

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 9th December 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 attached schedule.

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.

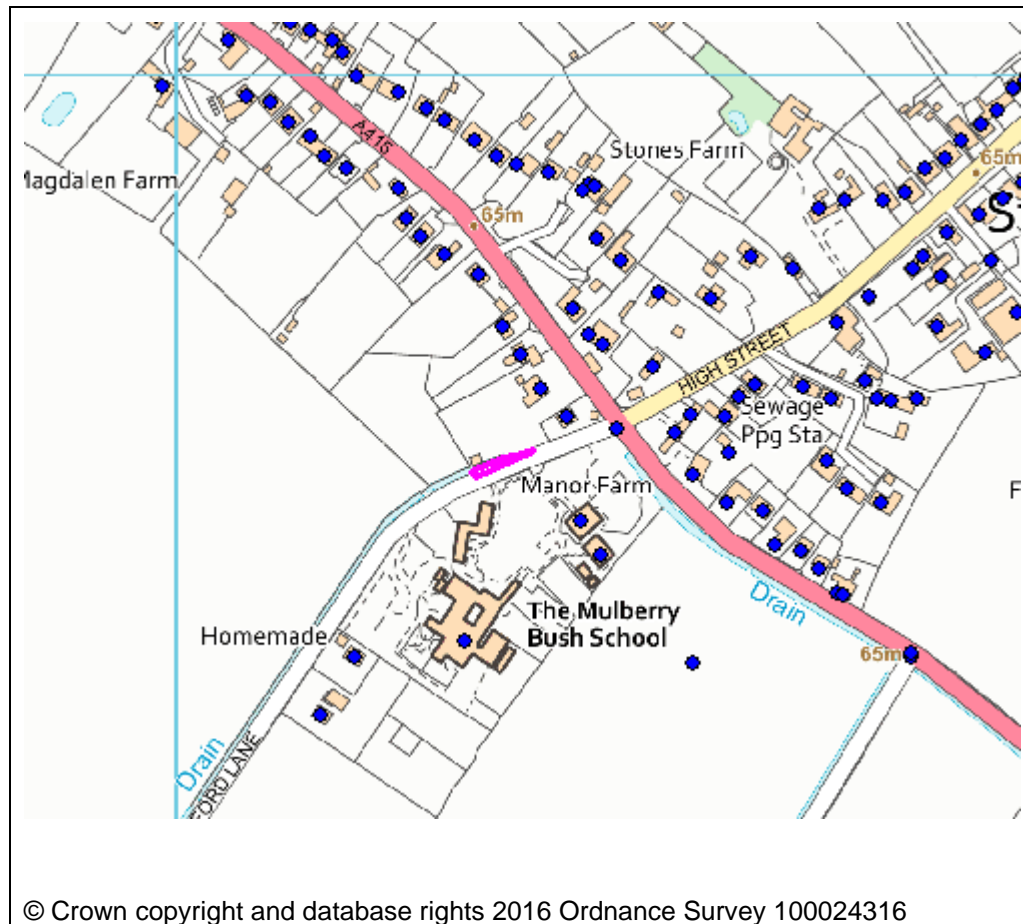
Please note that:

1. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Item	Application Number	Address	Officer
1	24/01341/FUL	138 Abingdon Road, Standlake	Rebekah Orriss
2	24/01559/LBC	3 Church View, Bampton	Tara Hayek
3	24/01726/HHD	Farmside, Sutton Lane, Sutton	Clare Anscombe
4	24/01727/LBC	Farmside, Sutton Lane, Sutton	Clare Anscombe

Application Number	24/01341/FUL
Site Address	138 Abingdon Road Standlake Witney Oxfordshire OX29 7RN
Date	27th November 2024
Officer	Rebekah Orriss
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439242 E 202793 N
Committee Date	9th December 2024

Location Map



Application Details:

Change of use of land to increase domestic curtilage along with erection of 2m high boundary fence.

Applicant Details:

Mr and Mrs Geoffrey and Victoria Ling
138 Abingdon Road
Standlake
Witney
Oxfordshire
OX29 7RN

I CONSULTATIONS

Parish Council

Standlake PC objects as follows:

1. Three mature trees on the land in question were felled without approval before the initial development proposal for the end of their garden was submitted earlier this year.
2. The new fence was erected before they submitted a retrospective application for curtilage over land that is well outside their garden and is still separated from it by a long-established fence. Their application for curtilage over this land has no basis for approval as it has never been maintained by them, contrary to what they state in their application. The new fence has changed completely the rural character of this stretch of Shifford Lane and is not acceptable to the owners of the Mulberry Bush School that faces it.
3. Moving the fence back by 1m will have no material effect upon its negative impact on the surroundings.

OCC Highways

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

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

2 REPRESENTATIONS

2.1 Two comments objecting to the proposal were received the full statements can be found on the West Oxfordshire Planning website but are both summarised as follows:

- the proposal is across the water main leading to Longwood House, access is required for maintenance;
- there are electrical lines that need to be accessed by BT and Gigaclear;
- concerns about the drainage ditch being filled in.

One comment of support was made:

- The sensitivity, understanding and support by the village and our neighbours to the work of The Mulberry Bush has been and remains of enormous value to the charity. Consequently, we have

been very grateful for the neighbourliness offered by the occupants over the years and with regard to this proposed development. The safety and welfare of the children at the school remains our greatest concern. Any measures that the owners take to support us in keeping the children safe during and after the build are welcomed.

We do not object to the development and have been grateful of being kept informed of the progress and plans for the site by the owners. This has included flexibility around certain works and the movement or operation of heavy / noisy machinery. We have not been approached for comment by any other party or neighbour in any regard in relation to this matter and have not objected. We do ask that access to the services that feed our school site are not compromised.

