn is in situ at this present moment and its likely that it's last use was for an agricultural purpose that the proposed site can be considered as being on previously developed land within the built up area provided that the proposal is in accordance with the other policies in the plan and the loss does not conflict with other plan policies.

5.12 As a result, it is also important to consider Policy E3: Re-use of non-residential buildings which in the detail states "In accordance with the overall strategy, conversion of existing buildings to residential use is more appropriate within our service centres and villages with services and facilities". As the policy E3 considers rural economy and Stanton Harcourt is considered a village in the hierarchy, there are no further elements in which the proposal needs to be considered against within Policy E3. Therefore, the principle of development is considered acceptable subject to consideration against other policies in the Local Plan including those relating to design, siting and amenity issues.

Siting, Design and Visual Impact

5.13 Proposed is the conversion of the agricultural barn with the addition of a single storey extension to allow the creation of a single dwellinghouse. The existing barn is currently split into 3 equal sections which is to transfer through to the dwellinghouse. The proposed dwellinghouse is to retain the form of the existing barn in relation to the eaves line and roofline. The barn conversion is also to have a small extension to the south which would be 3m in width and 4m in length and would provide space for a bedroom. The proposed extension is to be of a pitched roof nature and is to be 2.6m to the eaves with an overall ridge height of 4m. The proposed materials to be used on the extension are treated feather edge boarding stained black.

5.14 The existing barn is to be converted to consist of a living space, kitchen, bathroom and storage area. There will be two conservation rooflights on the south-eastern elevation and one conservation rooflight on the north-western elevation. The south-eastern elevation is to consist of a new window and a double set of doors. Internally, this proposal for the dwellinghouse will remain single storey for the barn and the internal roof trusses will remain unchanged and retained. The roof trusses are to be cleaned and left exposed as part of the new vaulted roof. The roof is to be stripped back to the rafters and then reinstated with existing tiles on TLX bat safe breathable membrane. The modern 20th century separating walls are to be removed to facilitate the internal works to the barn. The existing saddlestones and posts are to be retained and are to be inside the new external wall of the dwellinghouse. In addition, the existing foundations are to be underpinned along the roadside.

5.15 The existing field gate is to be removed to facilitate the new parking for the dwellinghouse. The proposed dwellinghouse is to have 2 parking spaces in accordance with OCC highways. The existing concrete block wall is to be removed to facilitate the parking and a turning circle and to be replaced

with a 1.2m close boarded fence. The full outside space for the dwellinghouse is to be a gravelled to provide a courtyard garden for a 1-bedroom dwelling.

- 5.16 Officers consider that the scale and design complies with Policy OS4 of the West Oxfordshire Local Plan 2031 which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible, enhance the character and quality of the soundings. Section 12(130 b) of the NPPF also states that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping to which the proposed complies with.
- 5.17 The roadside elevation will have the new conservation rooflight, but the rear elevation and the main conversion will not be visible from the main road. Officers have considered that the proposed development would be a logical addition to the existing group of buildings already converted into dwellinghouses and would be in keeping with the streetscene. Therefore, it is considered that the proposed would not give rise to any adverse impacts in regards to visual amenity.

Impact on Conservation Area

- 5.18 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application. In this regard the proposed works would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location.

Impact on Listed Building

- 5.19 Officers are required to take account of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.
- 5.20 Policy EHI 1 also states proposals for additions or alterations to, or change of use of a Listed Building will be permitted where it can be shown to: conserve or enhance the special architectural or historic interest of the buildings fabric, detailed features, appearance or character and setting. It is also important for Officers to take regard to the section 7 of the West Oxfordshire Design Guide which also emphasises that the character, fabric and history of the building should be understood as fully as possible.
- 5.21 Therefore, with regard to the impact on the adjacent Grade II listed building and the curtilage listed building, the proposed works are considered to have a positive impact on the historic architecture of the existing listed building. It has been considered that there is no harm caused, as a result of the conversion, to the setting of the listed buildings. As such the balancing exercise of paragraph 208 of the NPPF does not need to be engaged. Officers have considered that the existing barn is currently vacant and has been for many years and that this proposed use would bring the building back into use and would allow the continued use for future generations and will conserve the building. It is also noted that the optimum viable use of a dwellinghouse will be secured by the conversion of the barn

and will bring the current building back into use. Officers have considered that there is no harm had to the listed building and in any event, the public benefits of the retention of the heritage asset and the addition of the housing stock outweighs any potential harm made.

5.22 The proposed development would respect the special qualities and historic context of the listed building and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would conform with policies EH9 and EH11 of the Local Plan.

Impact on Neighbouring Amenity

5.23 Given the nature of the converted barn and addition of a single storey extension, Officers are of the opinion that the proposed works would not give rise to any adverse impacts in regard to neighbouring amenity. The proposed openings to the dwellinghouse are sympathetic and would not result in overlooking or loss of privacy to neighbouring properties. The additional extension would not result in loss of light and overshadowing.

5.24 Section 12 of the NPPF states to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Officers have carefully considered the residential amenity concerns that may arise from a development and have concluded that there are minimal concerns and considered acceptable in terms of residential amenity.

Highways

5.25 OCC Highways have been consulted on the application due to the change of the agricultural barn to a 1-bedroom dwellinghouse and have raised no objections in regards to highway safety and convenience. Officers note that there has been an objection in relation to the parking provision for neighbouring properties as the off-street parking is not wide enough for vehicles to turn around on. Officers note the concern however OCC highways engineers have raised no concerns in relation to the proposed parking provision. In addition, the areas around the site have been considered not to warrant highway concerns if additional vehicles were parked in these locations. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Flood Risk

5.26 Local Plan Policy EH7 states 'all sources of flooding (including sewer flooding and surface water flooding) will need to be addressed and measures to manage or reduce their impacts, onsite and elsewhere, incorporated into the development proposal'. The NPPF 2023 (paragraph 173) states 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'.

5.27 OCC Drainage Engineers and Thames Water have been consulted on the application due to the additional built form being proposed.

5.28 Thames Water have no objection to the proposed development in relation to foul water network infrastructure capacity. They have also detailed that as surface water will not be discharged to the public network, they have no objection.

5.29 The WODC drainage engineer has raised no objection subject to a surface water drainage condition.

5.30 As a result, the proposed development is not seen to exacerbate flooding in this location and would not be contrary to Policy EH7 of the West Oxfordshire Local Plan 2031.

Biodiversity

5.31 Local Plan Policy EH3 (Biodiversity and geodiversity) states 'the biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity'. Paragraph 180 of the NPPF sets out a clear hierarchy for proposals affecting biodiversity. The hierarchy is to firstly, avoid harm; secondly, where this is not possible, to mitigate any harm on-site; thirdly, as a last resort, to compensate for any residual harm.

5.32 The WODC Biodiversity Officer was consulted on the application to ascertain the impact of the proposed conversion on any species in the vicinity. Results from the bat emergence surveys confirmed that there is one feeding roost of common pipistrelle and soprano pipistrelle as well as one day roost of one brown long eared bat within the barn. As a result of the development these roosts will be permanently lost. It was considered that that the conservation significance of the roost is low. As a result, a licence from Natural England will be required in order for works to proceed lawfully.

5.33 The proposals within this application could potentially affect European protected species (long-eared bat roost, soprano pipistrelle bat roost and common pipistrelle bat roost). In light of ODPM Circular 06/2005 (para 116) and the Conservation of Habitats and Species Regulations 2017, the 3 "derogation" tests, as set out in Regulation 55 have been considered in reaching a recommendation. Natural England Guidance (NE292, 2010) states: "Where it is likely that prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of European protected species will be offended, the LPA will be required to consider the likelihood of a licence being granted and in doing so, the three tests. It would be inappropriate for Natural England to tell LPAs how to do this as LPAs are the decision-making body and must make the decision themselves and not appear to be fettering their discretion in any way. In considering the tests LPAs however should properly have regard to Government Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System. If still uncertain, LPAs should seek their own independent legal advice about the tests, the circumstances in which they should consider them and how they should do so, if necessary."

