

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 16th 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 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.

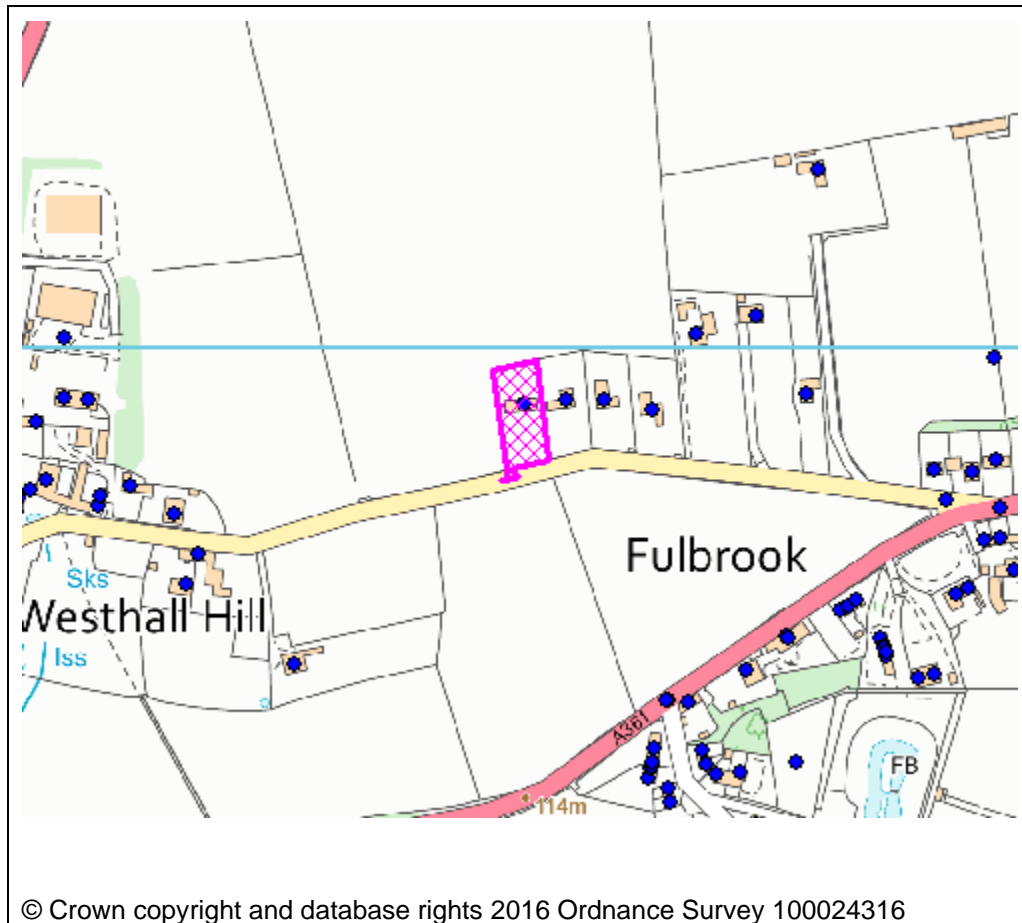
Please note that:

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	24/02176/FUL	High Meadow Westhall Hill	Mr Emile Baldauf-Clark
2	24/02616/HHD	3 Taynton Burford	Rebekah Orriss

Application Number	24/02176/FUL
Site Address	High Meadow Westhall Hill Fulbrook Burford Oxfordshire OX18 4BJ
Date	4th December 2024
Officer	Mr Emile Baldauf-Clark
Officer Recommendations	Provisional Approval
Parish	Fulbrook Parish Council
Grid Reference	425343 E 212963 N
Committee Date	16th December 2024

Location Map



Application Details:

Erection of replacement dwelling with detached double garage, reworked driveway, and landscaping. (amended plans and description)

Applicant Details:

Sprenger
D'Oilly Manor
Ascott-under-Wychwood
Chipping Norton
Oxfordshire
OX7 6AL

I CONSULTATIONS

Conservation And Design
Officer

The massing, the proportions and the detailing are all fairly successful - evoking the typical Cotswold vernacular.

