

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 19th July 2021**

### REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



WEST OXFORDSHIRE  
DISTRICT COUNCIL

**Purpose:**

To consider applications for development details of which are set out in the following pages.

**Recommendations:**

To determine the applications in accordance with the recommendations of the Strategic Director. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

***List of Background Papers***

All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

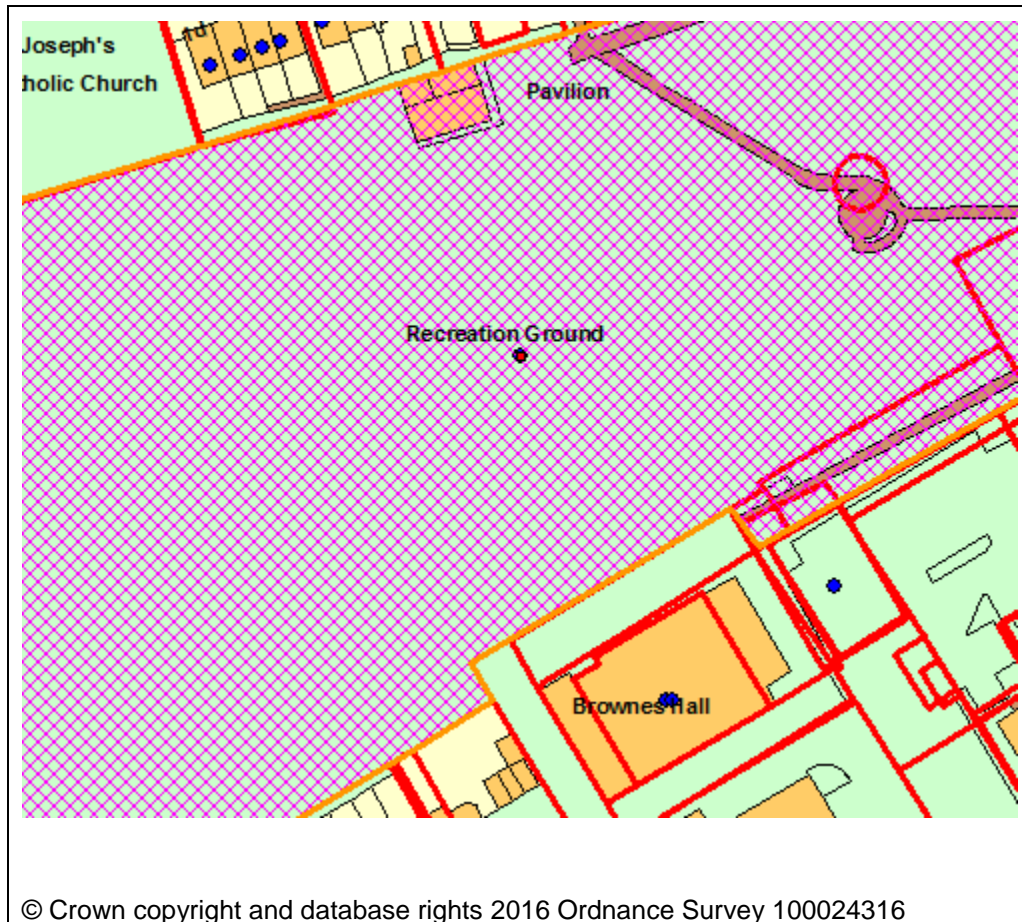
Please note that:

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

<b>Page Number</b>	<b>Application Number</b>	<b>Address</b>	<b>Officer</b>
9 - 18	20/03576/FUL	Carterton Recreation Ground Alvescot Road	Miranda Clark
19 - 27	21/00866/FUL	Cotswold Edge Lower End	Chloe Jacobs
28 - 32	21/00949/LBC	Woods House Church Close	Miranda Clark
33 - 40	21/01285/FUL	Phase 3B Land At West Witney Downs Road	Abby Fettes
41 - 45	21/01481/FUL	Shilton Road Filling Station Winton	Miranda Clark
46 - 50	21/01587/FUL	Turley Farm Turley Lane	Miranda Clark
51 - 55	21/01588/FUL	25 Foxwood Aston	Chloe Jacobs

Application Number	20/03576/FUL
Site Address	Carterton Recreation Ground Alvescot Road Carterton Oxfordshire
Date	7th July 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Parish Council
Grid Reference	427846 E 206819 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Construction of new pavilion.