5.34 Officers have therefore considered the three derogation tests in relation to the proposed. Test 1 states (a) The activity ... must be for imperative reasons of overriding public interest or for public health and safety (IROPI). There is no clear legal definition of "IROPI", however Natural England advice (guidance note NE292, 2010) is that "the development proposal must contribute to meeting an imperative public interest, and that interest must be sufficient to override the protection of, and any potential impact on, the EPS concerned". In this instance it has been considered that the conversion of existing agricultural barn with a single storey extension to a residential dwellinghouse and associated private amenity space is appropriate in this location to diversify the internal space to provide additional housing which will add to the West Oxfordshire Housing Stock. Also at the moment the barn is currently disused and the proposed development will further ensure that the listed building is maintained in its most viable use for the foreseeable future. This will then ensure that the important Grade II listed building is continuing to be maintained and would not fall into disrepair.

5.35 Test 2 states (b) There must be no satisfactory alternative. Extract from 'Natural England Guidance Note: European protected species and the planning process; Natural England's Application of the 'Three Tests' to Licence Applications' (NE292, 2010) states "The greater the impact of the proposal on the species, the more evidence Natural England would expect to see from the applicant in order to be able to satisfy itself that there is no satisfactory alternative to the one being proposed. Natural England also expects the applicant to demonstrate that they have taken reasonable steps to minimise the impacts of a development on EPS. In this instance, the applicant has demonstrated clearly as to why there is no option for the bat roosts to remain within the current location and that the mitigation measures are appropriate and would successfully maintain the population of the species concerned.

5.36 Test 3 states (c) Favourable conservation status of the species must be maintained. Due to the status of the species and the type of roost), and subject to the full implementation of the proposed mitigation strategy in Section 4 of the submitted Bat Emergency survey report, the proposals should not lead to any long-term detrimental impact on this bat species and therefore there would be no impact on the favourable conservation status.

5.37 In light of the above, Officers consider that the proposal would meet the three derogation tests and is likely to receive a license from Natural England. Officers are satisfied that the removal of the bat roosts is not going to have a detrimental harm to the protected species.

5.38 It is also important to consider that during the preliminary roost assessment it was identified that seven historical birds' nests and active birds' nests of house martin and swallow were found within the building. The proposed works will result in the destruction and abandonment of these nests; therefore, a precautionary method of working statement is required to ensure that nesting birds and their nests are protected during conversion and construction works and that works are carried out outside of bird nesting season. In addition, enhancement recommendations have been made for the installation of a minimum of two bird boxes on mature trees on site, as well as swift and sparrow terraces integrated into the new building. No plans have been submitted to support the implementation of these enhancement features; therefore, the enhancement condition is recommended to ensure that enhancements for nesting birds are achieved.

5.39 Due to the sensitive nature of the site, with bats and birds it is appropriate to condition lighting to ensure that external lighting is sensitively designed and not directed towards important habitat features for roosting, commuting and foraging bats.

5.40 Officers have considered on this basis that the scheme is considered acceptable and complies with Policy EH3 of the West Oxfordshire Local Plan.

Other Matters

5.41 The ERS Officers have commented on the application in relation to contaminated land, noise and amenities. The contaminated land officer has stated that they are seeking additional information regarding the use of the site in the past as 1999 aerial photos show it was previously part of a haulage depot. However, it is likely that a reasonable contaminated land condition could be applied to the application. This element can be updated to Members at committee. The noise and amenities Officer has no objection in principle to the development. Whilst the woodburning stove is not recommended there are no policy reasons to recommend refusal for this element of the proposal and that the appropriate measures to mitigate against the stove can be applied.

5.42 Whilst one general comment has been received on this application there were 2 comments on the associated listed building application. Officers also note that Stanton Harcourt Parish Council have objected to the proposed development. Comments have been made in relation to construction vehicles and the works to take place. Officers have considered it appropriate to ask for a short construction management plan to address the concerns of construction vehicles. There have also been concerns raised regarding the parking provision for the dwellinghouse and the impact on neighbouring properties. Officers have addressed this element as part of the highways section, but OCC highways officers have no objection to the proposed development and have asked for the parking to be secured by condition. Concerns have also been raised regarding the proposed flue for the dwellinghouse. It can be confirmed that flue is to be 600mm clear of the roof slope and has been considered acceptable in terms of noise and amenity. Stanton Harcourt PC have commented their concerns regarding the biodiversity and that multiple barn conversions have been converted into dwellings. As has been addressed in the biodiversity section, appropriate mitigation measures would be implemented, and no evidence of Owls have been found as part of the preliminary roost assessment. An informative can also be placed on the application to advise the applicants that if any protected species are found that a suitable ecologist needs to be contacted to deal with the species. Concerns have also been raised regarding the wall abutting a neighbouring property in which the majority of the concerns raised are civil matters to be dealt with the applicant and the neighbour, but the agent has suggested that the applicants can implement effective drainage which would include a lead valley gutter between the extension and the existing outbuilding.

Conclusion

5.43 Taking into account the above matters the proposal is considered acceptable on its merits and complies with Policies OS2, OS4, H6, T4, EH9, EH10, EH11, EH16, EH3, E3, EH7 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

6 CONDITIONS

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

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

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

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

3. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

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

4. 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. Prior to the commencement of the development, a short construction management plan showing how noise and dust is to be minimised and controlled during site clearance and construction. It shall include measures to be employed to prevent the egress of mud, water and other detritus onto the public and any non-adopted highways. The development shall be completed in accordance with the agreed details.

REASON: To protect the amenity of neighbouring properties.

6. That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. 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 scope of surface water drainage is not agreed before works commence, it could affect either the approved layout or completed works.

7. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken 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 the NPPF.

8. The flue to the wood burning stove should be a minimum of 600mm above the ridge height of the building. The wood burning stove should be installed by a HETAS registered engineer and maintained annually thereafter.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

9. Hours of work shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00-13:00 on Saturday with no working on Sunday or Bank Holidays.'

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

10. The development shall be completed in accordance with the recommendations in the following documents:

- Proposed Elevations and Plans, Drawing No. 1799_201, Oxford Architectural Design, December 2022;
 - Section 4 and Appendix I of the consultancy report (Bat Emergence Survey, Arbtech, 27th July 2023); and
 - West Oxfordshire District Council's Precautionary Method of Working document
- All the recommendations shall be implemented in full, according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

REASON: To ensure that bats and reptiles are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992, Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

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

REASON: To ensure that nesting birds are protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

12. Before development takes place, details of the provision of integrated nesting opportunities for birds (swift bricks and sparrow terraces, built into the fabric of the new build, as close to the eaves as possible, on north/north east elevations, no lower than 3m above ground level) and externally mounted nesting features (minimum of two bird boxes affixed to existing mature trees on site, facing north/north east direction, no lower than 3m above ground level) shall be submitted to the local planning authority for approval. The details shall include a drawing showing the types of features, their locations within the site and their positions on the elevations of the building, and a timetable for their provision. The approved details shall be implemented before the development hereby approved is first brought into use and thereafter permanently retained.

REASON: To provide additional habitat for nesting birds as a biodiversity enhancement, in accordance with paragraphs 180, 185 and 186 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and Section 40 of the Natural Environment and Rural Communities Act 2006.

13. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) Identify the areas/features on site that are particularly sensitive for nocturnal wildlife;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.
All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy, before the development hereby approved is first brought into use, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), West Oxfordshire District's Local Plan Policy EH3 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

INFORMATIVES :-

- A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority then these should be implemented. Otherwise a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

West Oxfordshire District Council's Precautionary Method of Working document can be found here: <https://www.westoxon.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-specifications/>