OCC Highways

Recommendations

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

Conditions

- G28 parking as plan

Comments

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

District Ecologist

No Comment Received.

Parish Council

Fulbrook Parish Council wishes to object to the proposal in its current form by reason of its size. We acknowledge that the applicant has gone some way to dealing with objections to their previous proposal for this site. However, on balance we object to the current proposal for the following reasons: It would be overly large for the setting and is replacing an existing bungalow with a two-storey house. By virtue of its sheer bulk, it fails to conserve or enhance the visual amenity, character or setting of the local area. It would also be detrimental to the skyline of Westhall Hill, being sited near the top of the hill and observable from a distance.

Newt Officer

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, the development site does contain small areas of suitable habitat (e.g. rough grassland, potential refugia) and there is the presence of ponds within 500m of the development site, I therefore recommend that an informative should be attached to planning consent

Parish Council

Reconsultation: Fulbrook Parish Council acknowledge that the applicant has gone some way to deal with the previous objections but on further consideration, we object to the current proposal on the following grounds:

Although, the roof line seems to be lower in the new design, there is a scale on the drawings rather than actual measurements, so it is hard to tell how high it is in absolute terms and assess its visual impact.

In addition, the proposed dwelling is still being re-sited much closer to the road compared to the existing bungalow.

Generally, the proposed dwelling is significantly larger than the current building sited on the land.

Ecology Biodiversity Net Gain

Further information on biodiversity net gain required. However, I can confirm that there is no 'in principle' biodiversity objection to the proposed development. Most of the biodiversity issues can be adequately dealt with by planning condition (see my recommendations for conditions in the attached formal response) apart from Biodiversity Net Gain, where there are some technical issues that need to be resolved.

2 REPRESENTATIONS

2.1 No third-party representation have been received to date.

3 APPLICANT'S CASE

3.1 This statement has been prepared to support the application for the replacement house, known as High Meadow.

- We were asked by our client to design a new scheme for the replacement of the existing house following a refusal of application 24/00172/FUL. The new house had to be more in keeping of the Cotswold vernacular. Our original application was submitted in July 2024 - 24/02176/FUL
- In October 2024 we received comment back from the Planners/Design and Conservation Officers asking to reduce the width of the house between the east and west boundaries, reduce the north - south length of the house and to reduce the height of the house as it was deemed too tall to the neighbouring Wagtail Cottage.
- A revised scheme was submitted in October which revised the following:
- Detaches the garage part of the house and sets it back behind and to the side of the front elevation which means that it is further away from the western boundary and breaks up the visual impact of the front elevation.
- Reduced the width of the main house - initially the house was reduced by 4.9m, then following further comments from the Planner/Design officer the main house frontage was reduced again by 925mm (0.925m) to the agreement of the planners.
- The length of the kitchen/dining wing at the rear has been reduced and is now 1m back from the rear most gable on Wagtail Cottage.

- The main house has moved further towards the western boundary, and it is now no closer than the existing High Meadow house.
- We have lowered the floor levels of the house into the site so that from the main road the house effectively appears single story. This change reduced the ridge height by 1.1m meaning that the new ridge height is now 94 mm higher than the existing High Meadow ridge and approx. 356mm higher than Wagtail cottage. This change in heights would be imperceptible from the main highway which is 32m away from the front gable.
- The house has been set further forward on the site in order to create meaningful rear garden amenity space and as stated above this still provides 32m of front garden space.
- The line of new house frontage is no further forward than Cottsmor House, three houses across to the east, and which is 7.9m closer to the road than our new scheme.
- We have been careful with the design and the positioning to ensure that the house does not encroach into the 45degree rights of light from the window of Wagtail cottage.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH1 Cotswolds AONB