3 APPLICANT'S CASE

- 3.1. On the opposite side of Shifford Lane is The Mulberry Bush School where a number of young children live on a full-time basis. The school has expressed concerns that securing the construction site needs to be a priority to ensure the children are not at risk of any danger. Whilst the children mainly occupy the area within the school perimeter it is a well-known fact it is not unusual for some of them to explore the area beyond the perimeter and we have had unexpected visits from them on a number of occasions in the past.
- 3.2. Many people walk their dogs along Shifford Lane, often off the lead. It is necessary for the safety of the dogs and construction workers to keep the dogs out of the construction site.
- 3.3. Neighbours both from the Mulberry Bush school and along Shifford Lane have expressed concern that both during and after the permitted construction of the houses the lane itself may become congested or obstructed by vehicles delivering materials to the site or by other vehicles belonging to site workers. By creating a parking and unloading area inside the fence and clearly preventing such vehicles from being parked part on and part off the lane we are preventing such congestion and allowing our neighbours unfettered access to their properties.
- 3.4. Many people use Shifford Lane to walk out to other lanes and areas of countryside in the surrounding area. If the fence was erected further away from the tarmac surface of the lane these walkers will park their cars on the land to the side of the lane. This will cause congestion and result in mud being drawn onto the lane which during wet weather will create a dangerously slippery surface on Shifford Lane, a hazard for walkers and vehicles alike.
- 3.5. We need to maintain the security and privacy of our property, the fence will prevent those walking along Shifford Lane from looking into our house and garden and will prevent anyone from trying to take our dogs.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

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. This application seeks planning permission for the 'Change of use of land to increase domestic curtilage along with erection of 2m high boundary fence'. The application site is an area of grass verge along Shifford Lane, Standlake.
- 5.2. The proposal has been amended, to reposition the fence further back from the highway.
- 5.3. The verge is adjacent to a site approved for two dwellings under ref. 20/03451/FUL. The proposal has involved enclosing the verge with 2m high close-boarded fencing in order to bring the land into residential use associated with the two approved dwellings.
- 5.4. The site does not lie within any areas of special designation. There is a public right of way across the front of the site along Shifford Lane. The Mulberry Bush School occupies the land to the south of the lane.
- 5.5. The application is before Members due to a deferred decision to account for a site visit. The application was originally before Members as officers' views differ from those of the Parish Council, the application was also called in by Councillor Cosier.

Planning History

- 5.6. The red-line application site does not have any planning history itself, however the fence has been erected in connection with development approved on the adjoining site which has the following consent:
 - 20/03451/FUL - Construction of two, 4 bed dwellings - approved;
 - 24/00884/S73 - Variation of condition 2 of planning permission 20/03451/FUL to allow design changes to Plot 1 -approved.

Principle of Development

- 5.7. Local Plan Policy OS2 gives the general principles for new development the most relevant point for this application are that all development should:
 - Form a logical complement to the existing scale and pattern of development and/or the character of the area;
 - As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
 - Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area.
- 5.8. As such the principle of development is supported following is the further assessment in regard to the impact on the design and siting, highway safety and residential amenity.

Siting, Design and Form

- 5.9. The change of use of the land has involved the erection of a 2m close boarded fence. This has been placed in two sections allowing for an access in the middle, each section is approximately 15m long.
- 5.10. Currently the fence is quite close to the highway, however the applicants have amended the proposal to include repositioning the fence a further 1m back from the highway.
- 5.11. Shifford Lane is a narrow lane that leads off from the main road through Standlake. The lane has is characterised by leafy vegetation on the south side, with boundaries and accesses set back on the northern side with grass verges between boundaries and the highway.
- 5.12. In light of the above, officers consider the proposal to reposition the fence to mean that a grass verge is retained along the highway in a manner commensurate with the existing pattern of boundaries alongside the north side of Shifford Lane.
- 5.13. The applicant also proposes to plant native hedging to the front of the fence which officers consider is in line with policies EH3 and EH4, this exact mix could be secured by a condition.
- 5.14. Officers consider that the form and design complies with policies OS2 and OS4 of the West Oxfordshire Local Plan 2031.

Impact on Neighbouring Amenity

- 5.15. Given the nature of the development officers do not consider that the change of use of the land nor the erection of the fence would have a significant impact on neighbouring amenity.

Highways

- 5.16. OCC Highways have been consulted on the application as the land is owned by OCC highways, they have raised no objections with regard to highways safety and convenience. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Public Right of Way

- 5.17. Shifford Lane is part of the public right of way system. Officers consider that the application site forms a small part of the views of the right of way and in light of the existing residential uses along the lane, officers do not consider the repositioned fence to have a significant impact on the enjoyment of the public right of way.

Other Matters

- 5.18. Officers note the comments from the parish council regarding works to trees on the land. The trees were not protected, and the site is not in the conservation area so the removal of the trees did not require permission from the LPA.
- 5.19. While safety is not directly a planning consideration, representations from a representative of the neighbouring school have shown support for the fence with regard to safety during the construction period.

Conclusion

5.20. Taking into account the above matters the proposal is considered acceptable on its merits and complies with Policies OS2, OS4, T4 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. Within 6 months of the date of this decision details of the proposed native hedge shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