Notes to applicant

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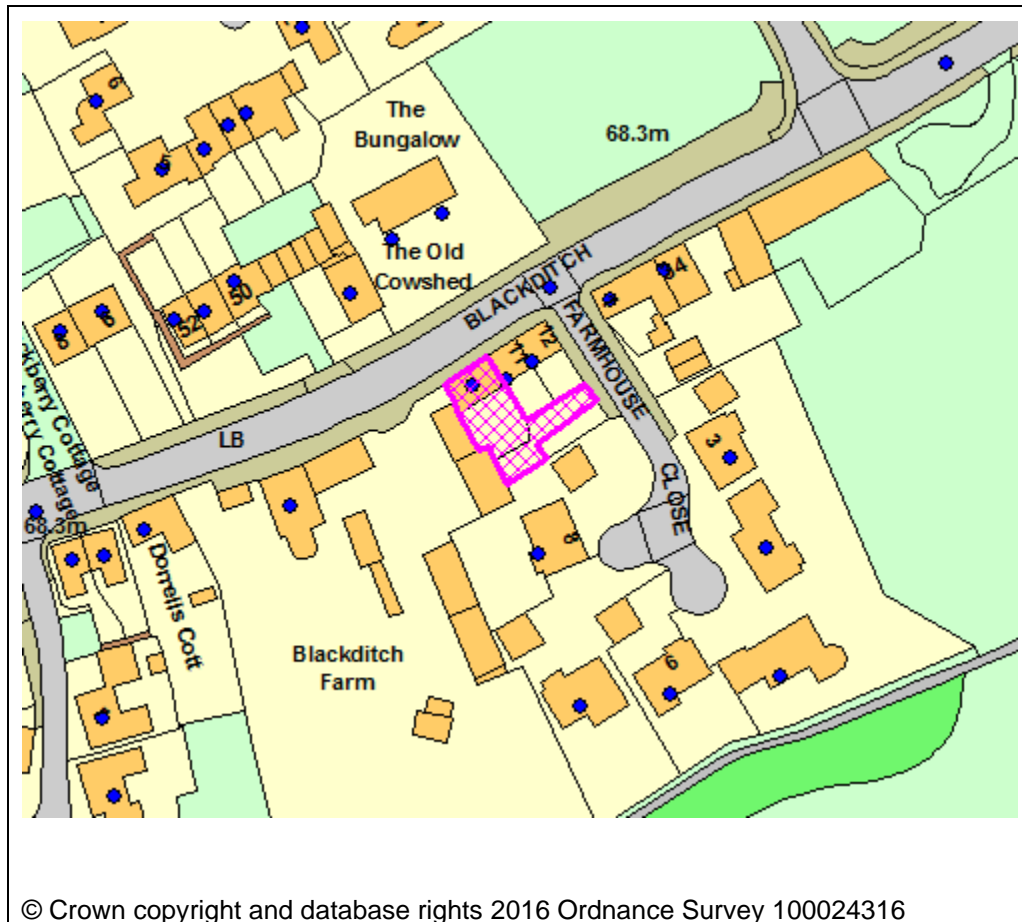
Contact Officer: Eloise Street

Telephone Number:

Date: 10th April 2024

Application Number	23/03349/LBC
Site Address	Barn Adj To 11 Farmhouse Close Stanton Harcourt Oxfordshire
Date	10th April 2024
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	441118 E 205715 N
Committee Date	22nd April 2024

Location Map



Application Details:

Internal and external alterations to convert an agricultural barn to a single dwelling and and the addition of a single storey extension and associated works (amended description and plans)

Applicant Details:

Mr J Bury
C/O Agent

I CONSULTATIONS

Conservation And Design
Officer

No objections subject to changes made

Parish Council

22.01

The Parish Council has reviewed the above application and raised the following OBJECTIONS:

Policy OS3

There is no provision for any renewable energy use, no solar panels or ground/air source energy recovery. The use of a wood fired stove in one corner does not fit with this policy. There is no evidence of rain water recovery, discharge to the ground water system is part of the reason for the issues recently experienced with overflowing foul water systems.

Policy T1

While the plans identify two parking spaces for the property, the entrance would cross ground that the neighbouring properties are currently using for parking. This will result in two or more cars having to park in the road way which negatively affects this policy's requirement for the safe movement of vehicles and pedestrians.

The Parish Council feels very strongly that prior to any more houses being built, Thames Water would need to upgrade the Sewage infrastructure significantly, in the last few days there have been reports of sewage coming up the pipes into properties in Flexneys and Blackditch, adding another property is not going to help this situation. Admittedly there was unusually heavy rain, but until these issues are sorted out this application, or any other new builds, should be refused.

Concern was also raised regarding Nature, many of the barns in the village have been converted into dwellings, while 'bat boxes' are all very well, what about other wildlife, .e.g. owls, barn owls in particular.

Parish Council

11.03.24

The Parish Council have reviewed the application and feel that the following objections still apply:

Policy OS3

There is no provision for any renewable energy use, no solar panels or ground/air source energy recovery. The use of a wood fired stove in one corner does not fit with this policy. There is no evidence of rain water recovery, discharge to the ground water system is part of the reason for the issues recently experienced with overflowing foul water systems.

The Parish Council feels very strongly that prior to any more houses being built, Thames Water would need to upgrade the Sewage Works significantly, in the last few days there have been reports of sewage coming up the pipes into properties in Flexneys and Blackditch, adding another property is not going to help this situation. Admittedly there was unusually heavy rain, but until these issues are sorted out this application, or any other new builds, should not be refused.

Concern was also raised regarding Nature, many of the barns in the village have been converted into dwellings, while 'bat boxes' are all very well, what about other wildlife, .e.g. owls, barn owls in particular.

2 REPRESENTATIONS

2.1 2 third party consultee comments have been received to date:

We have concerns about the amended plans associated with ref 23/03349/LBC, which show an extension abutting our property wall.

We should let you know that our property is listed, Grade 2, and we feel these plans will have a detrimental impact to the fabric of the building. We wish to raise the following points and would like a written response to the following questions:

1. What plans are being made to deal with rainwater?
2. How will we maintain the wall and roof?
3. These walls need to breathe, what provision will put in place to deal with damp and mould?

Concerns with parking, construction works and biodiversity.

3 APPLICANT'S CASE

3.1 A design and access statement was submitted as part of the application and can be fully viewed on the online portal.

4 PLANNING POLICIES

NPPF 2023

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks listed building consent for the conversion of agricultural barn to a single dwelling and the addition of a single storey extension and associated works (amended description and plans) at Barn Adj to 11 Farmhouse Close, Stanton Harcourt.
- 5.2 The application is brought before Members of the Lowlands Area Sub Planning Committee as Stanton Harcourt Parish Council have commented in objection of the Listed Building application and as per the scheme of delegation, the Listed Building Consent is required to be determined by the Committee should Officers views be contrary to the Parish Council.
- 5.3 The application site relates to an existing curtilage listed barn and is locally listed. Blackditch Farmhouse is the associated Grade 2 listed building under different ownership.
- 5.4 The site falls within the Stanton Harcourt and Sutton Conservation Area and is located within Flood Zone 1. There are no other constraints to consider as part of this application.

Relevant Planning History

- 5.5 No relevant planning history

Impact upon the Listed Building

- 5.6 Proposed is the conversion of the agricultural barn with the addition of a single storey extension to allow the creation of a single dwellinghouse. The existing barn is currently split into 3 equal sections which is to transfer through to the dwellinghouse. The proposed dwellinghouse is to retain the form of the existing barn in relation to the eaves line and roofline. The barn conversion is also to have a small extension to the south and is to be 3m in width and 4m in length and is to provide space for a bedroom. The proposed extension is to be of a pitched roof nature and is to be 2.6m to the eaves with an overall ridge height of 4m. The proposed materials to be used on the extension are treated feather edge boarding stained black.
- 5.7 The existing barn is to be converted to consist of a living space, kitchen, bathroom and storage area. There will be two conservation rooflights on the south-eastern elevation and one conservation rooflight on the north-western elevation. The south-eastern elevation is to consist of a new window and a double set of doors. Internally, this proposal for the dwellinghouse will remain single storey for the barn and the internal roof trusses will remain unchanged and retained. The roof trusses are to be cleaned and left exposed as part of the new vaulted roof. The roof is to be stripped back to the rafters and then reinstated with existing tiles on TLX bat safe breathable membrane. The modern 20th century separating walls are to be removed to facilitate the internal works to the barn. The existing saddlestones and posts are to be retained and are to be inside the new external wall of the dwellinghouse. In addition, the existing foundations are to be underpinned along the roadside.
- 5.8 The existing field gate is to be removed to facilitate the new parking for the dwellinghouse. The proposed dwellinghouse is to have 2 parking spaces in accordance with OCC highways. The existing concrete block wall is to be removed to facilitate the parking and a turning circle and to be replaced

with a 1.2m close boarded fence. The full outside space for the dwellinghouse is to be a gravelled to provide a courtyard garden for a 1-bedroom dwelling.