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH7 Flood risk

H2NEW Delivery of new homes

H6NEW Existing housing

T2NEW Highway improvement schemes

T4NEW Parking provision

NPPF 2023

DESGUI West Oxfordshire Design Guide

NATDES National Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks consent for the erection of replacement dwelling with detached double garage, reworked driveway, and landscaping (amended plans and description) at High Meadow, Westhall Hill in Fulbrook.
- 5.2 The application and description have been altered by way of amended plans which have been subject to re-consultation.
- 5.3 The proposal is brought before Members of the Uplands Sub-Committee due to the objection received from the Parish Council.
- 5.4 The applications site relates to an existing residential dwelling located to the west outside of the main built-up area of the village of Fulbrook with a collection of detached dwellings along Westhall Hill. The site falls within the Cotswolds National Landscape (CNL), formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB). The site sits entirely within Flood Risk Zone 1.

Relevant Planning History

5.5 An application was made in early 2024 under ref: 24/00172/FUL for the erection of a replacement dwelling and associated works along with construction of a detached garden kitchen and a garage with carport (amended plans) which was refused on Design and Biodiversity grounds.

Development Plan

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

5.7 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
- Siting, Scale and Appearance
- Impact on CNL, Landscape and visual impact
- Neighbouring Amenity
- Highways
- Ecology

Principle of Development

5.8 Policy OS2 (Locating Development in the Right Places) makes reference to the settlement hierarchy which splits the district into different classifications. Officers have considered that the proposed site is within Fulbrook and therefore would be classed as being within a village within the settlement hierarchy. Therefore, it is logical to first consider the proposed development against policies OS2 and H2. Policy OS2 States "The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities." And proposals for residential development will be considered in accordance with Policy H2 of this Local Plan."

5.9 All proposed developments must also demonstrate accordance with the general principles of OS2. Those with particular relevance to this application are that the scheme should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Conserve and enhance the natural, historic and built environment

5.10 In terms of replacement dwellings specifically, Policy H2 provides broad support for the principle of replacement dwellings on a one-for-one basis. This is expanded upon in Policy H6, which outlines dwellings of no historic or architectural value may be replaced provided:

"The character and appearance of the surrounding area is not eroded, there would be no harmful impact on ecology or protected species and the replacement dwelling is of a reasonable scale relative to the original building."

5.11 Officers consider that the existing building is not of any particular historic or architectural value and therefore, the principle of development to replace the existing house is acceptable subject to the proposal demonstrating accordance with the specified criteria of H6, general principles of OS2 and the development plan when read as a whole.

Replacement dwelling policy

5.12 WOLP Policy H6 outlines that replacement of dwellings with no architectural value may be permitted where the proposed building would not harm the appearance of the area, local ecology and are of reasonable scale to the original building. In this case, this report has found that the proposed development would not harm the character and appearance of the area. The question of what increase in scale may be considered reasonable is not defined in the WOLP and is a matter of fact and degree to be determined on a case-by-case basis. Therefore, site context plays a vital role in the assessment of whether an increase in scale is reasonable.

5.13 In this instance, the proposed design exhibits a significantly larger footprint than the original dwelling, but the use of varied form and lowered land levels ensure that the height and perceived massing of the dwelling would be minimised. Furthermore, the proposal would be replacing a bungalow property with no design or historical significance with a higher quality designed and locally characteristic dwelling, which in officers' opinion would add the visual impact of the street scene. Officers also note that the other dwellings located along Westhall Hill are typical comprised of large dwellings located within larger plots and therefore the larger replacement dwelling is considered proportionate given this surrounding context. Therefore, given the proposed replacement dwelling is considered reasonable in terms of scale and is considered to comply with policy H6 of the WOLP.

Siting, Scale and Appearance

5.14 WOLP Policy OS4 states that new development should respect the historic, architectural and landscape character of the locality. Section 12 of the revised NPPF reinforces the fundamental nature of good design to sustainable development and states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies' (Para. 139).