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

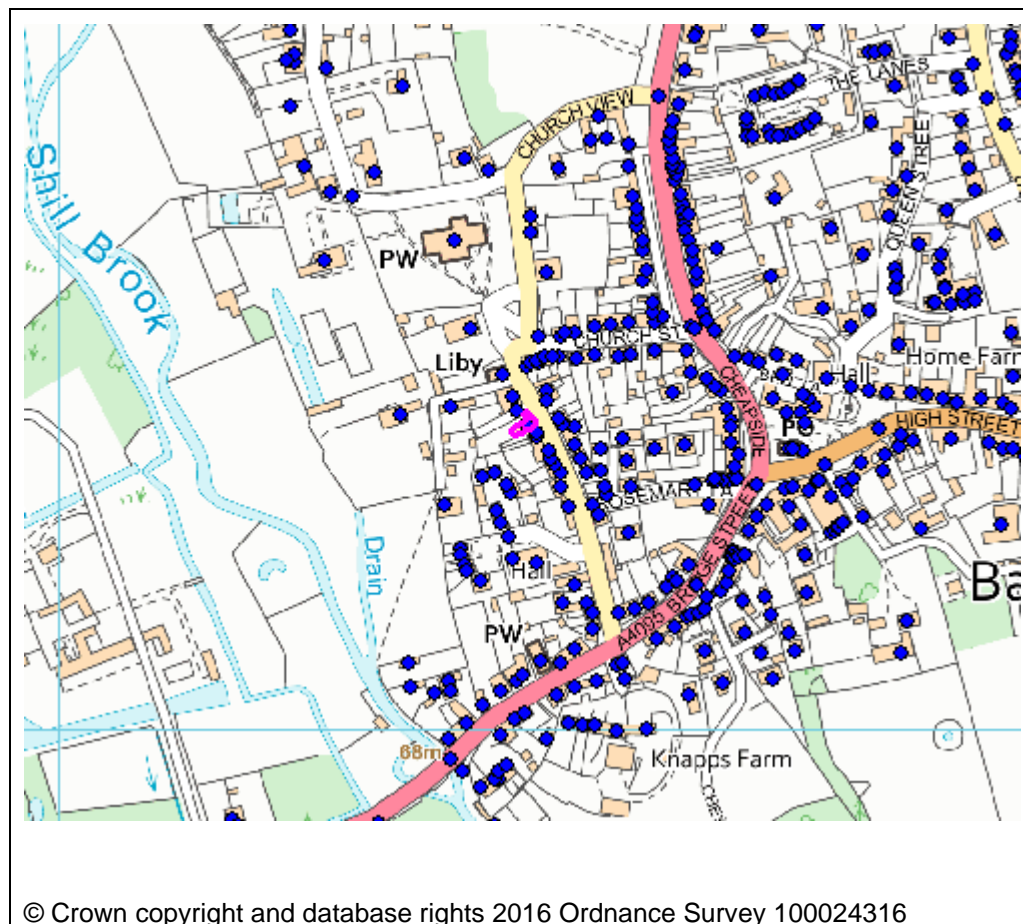
Contact Officer: Rebekah Orriss

Telephone Number:

Date: 27th November 2024

Application Number	24/01559/LBC
Site Address	3 Church View Bampton Oxfordshire OX18 2NE
Date	27th November 2024
Officer	Tara Hayek
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431310 E 203203 N
Committee Date	9th December 2024

Location Map



Application Details:

Internal and external alterations to include replacement of 5 existing windows of varying ages, 3 of which are double glazed, with matching higher thermal quality units and replacement of existing single glazed windows to house frontage with higher thermal quality single glazed windows.

Applicant Details:

Mr Alistair Wray
3 Church View
Bampton
Oxfordshire
OX18 2NE

1 CONSULTATIONS

Conservation And Design
Officer

No objections subject to a condition D33 for windows details. And, an informative for the type of windows we could support for this listed building:

The replacement windows should be of timber, the joinery detailed to match traditional window types. The double-glazing should be as thin as possible (c.16mm or less) ideally with black spacer bars between the sheets of glass. The window should have properly detailed glazing bars (with the glazing bars framing up the individual panes of glass, rather than sandwiching unbroken sheets of glazing, or being sandwiched between unbroken sheets of glazing). For further advice see: West Oxfordshire Design Guidance: : <https://www.westoxon.gov.uk/media/ksqgv14b/10-design-guide-windows-and-doors.pdf>

Parish Council

No Comment Received.

Historic England

Please refer to conservation specialist

2 REPRESENTATIONS

2.1 No third-party representations received.

3 APPLICANT'S CASE

3.1 A Listed Building Consent Application justification statement has been submitted, which states:

3.2 'The proposed works (replacement windows) in no way change the outward appearance to the building (or affect the interior), and attention has been paid to these considerations in retaining identical window replacement units to the front elevation with two single glazed units, and like-for-like replacement units to the rear extensions where the five existing windows are all in poor condition and three of these five are existing defective double glazed units. Hence, visual impact from these works is minimal while effort has been made both to conserve the building's overall appearance and enhance its thermal efficiency and future use'.

4 PLANNING POLICIES

DESGUI West Oxfordshire Design Guide

OS4NEW High quality design

EH10 Conservation Areas

EH11 Listed Buildings

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

5 PLANNING ASSESSMENT

- 5.1 3 Church View is a Grade II listed building formerly one house, now 3 dwellings, dating from the 17th century with early/mid-18th century wings and small 18th/19th century extension to right.
- 5.2 Because 3 Church View is Grade II listed, the Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 5.3 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. In particular, 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.
- 5.4 In order to consider the effect of a scheme on the significance of the listed building, there is a need to identify that significance. This application has been furnished with enough information to determine this application.
- 5.5 The works proposed relate to internal and external alterations to include replacement of 5 existing windows of varying ages from the 20th century.
- 5.6 Advice was undertaken prior to this application. The current application mostly aligns with the advice, although further advice has been given regarding the window specifications for this listed building. A window condition will be attached to seek windows that will preserve the character of this listed building.
- 5.7 Officers are of the opinion that the works are remedial and necessary delivering replacement window that will help sustain the property in the longer term. This will ensure the protection and preservation of this listed building, as well as improve the thermal and environmental conditions.
- 5.8 Overall, these works would have a positive impact on heritage significance, and therefore considered to be a heritage (public) benefit and will secure its optimum viable use for the future.
- 5.9 Therefore, Officers are satisfied that the works proposed will preserve the essential 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.
- 5.10 Also, 3 Church View is located in Bampton Conservation Area, and Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special

attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area.

5.11 And the proposed changes will not impact on the Conservation Area thus respecting the special qualities and historic context of the Conservation Area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.

5.12 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, and to the desirability of preserving or enhancing the character or appearance. The works are considered to preserve the special character, setting and significance of the listed building, and of the Conservation area. As such, your officers consider that listed building consent should be approved.