- 5.9 The considerations of this application are the impacts that the proposed development will have on this Heritage Asset.
- 5.10 Listed Building applications are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Accordingly, the application does not need to be determined in accordance with the development plan. Rather, applications must be determined in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Given the relevance of Local Plan Policies OS4, EH9 and EH11 to this proposal, these policies and the supplementary guidance contained in the West Oxfordshire Design Guide 2016 (an adopted SPD) are material considerations in this assessment, as is the NPPF 2023.
- 5.11 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 200 requires the applicant to describe the significance of affected heritage assets. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Listed Building, or Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 206). Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.
- 5.12 Therefore, with regard to the impact on the curtilage listed building the proposed works are considered to have a positive impact on the historic architecture of the existing listed building. It has been considered that there is no harm caused, as a result of the conversion, on the setting of the listed building and as a result the balancing exercise of paragraph 208 of the NPPF does not need to be engaged. Officers have considered that the existing barn is currently vacant and has been for many years and that this proposed use would bring the building back into use and would allow the continued use for future generations and will conserve the building. It is also noted that the optimum viable use of a dwellinghouse will be secured by the conversion of the barn and will bring the current building back into use. Officers have considered that there is no harm had to the listed building and in any event, the public benefits of the retention of the heritage asset and the addition of the housing stock outweighs any potential harm made.
- 5.13 Local Plan Policy EH3 (Biodiversity and geodiversity) states 'the biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity'. Paragraph 180 of the NPPF sets out a clear hierarchy for proposals affecting biodiversity. The hierarchy is to firstly, avoid harm; secondly, where this is not possible, to mitigate any harm on-site; thirdly, as a last resort, to compensate for any residual harm.
- 5.14 The WODC Biodiversity Officer was consulted on the application to ascertain the impact of the proposed conversion on any species in the vicinity. Results from the bat emergence surveys confirmed that there is one feeding roost of common pipistrelle and soprano pipistrelle as well as one day roost of one brown long eared bat within the barn. As a result of the development these roosts will be permanently lost. It was considered that that the conservation significance of the roost

is low. As a result, a licence from Natural England will be required in order for works to proceed lawfully.

- 5.15 The proposals within this application could potentially affect European protected species (long-eared bat roost, soprano pipistrelle bat roost and common pipistrelle bat roost). In light of ODPM Circular 06/2005 (para 116) and the Conservation of Habitats and Species Regulations 2017, the 3 "derogation" tests, as set out in Regulation 55 have been considered in reaching a recommendation. Natural England Guidance (NE292, 2010) states: "Where it is likely that prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of European protected species will be offended, the LPA will be required to consider the likelihood of a licence being granted and in doing so, the three tests. It would be inappropriate for Natural England to tell LPAs how to do this as LPAs are the decision-making body and must make the decision themselves and not appear to be fettering their discretion in any way. In considering the tests LPAs however should properly have regard to Government Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System. If still uncertain, LPAs should seek their own independent legal advice about the tests, the circumstances in which they should consider them and how they should do so, if necessary."
- 5.16 Officers have therefore considered the three derogation tests in relation to the proposed. Test 1 states (a) The activity ... must be for imperative reasons of overriding public interest or for public health and safety (IROPI). There is no clear legal definition of "IROPI", however Natural England advice (guidance note NE292, 2010) is that "the development proposal must contribute to meeting an imperative public interest, and that interest must be sufficient to override the protection of, and any potential impact on, the EPS concerned". In this instance it has been considered that the conversion of existing agricultural barn with a single storey extension to a residential dwellinghouse and associated private amenity space is appropriate in this location to diversify the internal space to provide additional housing which will add to the West Oxfordshire Housing Stock. Also at the moment the barn is currently disused this will also then further ensure that the listed building is maintained in its most viable use the foreseeable future. This will then ensure that the important Grade II listed building is continuing to be maintained and would not fall into disrepair.
- 5.17 Test 2 states (b) There must be no satisfactory alternative. Extract from 'Natural England Guidance Note: European protected species and the planning process; Natural England's Application of the 'Three Tests' to Licence Applications' (NE292, 2010) states "The greater the impact of the proposal on the species, the more evidence Natural England would expect to see from the applicant in order to be able to satisfy itself that there is no satisfactory alternative to the one being proposed. Natural England also expects the applicant to demonstrate that they have taken reasonable steps to minimise the impacts of a development on EPS. In this instance, the applicant has demonstrated clearly as to why there is no option for the bat roosts to remain within the current location and that the mitigation measures are appropriate and would successfully maintain the population of the species concerned.
- 5.18 Test 3 states (c) Favourable conservation status of the species must be maintained. Due to the status of the species and the type of roost), and subject to the full implementation of the proposed mitigation strategy in Section 4 of the submitted Bat Emergency survey report, the proposals should not lead to any long-term detrimental impact on this bat species and therefore there would be no impact on the favourable conservation status.
- 5.19 In light of the above, Officers have applied the three-derogation test and as a result Officers have considered that the proposal would meet the three derogation tests and is likely to receive a license

from Natural England. Officers are satisfied that the removal of the bat roosts is not going to have detrimental harm to the protected species.

5.20 It is also important to consider that during the preliminary roost assessment it was identified that seven historical birds' nests and active birds' nests of house martin and swallow were found within the building. The proposed works will result in the destruction and abandonment of these nests; therefore, a precautionary method of working statement is required to ensure that nesting birds and their nests are protected during conversion and construction works and that works are carried out outside of bird nesting season. In addition, enhancement recommendations have been made for the installation of a minimum of two bird boxes on mature trees on site, as well as swift and sparrow terraces integrated into the new building. No plans have been submitted to support the implementation of these enhancement features; therefore, the enhancement condition is recommended to ensure that enhancements for nesting birds are achieved.

5.21 Due to the sensitive nature of the site, with bats and birds it is appropriate to condition lighting to ensure that external lighting is sensitively designed and not directed towards important habitat features for roosting, commuting and foraging bats.

5.22 Officers have considered on this basis that the scheme is considered acceptable and complies with Policy EH3 of the West Oxfordshire Local Plan.

Conclusion

5.23 The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess.

5.24 Taking into account the above matters the works proposed will preserve the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage asset will be sustained, in accordance with Section 16 of the NPPF.

6 CONDITIONS

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

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

2. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

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

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

REASON: To preserve internal features of the Listed Building.

4. All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.

REASON: To preserve the architectural integrity of the Listed Building.

5. The development shall be completed in accordance with the recommendations in the following documents:

- Proposed Elevations and Plans, Drawing No. 1799_201, Oxford Architectural Design, December 2022;
 - Section 4 and Appendix I of the consultancy report (Bat Emergence Survey, Arbtech, 27th July 2023); and
 - West Oxfordshire District Council's Precautionary Method of Working document
- All the recommendations shall be implemented in full, according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

REASON: To ensure that bats and reptiles are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992, Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

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

REASON: To ensure that nesting birds are protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

7. Before development takes place, details of the provision of integrated nesting opportunities for birds (swift bricks and sparrow terraces, built into the fabric of the new build, as close to the eaves as possible, on north/north east elevations, no lower than 3m above ground level) and externally mounted nesting features (minimum of two bird boxes affixed to existing mature trees on site, facing north/north east direction, no lower than 3m above ground level) shall be submitted to the local planning authority for approval. The details shall include a drawing showing the types of features, their locations within the site and their positions on the elevations of the building, and a timetable for their provision. The approved details shall be implemented before the development hereby approved is first brought into use and thereafter permanently retained.

REASON: To provide additional habitat for nesting birds as a biodiversity enhancement, in accordance with paragraphs 180, 185 and 186 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, and Section 40 of the Natural Environment and Rural Communities Act 2006.

8. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) Identify the areas/features on site that are particularly sensitive for nocturnal wildlife;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy, before the development hereby approved is first brought into use, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

REASON: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), West Oxfordshire District's Local Plan Policy EH3 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