5.15 The proposed replacement dwelling would sit slightly south of the location of the existing bungalow property. The dwelling would have an "L" shape layout with 2 distinct main gable wings. The dwelling would have a 1.5 storey design with a height of 7.6 metres to the ridgeline, but the amended plans have seen the house be cut into the ground by around 1.1 metres to reduce its scale within the street scene. A detached double garage is proposed to be located behind the dwelling and include first floor guest accommodation above.

5.16 In terms of appearance, the dwelling is considered to be a typical Cotswolds vernacular with well-designed proportions and successful detailing. Traditional materials have also been used throughout

on both the dwelling and with natural Cotswold stone walls and dressed stone Quoins under a recon Stonesfields Slate roof. Fenestration on the dwelling and garage are to be aluminium with traditional pitched roof dormer windows and conservation style rooflight proposed on the roof slopes. More modern elements have been reserved for the rear of the dwelling by way of large, glazed sections within the gable ends. The proposed design is therefore considered to demonstrate high quality and locally informed design in accordance with the requirements of WOLP Policy OS4 and Section 12 of the NPPF. The application is therefore considered acceptable in terms of siting, scale and appearance.

Impact on CNL, Landscape and visual impact

5.17 The site lies at the edge of the built-up area of the village of Fulbrook and falls within the Cotswold National Landscape. Additionally, the site sits in a prominent location overlooking the Town of Burford on the slopes of the valley. Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

5.18 WOLP Policy EH1 states:

"In determining development proposals within the Cotswolds Area of Outstanding Natural Beauty (AONB) and proposals which would affect its setting, great weight will be given to conserving and enhancing the areas natural beauty, landscape and countryside, including its wildlife and heritage. This will include consideration of any harm to the contribution that the settlement makes to the scenic beauty of the AONB".

5.19 Paragraph 176 of the NPPF states:

"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues".

5.20 WOLP Policy H6 also requires that proposal for replacement dwellings do not erode the character and appearance of the area.

5.21 In terms of the existing landscape character of the area, the application site lies within the 'Upper Windrush Valley' Character Area as identified in the West Oxfordshire Landscape Assessment 1998 ("the WOLA") and within the 'Semi-enclosed Valley Side Farmland' landscape type. The WOLA is listed in the supporting text to WOLP Policy EH2, and forms a material consideration in this assessment. This landscape type is characterised by distinctive slope and typically convex, valley-side landforms with a more enclosed character with low intervisibility along the valley sides but with prominent views from and within and across the valley.

5.22 In terms of the site itself, the existing dwelling is of no architectural or historic merit and is not locally characteristic in design or form.

5.23 The amended design of the dwelling has been reduced in scale with the garage becoming detached and the dwelling sunk into the ground, and it is therefore considered that the dwelling has been sensitively designed in a vernacular style using materials and forms characteristic of dwellings within the CNL and would not extend beyond the existing envelope of the site. Due to the sloping land levels when viewing the dwelling within the street scene it appears higher than the adjacent dwelling, however officers consider it does not appear out of character in this context, or too tall to impact on the wider landscape setting in any materially harmful way.

5.24 Therefore, the proposal would ensure that the character and appearance of the area is not eroded, as required by WOLP Policy H6, and that landscape and scenic beauty in this part of the protected landscape would be conserved. The application is therefore considered acceptable in landscape and visual impact terms.

Neighbouring Amenities

5.25 WOLP Policy OS2 states that new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. The importance of minimising adverse impacts upon the amenity of future and neighbouring occupiers is reiterated in WOLP Policy OS4, NPPF Paragraph 130(f) and the West Oxfordshire Design Guide.

5.26 One neighbouring dwelling is located immediately to the east of the site, however given the large detached spacious plots along Westhall Hill, officers consider the proposed replacement dwelling would not result in any adverse impacts on this neighbouring property. In this regards the proposal is considered acceptable and complies with WOLP Policy OS4, NPPF Paragraph 130(f) and the West Oxfordshire Design Guide.