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. Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

3. 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.

Notes to applicant

- 1 The replacement windows should be of timber, the joinery detailed to match traditional window types. The double-glazing should be as thin as possible (c.16mm or less) ideally with black spacer bars between the sheets of glass. The window should have properly detailed glazing bars (with the glazing bars framing up the individual panes of glass, rather than sandwiching unbroken sheets of glazing, or being sandwiched between unbroken sheets of glazing). For further advice see: West Oxfordshire Design Guidance: : <https://www.westoxon.gov.uk/media/ksqgv14b/10-design-guide-windows-and-doors.pdf>

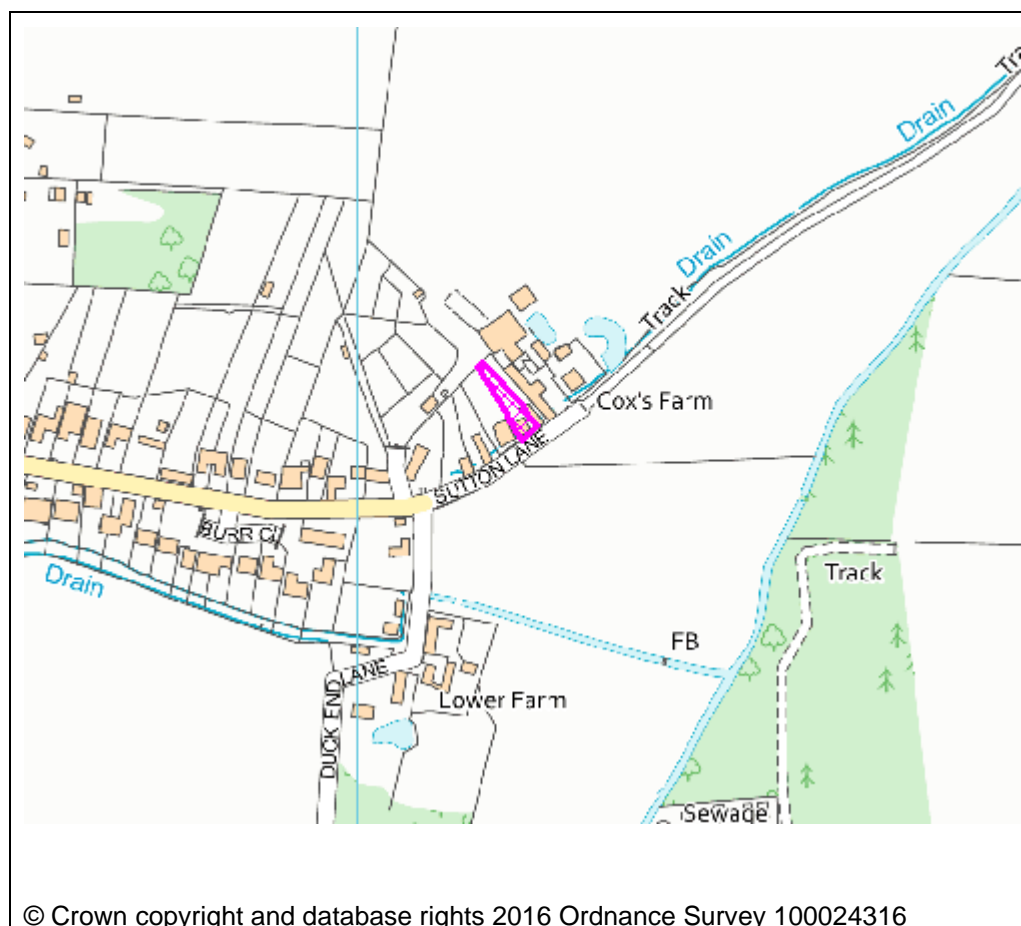
Contact Officer: Tara Hayek

Telephone Number: 01993 861666

Date: 27th November 2024

Application Number	24/01726/HHD
Site Address	Farmside Sutton Lane Sutton Witney Oxfordshire OX29 5RU
Date	27th November 2024
Officer	Clare Anscombe
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	442110 E 206266 N
Committee Date	9th December 2024

Location Map



Application Details:

Demolition of single storey rear extension and porch, erection of two storey rear extension, conversion of outbuilding into a utility room and associated works (amended plans).

Applicant Details:
Mr And Mrs Wallom
Farmside
Sutton Lane
Sutton
Oxfordshire
OX29 5RU

I CONSULTATIONS

Newt Officer

It is considered that the proposed development is unlikely to have an impact on crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent:

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."

Additionally, the following recommendations are provided to further reduce the likelihood of impacts on this species:

- Removal of materials by hand. If any great crested newts are discovered during removal of materials, materials should be replaced immediately and a suitably qualified ecologist contacted prior to works resuming.
- Any trenches left overnight should be covered or provided with ramps to prevent great crested newts from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter.
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

Historic England

No comment.

Conservation And Design Officer

Original comments:-

The general idea of this is not too problematic - the extension is arguably secondary to the main block, the link avoids the junction with the thatched roof, and the design work is tidy and unashamedly contemporary.

However, it collides with the pitched roof of the outhouse (against our previous advice), and it is still perhaps a little too tall. Also, the rooflights are unnecessary, as there is a sizeable window in the gable end.

If they addressed these issues, I think it would probably be supportable from a Conservation and Design point of view.

Parish Council

Objection.

POLICY OS4: High quality design. The size of the extension does not conserve or enhance the existing buildings and features of historic, architectural, and designated and non-designated heritage assets in this area.

POLICY OS2: Locating development in the right places: The proposed extension is not proportionate and appropriate in scale and massing in relation to existing properties and other extensions in the ribbon development. The proposed extension does not enhance the local landscape and setting of the existing settlements. The application is contrary to NPPF paragraph 135; in that it is not sympathetic to local character and history, including the surrounding built environment and landscape setting.