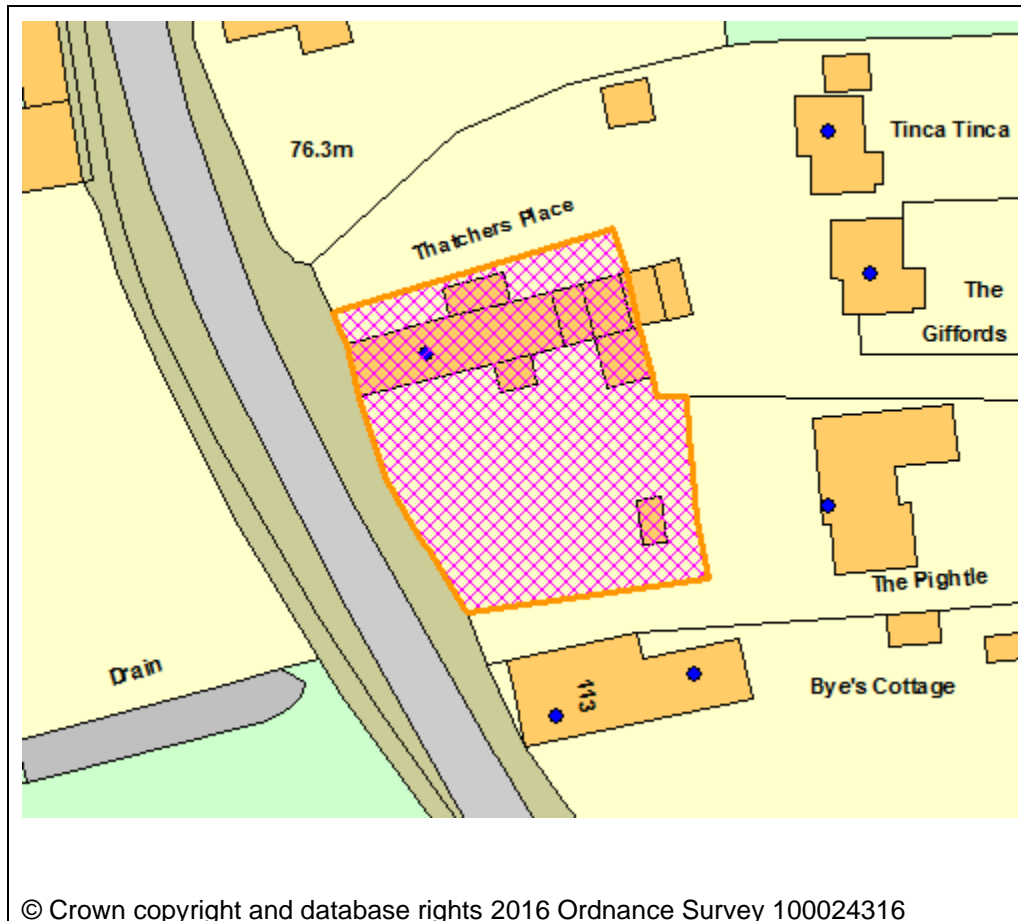
Contact Officer: Eloise Street

Telephone Number:

Date: 10th April 2024

Application Number	24/00175/HHD
Site Address	Olde Well Cottage 109 Station Road Brize Norton Carterton Oxfordshire OX18 3PT
Date	10th April 2024
Officer	Elloise Street
Officer Recommendations	Refuse
Parish	Brize Norton Parish Council
Grid Reference	430267 E 206872 N
Committee Date	22nd April 2024

Location Map



Application Details:

Erection of a single storey extension with attached garage and wood store.

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

- Siting, Design and Visual Impact
- Impact on Listed Building
- Impact on Neighbouring amenity
- Flood Risk
- Other Matters

Relevant Planning History

5.6 W81/0258- Alterations to existing structure to provide new garage

W90/1561 - Re-roofing stonessfield slates to front artificial stone slates to the rear.

W93/1031 - Demolition of existing lean to & erect new single storey extension conversion of garage to playroom relay existing slate roof form velux rooflight.

W93/1032 - Demolition of existing lean to & erect new single storey extension convert garage to playroom relay existing slate roof & form new velux rooflight.

W99/0433 - Alterations and erection of single storey extension to form new garage.

W99/0434 - Internal and external alterations to include erection of single storey extension to form garage, enlarge playroom and installation of two new windows.

W2003/1124 - Change of use of playroom to self-contained bed-sit (retrospective), provision of two additional parking spaces to the rear.

W2003/1125 - Internal alterations to change existing playroom into self-contained bed-sit (retrospective) and parking for two vehicles to the rear.

Siting, Design and Visual Impact

5.7 The proposed single storey extension is to be adjoined to the existing bedsit on the ground floor and provide an additional 2 bedrooms to the property overall. The extension is to be 12m in length and 5m in width, with an eaves height of 2.4m and an overall ridge height of 4m. In addition to the extension is a single storey oak framed garage which is to be 5.77m in length and 5m in width and 3.5m in overall height. There is also a small wood store at 1.5m in width and 2.2m in height. The proposed materials to be used are Farmington stone for the walls and black framed uPVC windows and slate to match the lower roof line.

5.8 Policies OS2 and OS4 are relevant to be considered for the proposed application. Policy OS2 focuses on development being located in the right places and states that "all development should form a logical complement to the existing scale and pattern of development and/or the character of the area". Similarly Policy OS4 states that "new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible enhance the character and quality of the surroundings. This also links with Section 12 Paragraph 130 b which states policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. The NPPF also makes reference to local planning authorities preparing design guides and therefore it is important to also take regard of the West Oxfordshire Design Guide as a supplementary planning document. The design guide states "As an overarching principle, the scale, form and character of the original property should be sympathetically reflected in any proposed changes" it also states "New buildings and extensions should be well designed in themselves, and in sympathy with the character of the area. They should respect the form, siting, scale and massing of the surrounding buildings"

- 5.9 Officers consider that the proposed extensions are an overdevelopment of the existing dwellinghouse. The existing dwellinghouse measures at approximately 31m in length however this is with multiple additions and extensions as detailed in the relevant planning history. The 1875 maps infer that the dwellinghouse would have been approximately 21m in length. The proposed extensions would modify the linear nature of the existing dwellinghouse and form an L shape plan form. Officers consider that this would be transformative to the dwellinghouse and would detract from the character of the original property. Whilst the extension is stepped down and set low, the overall scale at 18m overall would be transformative and over half the length of the existing dwellinghouse. The West Oxfordshire Design Guide states: "Extensions or alterations that are of an inappropriate scale, or likely to obscure or significantly alter the form or character of the original property, are unlikely to be supported; as are extensions or alterations likely to fill a garden area, to provide substandard living conditions, or to result in a loss of amenity for neighbouring properties (through overlooking or overshadowing, for example)". In this instance, Officers consider that the proposed extensions are not a logical complement to the existing dwellinghouse and negatively affect the character of its simple linear form and are not a sympathetic addition. The extension would also not respect the historic character of the dwellinghouse. Officers have considered that the proposed as a whole does not represent high quality design and would therefore conflict with Policies in the Local Plan, The West Oxfordshire Design Guide and the NPPF.
- 5.10 The proposed single storey extension and attached garage, would be visible on the street scene and Officers consider that the proposal would be an incongruous addition and whilst is set back from the street scene, with the proposed porch on the front elevation of the extension, it gives an appearance of a primary building and detracts from the appearance that it should be secondary subservient. As a result, Officers consider it would have a negative appearance on the street scene.

Impact on Listed Building

- 5.11 Officers are required to take account of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.
- 5.12 Policy EHI 1 also states proposals for additions or alterations to, or change of use of a Listed Building will be permitted where it can be shown to: conserve or enhance the special architectural or historic interest of the buildings fabric, detailed features, appearance or character and setting. It is also important for Officers to take regard to the section 7 of the West Oxfordshire Design Guide which also emphasises that the character, fabric and history of the building should be understood as fully as possible.
- 5.13 Therefore, with regard to the impact on the Grade II listed building, the proposed works are considered to obscure the historical architecture of the existing listed building. The harm that has been caused has been considered to be less than substantial and therefore the balancing exercised of paragraph 208 of the NPPF has to be engaged. Officers have considered that the harm is to the lower end of less than substantial and that there will be some short-term public benefit of employment during the construction phase of the extension. However there has been no evidence to show any other public benefit of the scheme to the wider community and the extensions are for the private benefit of the owners.

5.14 It is also noted that the optimum viable use of a dwellinghouse is in place and there is no evidence to suggest this is at risk. The existing dwellinghouse has already been significantly extended and the newly proposed extension will have some harm on the simple linear nature of the dwellinghouse.

5.15 The proposed development would not respect the special qualities and historic context of the listed building and would not maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would not conform to policies EH9 and EH11 of the Local Plan.

Impact on Neighbouring Amenity

5.16 Given the nature of the new building, Officers are of the opinion that the proposed works would not give rise to any adverse impacts in regard to neighbouring amenity.

5.17 Section 12 of the NPPF states to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Officers have carefully considered the residential amenity concerns that may arise from a development and have concluded that there are minimal concerns and considered acceptable in terms of residential amenity.

Flood Risk

5.18 Local Plan Policy EH7 states 'all sources of flooding (including sewer flooding and surface water flooding) will need to be addressed and measures to manage or reduce their impacts, onsite and elsewhere, incorporated into the development proposal'. The NPPF 2023 (paragraph 173) states 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'.