Highways

5.27 WOLP Policy T2 states that all new development "will be required to demonstrate safe access and an acceptable degree of impact on the local highway network". The proposal does not seek to alter the existing access to the site and would provide adequate levels of parking. Oxfordshire County Council Highways have raised no objection to the proposal subject to a condition ensuring the parking on the site is used for parking purposes only. Officers therefore consider that the proposed development would accord with WOLP Policies T2 & T4 and is acceptable in highways impact terms.

Ecology

5.29 WOLP Policy EH3 states:

'The Biodiversity of West Oxfordshire shall be protected and enhanced to achieve an overall net gain in biodiversity and minimise impacts on geodiversity.'

5.30 The application is also subject to statutory Biodiversity Net Gain (BNG).

5.31 At the time of writing this report, your officers are still working with the applicant to finalise the BNG details for this proposal. However, the Council's Ecologist has confirmed that the proposal is likely to be able to achieve the statutory Net Gain, subject to this further ongoing work. Other biodiversity related mitigation and enhancements can also be achieved via planning conditions. Your officers will provide a verbal update on this matter at the meeting. If the ecology and BNG matters remain outstanding, your officers will be recommending that delegated authority is granted to officers to approve the application, subject to these matters being resolved.

Conclusion

5.33 Taking into account the above matters, the proposal is considered acceptable on its merits, subject to resolving the outstanding Biodiversity Net Gain matters, and complies with Policies OS2, OS4,

EH1, EH2, EH3, EH7, H2, H6, T2 and 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. 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. The external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.

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

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

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

7. The first floor accommodation above the detached garage hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.

REASON: A separate dwelling in this location has not formed part of this assessment.

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

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

INFORMATIVES :-

- I "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."