Conservation And Design Officer

Reconsultation response - no objection.

Subdued lead or zinc cladding would be preferable to copper for the first-floor link.

OCC Highways

No objection.

2 2 REPRESENTATIONS

2.1 One letter of objection has been received from an interested party to the initial application documents. In summary, the following concerns have been raised:

- Overshadowing and loss of light to neighbouring property
- Increased fire risk
- Loss of privacy to neighbouring property
- Increased noise and disturbance
- Overdevelopment
- Loss of character of the area and appearance of the historic group of cottages when viewed from the road

- Environmental impact on Great Crested Newts
- Clarification required under Party Wall Act 1996

2.2 A further letter of objection has been received to the amended plans. In summary, the following concerns have been raised:

- Building up the boundary wall and proximity to the existing thatch roof at Mistletoe Cottage and lack of distance from the boundary wall for maintenance
- Overlooking from the proposed rear window onto patio dining area at Mistletoe Cottage
- Inaccurate Daylight and Sunlight Assessment

3 APPLICANT'S CASE

3.1 In summary, the application is accompanied by a Design, Access & Heritage Statement which makes the following points:

- The kitchen extension porch and dormer are all of poor architectural quality and detract from the listed building. Therefore, the removal of these will not remove any historical fabric of the building.
- The thatch roof will stay untouched. The link will have a glass roof which will make it clear that this is a new addition and so make the earlier part of the building legible. Therefore, maintaining the historical significance of the building.
- The roof to the extension has been lowered lessening its impact on the existing building and the neighbour. The eaves of the proposed extension now lines up with eaves of the slate lean-to roof, therefore respecting the form of the existing building.
- The design is modern but very simple in form to avoid detracting from the original house. The timber cladding offers a softer finish against the listed building but delineates the historical part of the house with the new extension. This helps maintain the historical importance of the house. Part of the historical importance of the building is the story it tells of the way homes have changed to adapt to the employment and prosperity of the village. With the cottage being subdivided to meet the agricultural needs and then turned back into one house and then extended as the prosperity of rural areas has increased.
- New openings will be kept as small as possible therefore the historical significance of the building will remain.
- The proposals do not extend further back than the extension to Mistletoe Cottage and the historic part of Mistletoe Cottage is to the front of the property.
- The side facing glazing to Mistletoe Cottage includes double doors from the kitchen/dining room, which has its main set of glazing facing the main part of the garden to the north. On the first floor, the window serves part of the bedroom which has its main source of light from the large windows facing down the garden to the north. The ground floor sun room which is in the centre of the building is already surrounded by two storey buildings which form Mistletoe Cottage, with the majority of the source of light coming from the glazed roof. The proposed extension to Farmside will not affect the light coming into this roof. The extension has been designed with the roof affectively starting from the garden wall and pitching away from the

neighbour and is Northeast facing so will not block any additional light than what the original cottage is already doing.

- The main part of Mistletoe's garden is to the north of their extension which the proposed extension to Farmside is not close to and will have no impact on this part of the garden.
- A Daylight and Sunlight Assessment has been submitted by Smith Marston Building Surveyors. This concludes that the proposed development will have a low impact on the light receivable by its neighbouring property and in their opinion, the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H6NEW Existing housing

T2NEW Highway improvement schemes

EH8 Environmental protection

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH12 Traditional Buildings

EH3 Biodiversity and Geodiversity

DESGUI West Oxfordshire Design Guide

NPPF 2023

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application relates to an existing two-storey detached, thatched dwelling dating from the 18th Century located along Sutton Lane in Sutton. The dwelling is Grade II Listed (known as 'Pinkhill Cottage,' listing number: 1199800) and lies in the Stanton Harcourt and Sutton Conservation Area. The proposed development is for the demolition of a single storey rear extension and porch, erection of a two-storey rear extension, conversion of an outbuilding into a utility room and associated works.

Relevant Planning History

- W74/0746 Kitchen Extension. Approved. 21st November 1974.
- 17/00261/LBC Erection of rear porch (retrospective) Approved. 22nd March 2017.
- 23/03249/HHD Internal and external alterations including: reinstatement of window and stairs, removal of dormer window, proposed roof lights, repointing stonework with lime mortar and replacement detached garage (amended plans). Approved. 30th January 2024.

- 23/03250/LBC Internal and external alterations including: reinstatement of window and stairs, removal of dormer window, proposed roof lights, repointing stonework with lime mortar and replacement detached garage (amended plans). Approved. 30th January 2024.

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

- Principle of Development
- Design, Siting, Scale and Visual Amenity
- Impact on Designated Heritage Assets
- Impact on Amenity
- Impact on Ecology
- Impact on Highways
- Other Matters

Principle of Development

5.3 The proposed development falls within the curtilage of an existing dwelling and so the principle of the development is considered to be acceptable.

Design, Siting, Scale and Visual Amenity

5.4 Policy OS2 of the WOLP (2031) requires all new development to form a logical complement to the existing character of the area and be of a proportionate and appropriate scale to its context. Policy OS4 relates to high-quality design and 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. It should demonstrate high quality design and conserve or enhance areas, buildings and features of historic and architectural significance. Policy H6 requires changes to existing housing to respect the character of the surrounding area. Chapters 14 and 4 of the West Oxfordshire Design Guide (2016) (Extensions and Alterations) and (Local Character) are also particularly relevant. Chapter 4 notes that roofing materials typically include Welsh slate, natural stone slate and walling materials include weatherboarding.

5.5 The proposed extension is set down from the ridge of the existing property and has a pitched roof form which reflects that of the host dwelling. It has a width of circa 5.7m and is to be clad in timber with a slate roof to match slate on the existing rear lean-to extension. It is to be linked with the host dwelling by a flat-roof link with a glass roof. Triple glazed grey aluminium sliding doors and windows are also proposed. A set of sliding doors is proposed on the north-east elevation and north-west elevation as well as a window at first floor level in the rear elevation. The extension is to accommodate an additional bedroom and larger kitchen and dining area.