5.19 OCC Drainage Engineers have been consulted on the application due to the dwellinghouse being sited within Flood Zone 2 and with the additional built form being proposed it was appropriate to seek their comments on the proposal.

5.20 The site lies within flood zone 2 and as part of the proposed development the drainage mitigation proposed will be soakaways and the floor levels will be as the existing dwellinghouse and walls will be rendered and set internally, and all electrical sockets/switches will be placed as high as is practical. The site is flat and there is a medium risk to surface water susceptibility.

5.21 Based on the information provided, it has been suggested that a full surface water drainage scheme shall be submitted to prior to the commencement of development to ensure that flooding is not exacerbated in the locality in which Officers consider acceptable in this location.

5.22 As a result, the proposed development is not seen to exacerbate flooding in this location and as a result would not be contrary to Policy H7 of the West Oxfordshire Local Plan 2031.

Conclusion

5.23 By reason of its siting and scale, the development would be transformative to the dwellinghouse and would detract from the character of the original property and would have a negative appearance on the street scene. The proposed development would result in an incongruous overdevelopment which would have an adverse impact on the historic nature of this Grade 2 Listed Building. The

proposal would result in less than substantial harm to this heritage asset, which would fail to be outweighed by the public benefits of the proposed development as per paragraph 208 of the NPPF. Consequently, the proposal would fail to comply with Policies OS2, OS4, H6, EH9 and EH11 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide and advice in the NPPF.

6 REASONS FOR REFUSAL

- I. By reason of its siting and scale, the development would be transformative to the dwellinghouse and would detract from the character of the original property and would have a negative appearance on the street scene. The proposed development would result in an incongruous overdevelopment which would have an adverse impact on the historic nature of this Grade 2 Listed Building. The proposal would result in less than substantial harm to this heritage asset, which would fail to be outweighed by the public benefits of the proposed development as per paragraph 208 of the NPPF. Consequently, the proposal would fail to comply with Policies OS2, OS4, H6, EH9 and EH11 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide and advice in the NPPF.

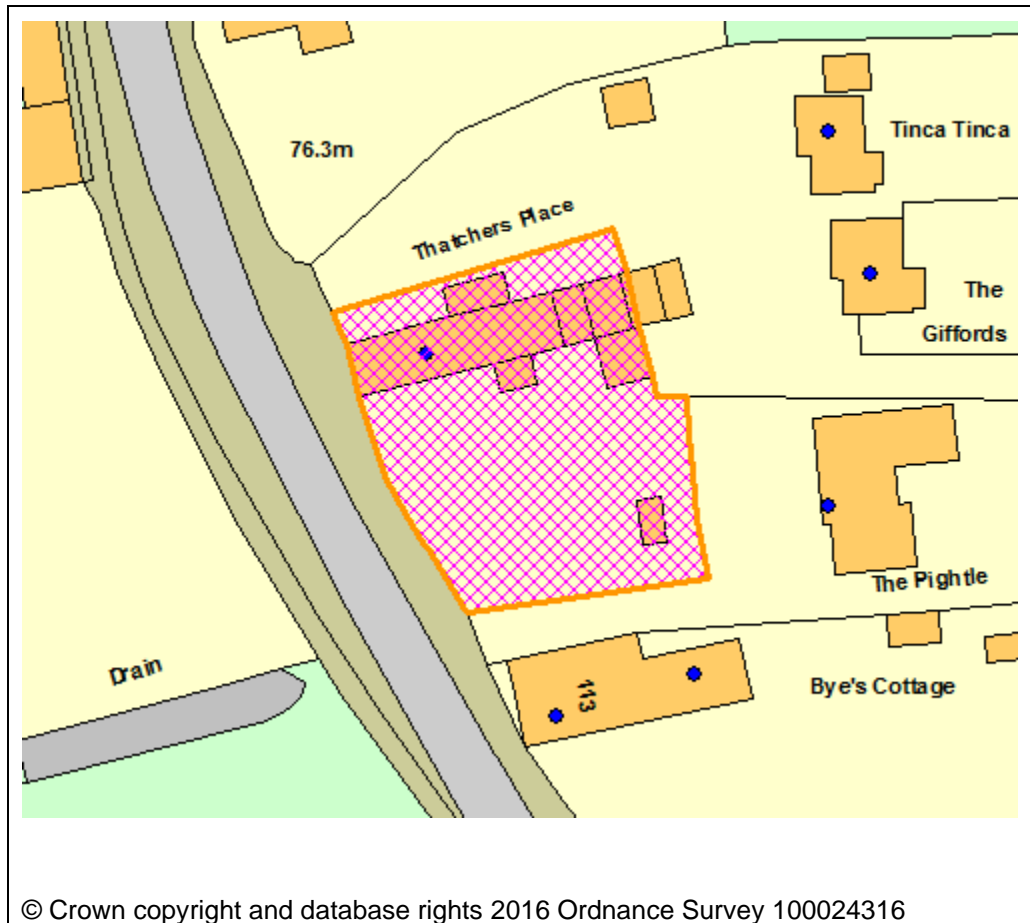
Contact Officer: Eloise Street

Telephone Number:

Date: 10th April 2024

Application Number	24/00285/LBC
Site Address	Olde Well Cottage 109 Station Road Brize Norton Carterton Oxfordshire OX18 3PT
Date	10th April 2024
Officer	Elloise Street
Officer Recommendations	Refuse
Parish	Brize Norton Parish Council
Grid Reference	430267 E 206872 N
Committee Date	22nd April 2024

Location Map



Application Details:

Internal and external alterations to include erection of a single storey extension with attached garage and wood store

Applicant Details:

Mrs Fiona Gove
Olde Well Cottage
109 Station Road
Brize Norton
Carterton
Oxfordshire
OX18 3PT

1 CONSULTATIONS

Conservation And Design
Officer

Borderline acceptable

Parish Council

BNPC support the application.

2 REPRESENTATIONS

2.1 No third-party consultee comments received to date.

3 APPLICANT'S CASE

3.1 A design and access statement has been submitted as part of this application and can viewed in full on our website.

4 PLANNING POLICIES

NPPF 2023

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

5 PLANNING ASSESSMENT**Background Information**

5.1 This application seeks listed building consent for the erection of a single storey extension with attached garage and wood store at Olde Well Cottage, Brize Norton.

5.2 The application is brought before Members of the Lowlands Area Sub Planning Committee as Brize Norton Parish Council have commented in support of the Listed Building application and as per the scheme of delegation, the Listed Building Consent is required to be determined by the Committee should Officers views be contrary to the Parish Council.

5.3 The application site relates to an existing Grade II Listed Building.

5.4 The site does not fall within any Conservation Area and is located within Flood Zone 2. There are no other constraints to consider as part of this application.

Planning History

- 5.5 W81/0258- Alterations to existing structure to provide new garage
W90/1561 - Re-roofing stonesfield slates to front artificial stone slates to the rear.
W93/1031 - Demolition of existing lean to & erect new single storey extension conversion of garage to playroom relay existing slate roof form velux rooflight.
W93/1032 - Demolition of existing lean to & erect new single storey extension convert garage to playroom relay existing slate roof & form new velux rooflight.
W99/0433 - Alterations and erection of single storey extension to form new garage.
W99/0434 - Internal and external alterations to include erection of single storey extension to form garage, enlarge playroom and installation of two new windows.
W2003/1124 - Change of use of playroom to self-contained bed-sit (retrospective), provision of two additional parking spaces to the rear.
W2003/1125 - Internal alterations to change existing playroom into self-contained bed-sit (retrospective) and parking for two vehicles to the rear.

Impact upon the Listed Building

- 5.6 The proposed single storey extension is to be adjoined to the existing bedsit on the ground floor and provide an additional 2 bedrooms to the property overall. The extension is to be 12m in length and 5m in width. With an eaves height of 2.4m and an overall ridge height of 4m. In addition to the extension is a single storey oak framed garage which is to be 5.77m in length and 5m in width and 3.5m in overall height. There is also to be a small wood store at 1.5m in width and 2.2m in height. The proposed materials to be used are Farmington stone for the walls and black framed uPVC windows and slate to match the lower roof line.
- 5.7 Listed Building applications are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Accordingly, the application does not need to be determined in accordance with the development plan. Rather, applications must be determined in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Given the relevance of Local Plan Policies OS4, EH9 and EH11 to this proposal, these policies and the supplementary guidance contained in the West Oxfordshire Design Guide 2016 (an adopted SPD) are material considerations in this assessment, as is the NPPF 2023.
- 5.8 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 200 requires the applicant to describe the significance of affected heritage assets. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Listed Building, or Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 206). Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.
- 5.9 The proposed extensions will result in a substantial increase to the building's scale in terms of its footprint. Its existing linear plan form is also to be changed and the character of the building will be largely lost due to the new extension proposed which is to be 18m in length whereby the original

dwellinghouse is no more than 31m. There is no clear and convincing justification that outweighs the harm of the proposed extension, alteration and works to listed building.