### Applicant Details:

Carterton Town Council  
The Town Hall

Alvescot Road  
Carterton  
Oxon  
OX18 3JL

## I CONSULTATIONS

OCC Highways	<p>The red edged application area does not include access to the highway</p> <p>Parking is not shown within the application - even in these covid restricted times the car parks to the south were well used during my site visit. I understand some parking is in private ownership and used by residents and shoppers etc</p> <p>Vehicular access ( maintenance/servicing ) to the proposed building is not shown</p> <p>The proposed multi use building will attract a greater number of attendees over a wider period of the day and evening than the existing building. A Transport Statement would help understand the impact of the intensification of use.</p>
WODC - Sports	No Comment Received.
Parish Council	Accessible toilet facilities would be an important feature for residents.
Sport England South East	<p>Having assessed the application, Sport England is satisfied that the proposed development meets exception 2 of our playing fields policy, in that:</p> <p>'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'</p> <p>This being the case, Sport England does not wish to raise an objection to this application.</p>
WODC Env Health - Lowlands	No Comment Received.

## 2 REPRESENTATIONS

2.1 Over fifty objection comments have been received. The comments have been summarised as;

The Recreation Ground was given to the people of Carterton by our Town founder and benefactor William Carter in perpetuity as an open space for all to enjoy, and never to be built on.

This application contravenes the covenant, and is therefore illegal.

There are already sufficient coffee shops and cafes in Carterton.

Brownes Hall could be updated and improved which would cost far less.

Any development on the recreation ground would be at the detriment to wildlife and peoples right to the enjoyment of the open space. It would cause extra pollution from traffic, and is totally unnecessary, and a waste of our money.

Are we to lose all our traditions? What about the fair, the fetes and the car boots sales? These all help bring trade into the town.

Absolutely not! massive ugly eyesore slap bang in the middle of a playing field next to the ugly pointless "band stand" that gets used once a year at the may day fair, which I might like to add, this ugly build will take away the fair that has been going for decades.

Carterton does not require more meeting rooms they are available at the Carterton Community Centre, WI, Brownes Hall, Town Hall, Community College. I have attended meetings at all those venues. A replacement Pavilion requires two changing rooms, showers, and toilets accessible from inside and outside. A water boiler to provide hot drinks when or if Brownes Hall is not available could also be provided.

It does not require the rest of the proposal, we have more than sufficient meeting rooms etc.

CTC and WODC should study the covenants to the ARRG very closely.

The existing Pavilion could be demolished and its replacement (perhaps slightly larger) built on the same site as there are existing utilities available. The rear of the building could have very high fencing at either side to prevent people gathering and causing anti social behaviour.

The Council needs to read all of the comments on this application, it is not the Councils land to build on, they are just the caretaker.

Whilst this proposed building is being erected what exactly happens to the area surrounding it? I cannot suppose children will be able to play in the park or dog walkers roam the field of families hang out whilst there are excavators, cranes, and other large machinery and materials on site. At the same time, what will happen to the carpark adjacent? I presume this would be used for construction workers to park and store materials? This proposal is simply impractical and logistically inviable. Similarly, a concern for the health and safety of the public being that the only vehicular access to the rec is past Browns Hall.

Likewise, I would consider this also an issue for Highways with regards to the evitable increase of construction vehicles and traffic directly through the town centre.

Where will our children and our children's children play freely and safely in Carterton if permission is given to build.

Furthermore, parents are anxious to allow their children to play out in our streets due to constantly increasing traffic. Green spaces in Carterton are already limited.