5.6 In terms of its siting, scale and form, the extension is set-back from the existing characterful little red brick outbuildings to the rear and set-down from the ridge of the host dwelling. Its eaves align with the eaves on the lean-to. Therefore, due to its scale, siting and form, the proposed extension is considered to be a proportionate and appropriate to its context and not obscure the character of the original property.

5.7 In terms of impact on the character and appearance of the original property, the proposed materials largely reflect that of the host dwelling and other surrounding permitted outbuildings, including the garage. Whilst the choice of wall material is modern, this will help to clearly express a new chapter in

the story of the property through being clearly differentiated from the original dwelling. However, the type and colour of timber cladding has not been specified. The Design Officer has been consulted and has no objections to the proposal. Therefore, the proposed development is considered to be acceptable in terms of its design, subject to a condition requiring the submission and approval of a sample of the cladding prior to the commencement of walling.

- 5.8 The link and roof of the extension will be partly visible from the street scene, but due to the proposed materials, it is considered that this would reflect the character and appearance of the host dwelling and surrounding area and so not appear prominent in the street scene.

Impact on Designated Heritage Assets

- 5.9 The site lies in the Stanton Harcourt and Sutton Conservation Area and the host dwelling is listed. In terms of impact on the Listed Building, Officers are required to take account of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for development which affects a listed building or its setting, 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. This is reflected in policy EH11 of the WOLP. In line with section 72(1) of the Act and WOLP Policy EH10, your officers have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

- 5.10 In terms of impact on the listed building itself, a Heritage Statement has been submitted which states that the cottage is an 18th Century thatched cottage which is a good example of a traditional house from that time and its original plan form can still be seen today. The thatched roof is a good example of vernacular architecture. The cottage was extended in the 19th Century with a lean-to extension, which is clearly visible on the east elevation. A flat roof kitchen extension was added in the 1960s and a rear porch. The kitchen extension and porch are of poor architectural quality and the proposal seeks to remove these.

- 5.11 The Heritage Statement states that as the proposal would remove existing unsympathetic additions to the property and replace these with a more sensitively designed extension which is set down from the thatched roof and separated from the original building by a glass roof link, it is considered that the proposal would make the earlier part of the building legible. An opening will be created at first floor level into the extension, but this will be through the slate roof of the 19th century lean-to extension and so no historic fabric will be affected. The Conservation and Design Officer agrees with this assessment. Therefore, it is considered that the proposal will preserve the special architectural and historic interest of the listed building in accordance with Section 66 of the 1990 Act and the significance of the designated heritage asset will be sustained, in accordance with Section 16 of the NPPF.

- 5.12 It is also considered that the proposed development would fall within the setting of several other Listed Buildings, including Mistletoe Cottage and Goldenbridge Cottage. Mistletoe Cottage has been extended to the rear with the original part of the cottage fronting the road. Goldenbridge Cottage is noted for its group value. The link and roof of the extension will be partly visible from Sutton Lane, but due to the proposed materials, siting and height of the extension, it is considered that the special interest of Mistletoe Cottage and the group of cottages would be conserved. In terms of impact on the setting of Goldenbridge Cottage, it is considered that the proposal would enhance the setting of this listed building due to the removal of the flat-roof single storey extension and renovation of the existing brick outbuilding.

5.13 In terms of impact on the conservation area, it is considered that due to its location, form, scale, massing, height and external appearance, the proposed development would conserve the linear settlement pattern, special historic and architectural interest, character and appearance of this part of the Stanton Harcourt and Sutton Conservation Area.

Impact on amenity

5.14 Policy OS2 of the WOLP (2031) states that all new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. Policy H6 states that extensions and alterations to existing dwellings will not unacceptably affect the environment of people living in that area. Officers consider that due to the siting of existing and proposed openings, intervening garage and existing boundary vegetation, the proposed development would be unlikely to have a harmful impact on the amenity of occupants of Goldenbridge Cottage.

5.15 Concern has specifically been raised regarding potential for the proposed development to overshadow the neighbouring property (Mistletoe Cottage), particularly along the east facing aspect. Officers have carried out a site visit and carefully considered impact on amenity to Mistletoe Cottage. A Daylight and Sunlight Assessment by Smith Marston Chartered Building Surveyors has been submitted which has been prepared in accordance with the latest BRE guidelines for Daylight and Sunlight (2022). These guidelines are widely used to assess the impact of development on daylight and sunlight.

5.16 In summary, the report concludes that all neighbouring windows (that have a requirement for daylight or sunlight) pass the relevant BRE diffuse daylight and direct sunlight tests and that all neighbouring amenity areas also pass the BRE overshadowing to gardens and open spaces test. It also concludes that the proposal will have a low impact on the light receivable by its neighbouring property and in the opinion of the surveyor, the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring property. The kitchen/dining room at Mistletoe Cottage includes side facing double doors and a main set of glazing facing the garden to the north so is served by a second source of light.

5.17 Due to the height of the extension, positioning of new windows relative to the neighbouring property and existing intervening vegetation, it is considered to be unlikely that the proposal would lead to significant harm to the occupants of Mistletoe Cottage by way of overbearing or loss of privacy. The Council's Environmental Health Officer (Noise & Amenities) has been consulted and no objection has been raised, subject to a condition restricting the construction hours to protect the amenity of the neighbourhood. However, due to the scale of the works, officers consider that such a condition would be unreasonable. Therefore, for the above reasons, it is considered that the proposal would be compatible with adjoining uses and unlikely to have a harmful impact on the amenity of neighbouring residents so as to warrant the refusal of the application.

Impact on ecology

5.18 In terms of impact on ecology, the site lies in a red area for Great Crested Newts. The Newt Officer has been consulted and considers that the proposal is unlikely to have a detrimental impact on these protected species and has not raised an objection. Therefore, the proposal is considered to be acceptable on ecology grounds, subject to informatives.