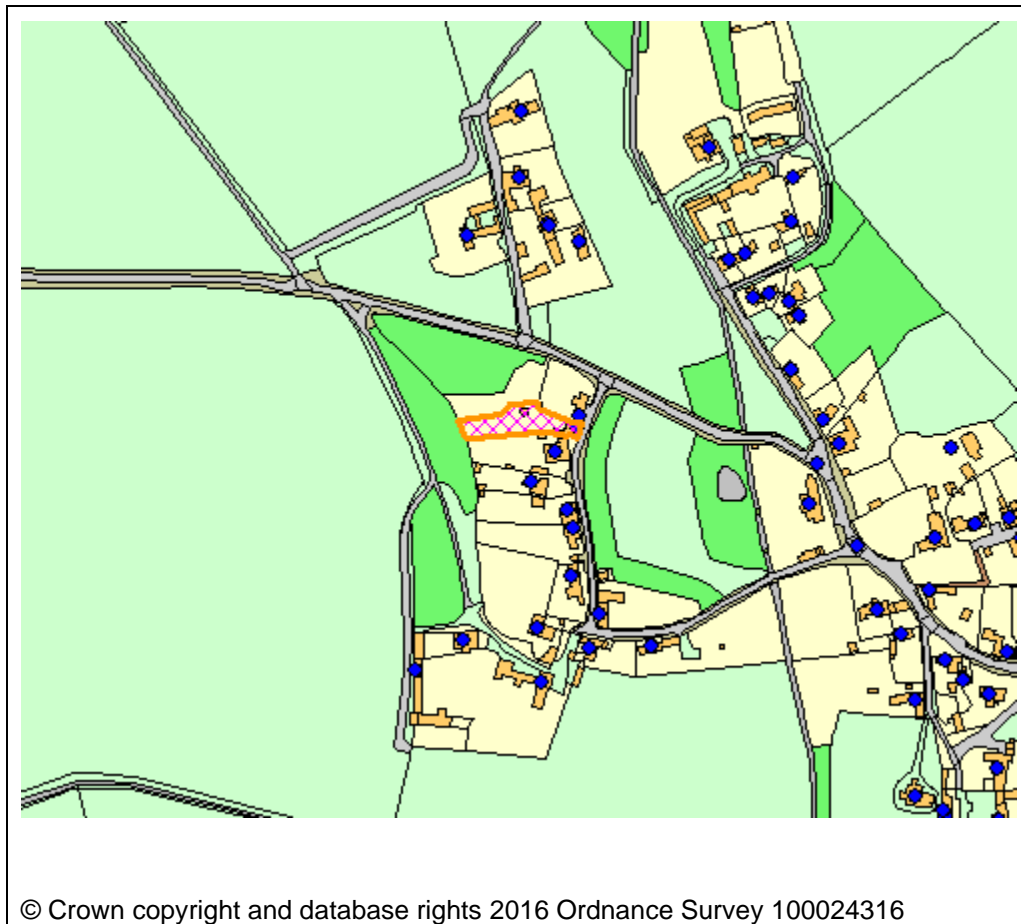
Contact Officer: Mr Emile Baldauf-Clark

Telephone Number: 01993 861680

Date: 4th December 2024

Application Number	24/02616/HHD
Site Address	3 Taynton Burford Oxfordshire OX18 4UH
Date	4th December 2024
Officer	Rebekah Orriss
Officer Recommendations	Approve
Parish	Taynton Parish Council
Grid Reference	423191 E 213785 N
Committee Date	16th December 2024

Location Map



Application Details:

Conversion and extension of summer house to create a self-contained annexe to main dwelling. (Retrospective).

Applicant Details:

Ms Zara Bayworth
3 Taynton
Burford
Oxfordshire
OX18 4UH

I CONSULTATIONS

Conservation And Design Officer	No objection.
Parish Council	No Comment Received.

2 REPRESENTATIONS

2.1 The representations received for this application can be read in full on the WODC planning website, but are summarised as follows:

11 objections:

- The windows overlook neighbouring gardens and dwellings;
- The building is out of keeping with the conservation area;
- There is light pollution disturbing residents and wildlife;
- The building has not been built to the correct building standards;
- There are trees within the vicinity of the building;

3 APPLICANT'S CASE

3.1. The full design and heritage statement can be read on the WODC planning website, but is summarised as follows:

3.2. "The annexe does not affect the neighbouring properties and does not affect their amenity area, right of light, is not over dominating and due to the area of the site, sits comfortably in this location. The internal layout remains open and accessible to people of all abilities, and the requirements of Part M of the building regulations are taken into consideration within the design. The size of the summer house annexe overall is 6.180m x 4.200m on plan, with an overall height to the ridge is 3.680m and to the eaves is 2.250m.

The summer house annexe will enhance the appearance of the area as it is constructed in a traditional manner using material to match the existing. The summer house is subservient to the existing dwelling both in scale and proportion, and would enable emergency services access all around the site... The building is well screened with hedging and trees and is not visible from the main road. There is also adequate access and parking for the unit and the proposals do not create additional traffic in this location."

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
T4NEW Parking provision
EH10 Conservation Areas
EH16 Non designated heritage assets

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 retrospective planning permission for the conversion and extension of summer house to create a self-contained annexe to main dwelling at the dwelling known as 3 Taynton in the village of Taynton.
- 5.2. The site lies within the Taynton Conservation Area and the dwelling is listed as a non-designated heritage asset within the Taynton Conservation Area appraisal. The site also lies within the Cotswolds National Landscape.
- 5.3. In this case planning permission is required to extend the existing summerhouse and subsequent use of the building as an annexe, because Taynton is covered by an Article 4 direction which removes householder permitted development rights.
- 5.4. The application is before Members as officer views are contrary to those of the Parish Council. The application was also called-in by Cllr Hugo Ashton.