5.10 There are no discernible (or substantive evidence of any) public benefits relating to this current proposal to outweigh the less than substantial harm caused by the proposed extensions and alterations.

5.11 Officers consider that the proposed development would cause some less than substantial harm to the Grade 2 listed building and the public benefits of the scheme do not outweigh the harm to the listed building. The proposed development would not respect the special qualities and historic context of the listed building and would not maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would not conform to policies EH9 and EH11 of the Local Plan.

Conclusion

5.12 For the reasons outlined above, the scheme would fail to preserve the Grade II listed building, its features and significance and is considered to have no public benefit that would outweigh the less than substantial harm caused. The proposal is therefore judged to be contrary to the duty of set out in Section 16 of the NPPF and Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies EH9 and EH11 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016 and the NPPF.

6 REASONS FOR REFUSAL

1. The scheme would fail to preserve the Grade II listed building, its features and significance and it is considered there is very minimal public benefit that would not outweigh the less than substantial harm caused by the proposed extensions. The proposal is therefore judged to be contrary to Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990, Policies EH9 and EH11 of the West Oxfordshire Local Plan 2031 and advice in the NPPF.

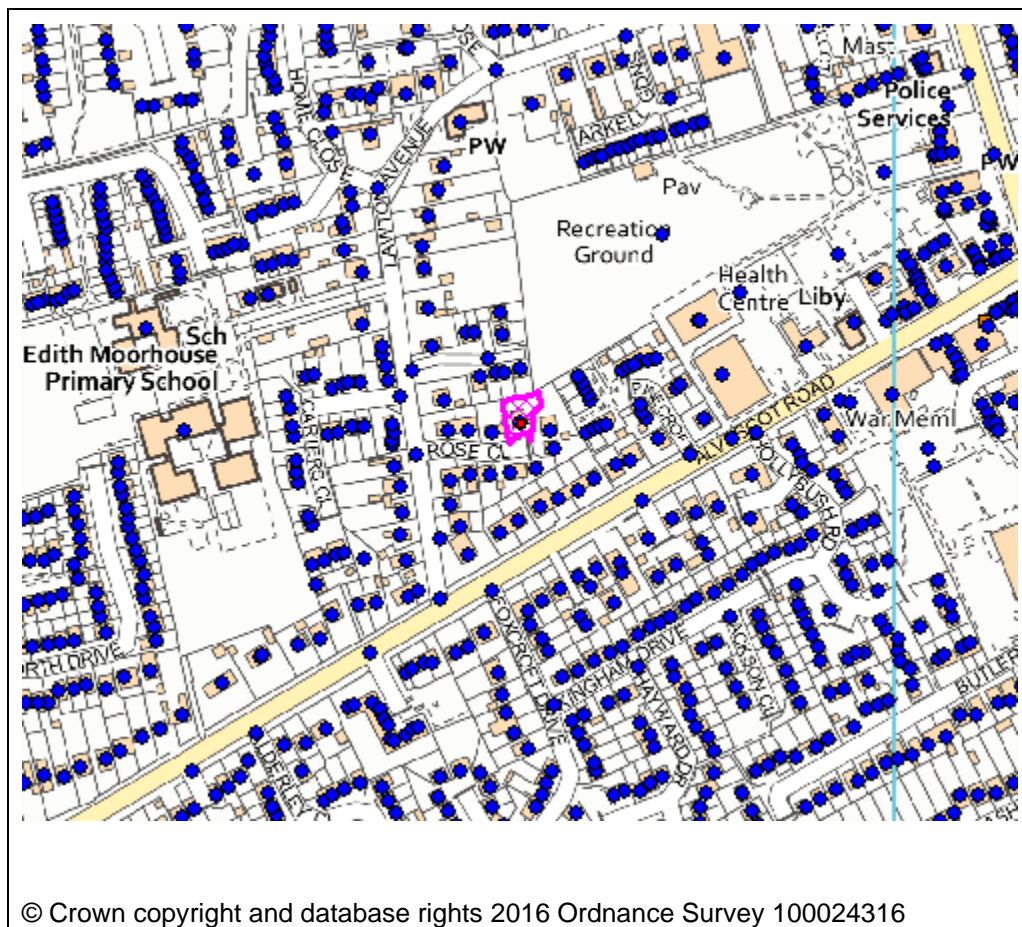
Contact Officer: Eloise Street

Telephone Number:

Date: 10th April 2024

Application Number	24/00574/HHD
Site Address	4 Rose Close Carterton Oxfordshire OX18 3LA
Date	10th April 2024
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Carterton Parish Council
Grid Reference	427752 E 206694 N
Committee Date	22nd April 2024

Location Map



Application Details:

Installation of dormer windows in east and west elevations to increase usable head height within the master bedroom.

Applicant Details:

Mr Nicholas Leverton
4 Rose Close
Carterton
Oxfordshire
OX18 3LA

1 CONSULTATIONS

Parish Council

No Comment Received.

2 REPRESENTATIONS

2.1 No third-party representations received to date.

3 APPLICANT'S CASE

3.1 No supporting statement was required with this planning application.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

NPPF 2023

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT**Background Information**

5.1 The application seeks planning permission for the installation of dormer windows in east and west elevations to increase usable head height within the master bedroom at 4 Rose Close, Carterton.

5.2 The application is brought before Members of the Lowlands Area Sub Planning Committee as the applicant is a District Councillor

5.3 The application site relates to a detached bungalow within the residential area of Carterton

5.4 The site does not fall within any areas of special designated control and therefore the main considerations of this application are the impact of the proposed development on the visual amenity and residential amenity.

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

- Siting, Design and Visual Impact
- Impact on Neighbouring amenity

Relevant Planning History

- 5.6 12/1457/P/FP - erection of rear extension and conversion of loft to living accommodation. - Approved
13/0541/P/FP - Erection of rear extension and conversion of loft to living accommodation, (to allow changes to materials) - Approved
15/04117/HHD - Replacement bay window to front elevation. - Approved

Siting, Design and Visual Impact

- 5.7 Proposed are two dormer windows on the eastern and western elevation to the rear of the property to allow more usable head height within the dwellinghouse. The proposed dormers on the western and eastern elevation are to be 3.1m in width and 1.8m in height and would protrude from the existing roofline by 2.2m. There is to be one window on both the eastern and western elevation which is to be obscurely glazed. The proposed dormers are to be clad with composite cladding system with an EPDM roofing system and white casement uPVC windows.
- 5.8 Officers consider that the scale and design complies with Policy OS4 of the West Oxfordshire Local Plan 2031 which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible, enhance the character and quality of the soundings. Section 12(135 b) of the NPPF also states that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping to which the proposed complies with.
- 5.9 Officers have considered that the proposed dormer windows are clearly secondary and subservient to the existing dwellinghouse and would not affect the character and appearance of the existing dwellinghouse. The proposed dormers would not be visible on the street scene, therefore, Officers have considered that the proposed would not give rise to any adverse impacts in regards to visual amenity.

Impact on Neighbouring Amenity

- 5.10 The proposed dormers are to face eastwards and westwards into neighbouring properties and due to their close proximity and lack of screening it is appropriate that the obscurely glazed windows are to be conditioned to be retained indefinitely. As a result, Officers are of the opinion that the proposed works would not give rise to any adverse impacts in regard to neighbouring amenity.
- 5.11 Section 12 of the NPPF states to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Officers have carefully considered the residential amenity concerns that may arise from a development and have concluded that there are minimal concerns and considered acceptable in terms of residential amenity.

Conclusion

- 5.12 Taking into account the above matters the proposal is considered acceptable on its merits and complies with Policies OS2, OS4 and H6 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

6 CONDITIONS

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

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

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

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

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

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

4. Before first occupation of the development hereby permitted the new windows serving the dormers along eastern and western elevation shall be fitted with obscure glazing and fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent properties.