Impact on Highways

5.19 Oxfordshire County Council have been consulted as the relevant Local Highway Authority and have not raised an objection on highway safety or parking grounds to the proposal.

Other Matters

5.20 Concern has been raised in representations regarding impact on the boundary wall between the property and Mistletoe Cottage, increased fire risk and the contravention of the access to Neighbouring Land Act and Party Wall Act. Land ownership, boundary disputes, fire risk and legal rights and matters that are controlled under other legislation are not material planning considerations and so are not relevant to the consideration of this application. The NPPF (2023) is clear that Local Planning Authorities should assume that other regimes will operate effectively and not require compliance with other regulatory requirements, such as Building Regulations.

Recommendation

5.21 In conclusion, taking into account planning policy, other material considerations and the representations of interested parties, the proposed development is considered to comply with policies OS1, OS2, OS3, OS4, H6, T2, EH3, EH8, EH9, EH10, EH11 and EH12 of the West Oxfordshire Local Plan (2031), the West Oxfordshire Design Guide (2016) and the relevant paragraphs of the NPPF (2023). Therefore, the development is recommended for approval, subject to the conditions and informatives as set out in Section 6 of this report.

6 CONDITIONS

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

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

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

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

3. 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.

4. The external walls of the two-storey extension shall be constructed with timber cladding, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before above ground works commence.

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

Notes to applicant

- 1 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.
- 2 The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Additionally, the following recommendations are provided to further reduce the likelihood of impacts on this species:

- Removal of materials by hand. If any great crested newts are discovered during removal of materials, materials should be replaced immediately and a suitably qualified ecologist contacted prior to works resuming.
- Any trenches left overnight should be covered or provided with ramps to prevent great crested newts from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter.
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

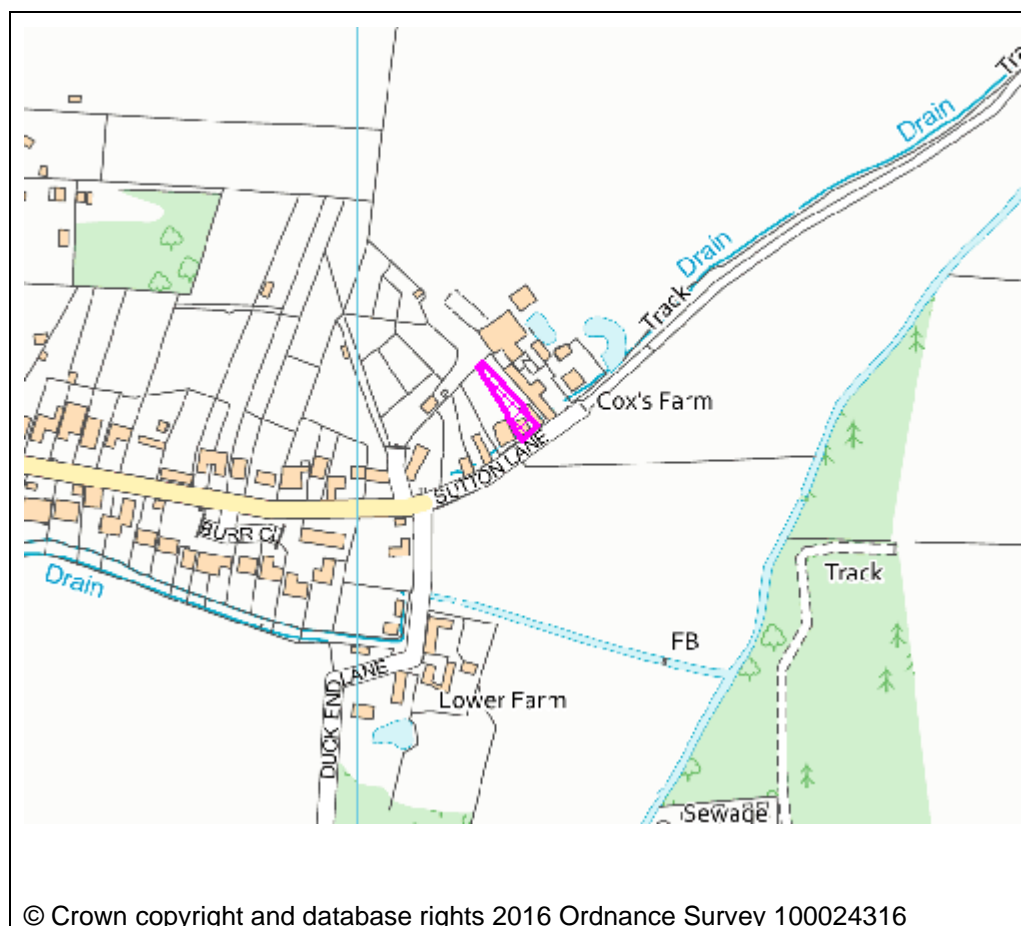
Contact Officer: Clare Anscombe

Telephone Number:

Date: 27th November 2024

Application Number	24/01727/LBC
Site Address	Farmside Sutton Lane Sutton Witney Oxfordshire OX29 5RU
Date	27th November 2024
Officer	Clare Anscombe
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	442110 E 206266 N
Committee Date	9th December 2024

Location Map



Application Details:

Demolition of single storey rear extension and porch, erection of two storey rear extension, conversion of outbuilding into a utility room and associated works (amended plans).

Applicant Details:
Mr And Mrs Wallom
Farmside
Sutton Lane
Sutton
Oxfordshire
OX29 5RU

I CONSULTATIONS

Conservation And Design
Officer

Original Comments

The general idea of this is not too problematic - the extension is arguably secondary to the main block, the link avoids the junction with the thatched roof, and the design work is tidy and unashamedly contemporary.

However, it collides with the pitched roof of the outhouse (against our previous advice), and it is still perhaps a little too tall. Also, the rooflights are unnecessary, as there is a sizeable window in the gable end.

If they addressed these issues, I think it would probably be supportable from a Conservation and Design point of view.