I must at this point mention the young adults of Carterton residents of this Town who do exist and do hang out. The rec has always been an area for these get-togethers. I feel the siting of a large (posh) new building in the centre of this space will encourage our young adults to be moved away from the rec in fear of damage being caused. Then where do they go? What do they do? Hang out in areas where they shouldn't?

With regards to the design and layout of the proposed building, I feel it would cast an awful shadow upon the play park behind it, making that area of the park dark and damp.

We already have enough football grounds and more than enough food outlets. People use the rec for exercise, for children to play and walking their dogs. There is too much land being used for building houses so we need to keep as much green space as possible.

Surely this money would be best spent on creating events to bring people back together after lockdown is over on this lush land.

I'm sure the like of Rose productions would be happy to create an event like our millennium one once everyone has been vaccinated. And then surely we can celebrate what Carterton is so about.

Against the conditions for the donation of the land.

Please think carefully, it is not necessary, not needed, and totally unacceptable that this space should be taken away from whom it was intended

The new build pavilion obstructs the view of the play area and that is not good when families are trying to keep an eye out for their children.

All that is needed is extra seating and toilets.

Why not buy drinks locally or give social centre opportunity to support local community

Where is the council getting the funds to support this unwanted application?

Can the council please explain why so much money was spent on building a bandstand which is now being removed and on paths that they want to dig up

The council wish to have a place for functions - they rarely have functions, if they do the pavilion on Monahan Way has a hall, a kitchen, changing rooms, playing field, a car park

In 'The Carterton Story 100 Years,' by Peter R Seldon (available from the Town Hall), pages 18- 19, you can see the 5-acre lot near the centre. In 1906, this was given by Mr. Carter to the residents of Carterton as an:

"Open space for the enjoyment of the public forever, no gypsy encampment, hut, tent or caravan or house on wheels of any description or nature whatsoever, may be placed on the ground. Also, the Trustees are responsible for the fencing surrounding, and the maintenance of paths etc, and are to place seating accommodation sufficient for the general public. The Trustees at their discretion may close it up to 10 days in a year to hold flower show, cattle show, poultry, show or band contest, on such occasions may charge the public for admission, the profits of which shall go to the upkeep of the ground."

If we lose this land we can never ever get back, it will be gone forever

Also, it must be remembered that the Founder of Carterton, Mr. William Carter of Branksome (Dorset) gave the recreation ground, among other things, to the people of Carterton in 1902, in the form of a Charter, and this cannot be ignored by WODC. I would tactfully urge Ms. Clarke, the Planning Officer overseeing this Application, to seek appropriate legal advice regarding the Charter, as it cannot be changed in any way. If she doesn't, it is likely that legal action will be taken by the people of Carterton, as they are the rightful owners of the Recreation Ground, not Carterton Town Council. According to the Charter, the Recreation Ground must stay as it is, and any attempts to build on it will be illegal.

I would prefer the Council to build premises for local youth groups, such as the Scouts, who serve so many of our young people, and do good for the whole community. It would be very sad indeed for the recreation ground to be lost to such a large building which will be used by some, not most. Aren't recreation grounds supposed to be for the whole community to use? Walkers, dog walkers, families, charity events, for health and fitness and well being purposes?

The money would be better spent getting the current sports pitches ( Shilton park) in a playable condition because currently that pitch does not pass as fit to play on under Oxfordshire cricket association standards.

I understand that the current pavilion building to the corner of the site is life expired. Whilst the reconstruction of a new building on a like for like basis could be supported, this current design does not fit the local environment, the bulk and scale is too large for the site, positioning is incorrect and shows a lack of understanding of the use of the site during events It also contains elements which does not support local businesses. If this construction does proceed, it would impede the use of the recreation field.

As a member of the public who lives near by too I never received anything that proposed this by the council yet they say they sent thousands of flyers out. I think this needs to be delayed and the public consulted and given the chance to response. I don't want to stop the process of Carterton but a building like this with yet another cafe in Carterton is just a waste of money. Carterton needs a better range of shops that don't include more cafes, barbers and takeaway.