Relevant Planning History

- 5.5. 14/0532/P/FP - Erection of garden summerhouse. - approved.

Principle

- 5.6. The development is extending an existing building located within the residential curtilage of 3 Taynton. Therefore, the principle of development is considered acceptable subject to heritage, design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031.

Siting, Design and Form

- 5.7. The existing summerhouse is a small square timber clad building with a pyramidal roof. The extension is a small addition to the rear of the summerhouse in matching materials. The extension has added one small window to the rear which faces the host dwelling and neighbours. The extension has served to add space for a bathroom and kitchenette.

- 5.8. Your officers consider that the extension is a minor addition to the outbuilding and has been constructed in appropriate matching materials. With regard to the use, an annexe is an acceptable use within the residential curtilage, and a condition has been recommended to restrict the use of the annexe to ancillary accommodation only.
- 5.9. The summerhouse is partially visible from the road to the north, however as the extension is consider acceptable your officers do not consider the proposal to have significant impact on the street scene.
- 5.10. In light of this assessment, your offices consider the proposal is acceptable with regard to the materials and appearance and complies with policies OS2, OS4 and H6 of the West Oxfordshire Local Plan.

Residential Amenities

- 5.11. Representations have been received which relate to potential overlooking from the 'front' window, due to the orientation of the neighbour officers interpret this to mean the additional window on the extension, this faces no.1 Taynton. This window serves the kitchenette and your officers propose a condition requiring the window on the north-east elevation to be obscured glazed.
- 5.12. Aside from the above, an annexe use is considered to be a use that is commensurate with the existing residential setting and would not give rise to adverse comings and goings, by virtue of the use being restricted to the current occupants.

Conservation Area

- 5.13. Within a Conservation Area, your officers are required to take into account 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 the consideration of the application.
- 5.14. In light of the acceptable design, officers consider the proposal respects the special qualities and historic context of the Conservation Area and maintains the appearance of the heritage asset.

Locally Listed Building

- 5.15. As the dwelling is a locally listed building, policy EH16 of the Local Plan and Paragraph 203 of the NPPF are relevant. Policy EH16 sets out that when considering proposals that would affect, directly or indirectly, non-designated heritage assets, such assets are also irreplaceable, and the presumption will be in favour of the avoidance of harm or loss. A balanced judgement will be made having regard to this presumption, the significance of the heritage asset, the scale of any harm or loss, and the benefits of the development.
- 5.16. NPPF paragraph 209 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.17. In this case, given the extension is a minor addition to the existing outbuilding and has encompassed an appropriate use of materials, the development is considered to preserve the special character, appearance and significance of the locally listed building. Therefore, the application is considered to be acceptable in these terms.

Highways

5.18. OCC Highways have been consulted on the application and have raised no objections in 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.

Cotswolds National Landscape

5.19. Paragraph 182 of the NPPF 2023 requires great weight to be given to conserving and enhancing landscape beauty in the Cotswolds National Landscape. It is considered that the proposal would only be viewed in its immediate context which is wholly residential and will therefore conserve the wider Cotswolds National Landscape.

Other Matters

5.20. Several comments have been raised regarding the use of the annexe as a holiday let. While there is history to this site, the application that is before Members is only for an ancillary use as an annexe. Any further change of use would require a separate application to be assessed on its own merits.

5.21. Concerns have also been raised regarding the construction of the extension and the facilities, these matters are not part of the planning assessment and are covered by separate legislation enforced by Building Control. It is the responsibility of the applicant to ensure they have the correct certifications for the building.

5.22. The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.

Conclusion

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

6 CONDITIONS

- I. The annexe hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.

REASON: A separate dwelling in this location would not have an appropriate relationship to the existing dwelling and would not be supported by policies OS2 and OS4 by reason of its size and unsustainable location.

2. Within 3 months of the date of this decision, the window on the eastern elevation shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

Contact Officer: Rebekah Orriss

Telephone Number:

Date: 4th December 2024