Parish Council

Original Comments - objection.

- The size of the extension does not conserve or enhance the existing buildings and features of historic, architectural, and designated and non-designated heritage assets in this area.
- The proposed extension is not proportionate and appropriate in scale and massing in relation to existing properties and other extensions in the ribbon development.
- The proposed extension does not enhance the local landscape and setting of the existing settlements. The application is contrary to NPPF paragraph 135; in that it is not sympathetic to local character and history, including the surrounding built environment and landscape setting.

Conservation And Design
Officer

Reconsultation comments dated 24th October 2024- no objection.

Subdued lead or zinc cladding would be preferable to copper for the first-floor link.

Parish Council

Reconsultation comments - objection.

POLICY OS4: High quality design The size of the extension does not conserve or enhance the existing buildings and features of historic,

architectural, and designated and non-designated heritage assets in this area.

POLICY OS2: Locating development in the right places: The proposed extension is not proportionate and appropriate in scale and massing in relation to existing properties and other extensions in the ribbon development. The proposed extension does not enhance the local landscape and setting of the existing settlements. The application is contrary to NPPF paragraph 135; in that it is not sympathetic to local character and history, including the surrounding built environment and landscape setting.

Historic England

No comment.

2 REPRESENTATIONS

2.1 Two letters of objection have been received from interested parties. In summary, the following concerns have been raised:

- Overshadowing and loss of light to neighbouring property
- Increased fire risk
- Loss of privacy to neighbouring property
- Increased noise and disturbance
- Overdevelopment
- Loss of character of the area and appearance of the historic group of cottages when viewed from the road
- Environmental impact on Great Crested Newts
- Clarification required under Party Wall Act 1996
- Contrary to policy EH2 and E6 as the proposal does not conserve or enhance the intrinsic character of the setting or the area and will have an unacceptable impact on neighbouring properties

3 APPLICANT'S CASE

3.1 A Design, Access and Heritage Statement has been submitted which, in summary, makes the following points:

- The kitchen extension porch and dormer are all of poor architectural quality and detract from the listed building. Therefore the removal of these will not remove any historical fabric of the building.
- The thatch roof will stay untouched. The link will have a glass roof which will make it clear that this is a new addition and so make the earlier part of the building legible. Therefore maintaining the historical significance of the building.
- The roof to the extension has been lowered lessening its impact on the existing building and the neighbour. The eaves of the proposed extension now lines up with eaves of the slate lean-to roof, therefore respecting the form of the existing building.

- The design is modern but very simple in form to avoid detracting from the original house. The timber cladding offers a softer finish against the listed building but delineates the historical part of the house with the new extension. This helps maintain the historical importance of the house. Part of the historical importance of the building is the story it tells of the way homes have changed to adapt to the employment and prosperity of the village. With the cottage being subdivided to meet the agricultural needs and then turned back into one house and then extended as the prosperity of rural areas has increased.
- New openings will be kept as small as possible therefore the historical significance of the building will remain.
- The proposals do not extend further back than the extension to Mistletoe Cottage and the historic part of Mistletoe Cottage is to the front of the property.

4 PLANNING POLICIES

OS4NEW High quality design
 EH11 Listed Buildings
 EH9 Historic environment
 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 (LBC) for the demolition of a single storey rear extension and porch, erection of a two-storey rear extension, conversion of an outbuilding into a utility room and associated works. The property is a Grade II Listed Building (Listing Number: 1199800) known as 'Pinkhill Cottage' and lies to the north of Sutton Lane in the village of Sutton and lies in the Stanton Harcourt and Sutton Conservation Area. The dwelling is located alongside other listed houses which were likely constructed leading to the farm they served, 'Coxs Farm.' The original part of the cottage is formed from squared and coursed limestone with the western gable now rendered with elements being timber framed. The roof is straw thatch.

Impact upon the Listed Building

5.2 LBC 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 (December 2023).

5.3 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.

5.4 A Heritage Statement has been submitted which states that the cottage is an 18th Century thatched cottage which is a good example of a traditional house from that time and its original plan form can still be seen today. The thatched roof is a good example of vernacular architecture. The cottage was extended in the 19th Century with a lean-to extension, which is clearly visible on the east elevation. A flat roof kitchen extension was added in the 1960s and a rear porch. The kitchen extension and porch are of poor architectural quality and the proposal seeks to remove these.

5.5 The Heritage Statement states that as the proposal would remove existing unsympathetic additions to the property and replace these with a more sensitively designed extension which is set down from the thatched roof and separated from the original building by a glass roof link, it is considered that the proposal would make the earlier part of the building legible. An opening will be created at first floor level into the extension, but this will be through the slate roof of the 19th century lean-to extension and so no historic fabric will be affected. The Conservation and Design Officer agrees with this assessment. Therefore, it is considered that the proposal will preserve the special architectural and historic interest of the listed building in accordance with Section 16 (2) of the 1990 Act and the significance of the designated heritage asset will be sustained, in accordance with Section 16 of the NPPF (2023).

5.6 A number of concerns raised by the submitted representations are not relevant to the consideration of a listed building consent application which is limited to that specified under section 16 (2) of the 1990 Act.

Other Matters

5.7 In line with section 72(1) of the Act, your officers have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA. In this regard, it is considered that due to its location, form, scale, massing, height and external appearance, the proposals would conserve the linear settlement pattern, special historic and architectural interest, character and appearance of this part of the Stanton Harcourt and Sutton Conservation Area.

Recommendation

5.8 In light of this assessment and having paid special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, the works are considered to preserve the special character, setting and significance of the listed building. As such, your officers recommend that LBC should be granted, subject to conditions as set out in section 6 of this report.

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. 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.

Notes to applicant

- 1 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.
- 2 The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Additionally, the following recommendations are provided to further reduce the likelihood of impacts on this species:

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- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter.
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

Contact Officer: Clare Anscombe

Telephone Number:

Date: 27th November 2024