Much like the large extension to the Carterton Leisure Centre it seems to have no environmental or ecological features which it could easily have had and that would show that the council will lead by example when it comes to the environment. For example, trees planted around the perimeter, green roof/wall, pollinator friendly shrubs, bird boxes, swift bricks, solar panels, water recycling systems etc

Eleven comments of support have been received. The comments have been summarised as;  
With so many new residents in the town and new dwellings being built it is essential that there are numerous services and facilities for the old and new residents to use, or the town will turn into one large housing estate.

The size and position of the proposed build means that it has minimal impact on the green space and will make it a more communal space.

Hopefully it will also bring extra people into Carterton that will spend money in local businesses and putting money back into the local economy. It will also be good to have somewhere to get refreshments from when my children are playing in the park

Feel this will be a great asset to the town and improve the use of the recreation ground making it a true centre point of the community. Hopefully it will bring more positivity to the space and not just associated with vandalism and unsociable behaviour.

The removal of the eyesore and center for unsocial behaviour that is the current changing room is a bonus in this plan.

I live only 100 metres or so from the proposed site and see only positives in this application. We have been often held back by well meaning luddites in this town. Each time a proposal is raised they seem to believe there is some sort of conspiracy against the local area, whereas it is the holding back of progress that is the clear issue here.

Sports teams, local events and functions will all be catered for in one, state-of-the-art facility, bringing the area into the 21 century in a very positive way.

I think this building will be a valuable asset to our fast growing town.

Sounds like a great idea to breathe some life into the area.

Support

I believe this will enhance (not hinder) the current annual social events that take place on the Rec ground. There is still more than enough green space in that area for residents to enjoy.

Four general comments have been received. The comments have been summarised as;

It is suggested that the main hall would be used for music events but given the wooden flooring and high ceiling the acoustics for singers/discos would be terrible. Also given the height, and large glass panels, the building would look far bigger than it actually is and look a bit of an eye sore.

I have a concern that given the cost to build it, to hire would be pretty expensive and given the current circumstances many find themselves financially the hall would hardly be used, thus becoming a waste of space.

I would fully support moving a new pavilion adjacent to the public car park. This would enable access from the car park ( This has not been included in the plans) for carrying supplies for any event, preferably with dedicated parking spaces behind it. ( again these are not part of the proposed plans)

if the new building was next to the Carpark, some of the land could be taken from the garden and path right at the edge of the carpark/ rec, reducing the space taken from the field.

At it's proposed size and orientation, it would cut the field in half, impacting on public events and use.

A smaller footprint would reduce the green space taken and have a reduced cost.

I don't see any harm in the building being re done at the same or similar size. The browns hall is empty most of the time surely that should be made use of also instead of just wasted space for members only use.

Where the building is currently proposed to be built means that a large chunk of space is made unusable for events, such as the May Day Fair. As not only have you lost the area it has been built on, you lose the area that has been paved and also the green space behind the building that has been cut off from the rest of the field.

I am concerned the plans label the bandstand as 'Former Bandstand' and suggest relocating this.

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

A Design and Access Statement was submitted with the application. The conclusion has been summarised as;

This building would provide a much needed community hub for the centre of Carterton, greatly improving sporting provision in the town centre.

This will enable better use of the recreation ground by providing changing and toilet facilities for the field

It will also provide a community facility for a number of mixed uses which is currently not available as a provision.

Further response from applicant;

A number of residents have mentioned the original donation of the ARRG to local residents in 1906. The Ground was adopted by Black Bourton (later CTC), in 1937 under the terms of the Open Spaces Act 1906

Section 3 states:

Transfer to local authority of spaces held by trustees for purposes of public recreation.