Contact Officer: Eloise Street

Telephone Number:

Date: 10th April 2024

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Agenda Item 5

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 25th March 2024

Application Number.	Ward.	Decision.
I. 23/02669/HHD	Eynsham and Cassington	APP
Erection of a two storey side extension with detached garage with associated works. (amended plans & description) 52 Barnard Gate Witney Oxfordshire Mrs M Hartley		

- | | | | |
|----|--|--|-----|
| 2. | 23/03208/FUL
Affecting a Conservation Area | Witney Central | APP |
| | Erection of a garage
1 Kingswalk Cottages 46A High Street Witney
Sasha Robertshaw | | |
| 3. | 23/03214/HHD
Affecting a Conservation Area | Standlake, Aston and Stanton
Harcourt | APP |
| | Replacement of six windows and replacement of existing plastic guttering with cast iron guttering
The Old Chapel North Street Aston
Mr Daniel Gent | | |
| 4. | 23/03215/LBC
Affecting a Conservation Area | Standlake, Aston and Stanton
Harcourt | APP |
| | Internal and external works to include replacement of six windows and replacement of existing plastic guttering with cast iron guttering
The Old Chapel North Street Aston
Mr Daniel Gent | | |
| 5. | 23/03216/HHD
Affecting a Conservation Area | Bampton and Clanfield | APP |
| | Erection of a sun sail with associated works
5 St Marys Court Weald Bampton
Ian Broderick | | |
| 6. | 23/03224/LBC | Ducklington | APP |
| | Proposed comprehensive repairs, refurbishment and minor alterations
Lew House Lew Bampton
Mr And Mrs J Hook | | |
| 7. | 23/03353/FUL
Affecting a Conservation Area
Affecting a Conservation Area | Witney South | APP |
| | Construction of a self-build dwelling, demolition of existing outbuilding and erection of new outbuilding.
Mulberry House 9 Church Green Witney
Danny Morris | | |

8. **23/03425/CLP** Standlake, Aston and Stanton APP
Harcourt

Certificate of Lawfulness to ascertain commencement of development and therefore, confirm planning permission 19/03222/FUL (Building operations and introduction of windows and door openings to facilitate the residential use of the modern farm building following the change of use from storage (use class B8) to a self contained residential dwelling (use class C3) by prior notification 19/01114/PN56) is extant

Farm Building North Of Chimney Farmhouse Chimney Bampton
Mr Fergus Mitchell

9. **24/00092/HHD** Ducklington APP

Demolition of conservatory and construction of single storey rear extension.

6 Manor Road Ducklington Witney
Juliette Griffiths And Alison Marsh

10. **24/00093/FUL** Witney Central APP
Affecting a Conservation Area

Alterations to external doors and ground floor windows and partial change of use of the ground floor from Class E (previously A1) to a Beauty Salon (sui generis) (amended description).

1 Wesley Walk Witney Oxfordshire
Mr D Somaiya

11. **24/00190/HHD** North Leigh APP

Erection of raised decking/platform in rear garden along with addition of trellis to existing garden walling (retrospective)

1 Gough Close North Leigh Witney
Dr Dylan Windell

12. **24/00197/HHD** Bampton and Clanfield APP

Erection of two storey rear and side and single storey rear extensions and front porch. Demolition of garden workshop and erection of replacement garden office studio

Trevine Station Road Bampton
Mr Adrian Gardner

13. **24/00234/FUL** Standlake, Aston and Stanton APP
Harcourt

Conversion of three agricultural buildings to two dwellings and associated external works

The Stone Barn High Street Standlake
James Jennings

14. **24/00246/FUL** Alvescot and Filkins WDN
Affecting a Conservation Area
- Demolition of agricultural barns and erection of two dwellings
Home Farm Kelmscott Lechlade
Mr James Perkins
15. **24/00269/HHD** Carterton North West REF
- Erection of garden room (part retrospective)
Penlea Arkell Avenue Carterton
Mr And Mrs Michael King
16. **24/00289/HHD** Eynsham and Cassington APP
- Alterations to include installation of new windows and doors to kitchen, extend lobby between modern extension and cottage and provision of a balcony to rear elevation.
Acre Cottage Chapel Road South Leigh
Mr And Mrs Graham And Janet Soame
17. **24/00290/LBC** Eynsham and Cassington APP
- Internal and external alterations to include installation of new windows and doors to kitchen, extend lobby between modern extension and cottage and provision of a balcony to rear elevation.
Acre Cottage Chapel Road South Leigh
Mr And Mrs Graham And Janet Soame
18. **24/00291/HHD** Witney East APP
Affecting a Conservation Area
- Erection of a single storey rear extension
19 Kingsfield Crescent Witney Oxfordshire
Mr Jon Juggins
19. **24/00303/LBC** Witney South APP
Affecting a Conservation Area
- External alterations to front elevation to include the replacement and installation of new signage
13 Market Square Witney Oxfordshire
Nationwide Building Society

20. **24/00305/ADV** Witney South APP
Affecting a Conservation Area
- Replacement of non illuminated hanging sign, installation of non illuminated new fascia with new logo and replacement of ATM tablet and decals with new
13 Market Square Witney Oxfordshire
Nationwide Building Society
21. **24/00376/HHD** Carterton North West APP
- Construction of first floor extension above existing garage, replacement of existing weather boarding with render and partial infill of living room window.
76 Edgeworth Drive Carterton Oxfordshire
Mr Chadwick
22. **24/00378/HHD** Bampton and Clanfield APP
Affecting a Conservation Area
- Removal of existing timber sheds and green house. Erection of a replacement detached timber shed
Thatched Cottage Church Street Bampton
Mr And Mrs Mike And Ria Taylor And Dakin-Potts
23. **24/00414/HHD** Witney West APP
- Conversion of integral garage to home office
32 Winfield Drive Witney Oxfordshire
Mr Will Dentton
24. **24/00430/HHD** Brize Norton and Shilton APP
- Installation of six solar panels to the westerly (front) roof pitch.
24 Birch Drive Bradwell Village Burford
Mr Roger Moss
25. **24/00434/CLP** Witney Central APP
- Certificate of Lawfulness (to allow stationing of three welfare units (W/C, Open Area & Kitchenette) plus preparatory works to connect to services - in connection with the ongoing use of the site for Oxfordshire County Council fleet vehicles).
Moorland Centre 24 Dark Lane Witney
Mr John Neville

26. **24/00489/CLP** Carterton North East APP
 Certificate of Lawfulness (erection of rear and side extensions to dwelling)
17 Park View Lane Carterton Oxfordshire
 Mr Jason Brown
27. **24/00515/CND** Alvescot and Filkins APP
 Discharge of condition 4 (surface water drainage scheme) of planning permission
 23/01671/HHD.
Broadwell House Broadwell Lechlade
 Mr Jonathan Davies
28. **24/00590/CND** Standlake, Aston and Stanton APP
 Harcourt
 Affecting a Conservation Area
 Discharge of conditions 3 (Materials), 4 (surface water drainage scheme) and 6 (landscape
 details) of permission 23/02867/HHD
Cruck Barn Church Road Northmoor
 Mr And Mrs Ian And Roberta Miles
29. **24/00691/CM** Standlake, Aston and Stanton APPRNO
 Harcourt
 Full planning application for the use and operation of the Dix Pit Household Waste Recycling
 Centre MW.0026/24
Dix Pit Civic Amenity Site Linch Hill Stanton Harcourt
 FCC Environment
30. **24/00728/PDET28** Hailey, Minster Lovell and P2NRQ
 Leafield
 Construction of a steel portal frame with a fibre cement roof and corrugated steel cladding to
 concrete panel walls of 3m.
Hill Grove Farm Dry Lane Crawley
 Mr Anthony Brown

Lowlands Appeal Decisions

[APP/D3125/D/24/3337152](#)

23/02856/HHD - Kingsmead, 51 Woodlands Road, Witney, Oxfordshire, OX28 2DR

Proposed garage conversion, erection of single storey front and side extension, proposed conservatory and internal alterations.

The appeal is dismissed insofar as it relates to the proposed conservatory. The appeal is allowed insofar as it relates to the proposed garage conversion & erection of single storey front & side extension & internal alterations.

[APP/D3125/W/23/3331279](#)

22/03240/OUT- Land South of Burford Road, Minster Lovell, Oxfordshire, OX29 0BB

Development of up to 134 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved.

Appeal Allowed.

You can click on the appeal number to view the Inspectors decision.

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