(1)Where any land is held by trustees (not being trustees elected or appointed under any local or private Act of Parliament) upon trust for the purposes of public recreation, the trustees may, in pursuance of a special resolution, transfer the land to any local authority by a free gift absolutely or for a limited term, and, if the local authority accept the gift, they shall hold the land on the trusts and subject to the conditions on and subject to which the trustees held the same, or on such other trusts and subject to such other conditions (so that the land be appropriated to the purposes of public recreation) as may be agreed on between the trustees and the local authority with the approval of the Charity Commission.

(2)Subject to the obligation of the land so transferred being used for the purposes of public recreation, the local authority may hold the land as and for the purposes of an open space under this Act.

This permits the current Council to manage the Recreation Ground.

There are already a number of structures on the ARRG. This is a replacement structure, in a different location for ASB and access reasons,

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

E5NEW Local services and community facilities

T4NEW Parking provision

CA4 Carterton town centre strategy

EH3 Biodiversity and Geodiversity

EH5 Sport, recreation and childrens play

EH8 Environmental protection

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



## **5 PLANNING ASSESSMENT**

### **5 Background Information**

The application site is situated on the recreation ground in Carterton, off Alvescot Road. The recreation ground includes a playground, a bandstand, an existing small pavilion, and a football pitch. The boundaries of the site have various mature trees and hedges.

To the north of the siting of the proposed pavilion, modern residential dwellings are located at Arkell Gardens. To the south lies the existing car park, owned by West Oxfordshire District Council, to the West is the football pitch, and the East is the existing playground and commercial buildings with residential flats above.

The application is seeking planning consent for a new purpose-built Pavilion comprising changing rooms for community sports, and multi-use Hall, smaller function/meeting room and kitchen. It is stated within the application that the recreation ground is owned and operated by Carterton Town Council.

The application is to be heard at the Lowlands Area Planning Sub-Committee due to the high volume of public interest.

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**

The proposed new building is to replace an existing single storey pavilion to the North boundary of the recreation field. This building is dilapidated and uneconomical to maintain and repair.

West Oxfordshire Local Plan Policy OS2 discusses locating development in the right places. The principle of development is acceptable within Carterton. All development should accord with the general principles of this Policy, which include;

Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;

Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;

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;

Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;

Your officers also consider that a relevant policy of the adopted West Oxfordshire Local Plan is Policy E5. This policy discusses local services and community facilities state that the Council will support the development and retention of local services and community facilities to meet local needs and to promote social wellbeing, interests, interaction and healthy inclusive communities.

### **Siting, Design and Form**

The proposed building is of a single storey height with a large meeting area within the centre of the building, and changing rooms, toilets and other facilities within the side wings. The highest point of the building is approximately 6.7m with lower heights being approximately 5.3m. The proposed materials are reconstituted stone with a tiled roof.

The location of the proposed building is approximately set 29m from the play park area and sits along the boundary with the carpark.

The application had been submitted with a proposed cricket pitch at the end of the playing field. However an amended location and site plan now indicate that the cricket pitch is to be omitted from the scheme. The agent has stated;

Having assessed the existing playing field we will be removing the provision of Cricket from the proposal, we are unable to provide the sufficient run off distance for the football pitch and accommodate cricket, and even then the cricket field is very tight and we have all of the other complications with ball strike etc.

The removal of the cricket area does result in the football pitch being set further away from the proposed pavilion building.

Policy OS4 of the adopted West Oxfordshire Local Plan states that high design quality is central to the strategy for West Oxfordshire. 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 and should:

Demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and

Not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties

Your officers consider that the proposed siting of the building is acceptable. Being set to the side boundary will result ample space being left surrounding it. The proposed design is modern and functional, and will enhance the character of the surroundings and the public realm. As such your officers consider that it will not appear incongruous within the buildings of the immediate locality. A sample panel of the walling and samples of other materials are recommended by condition, to ensure that the build is of high quality.

## **Highways**

OCC Highways has objected to the proposal. At the time of writing, your officers are awaiting additional information from the applicants. It is anticipated that this will have been received, and commented on by OCC Highways prior to the meeting. However your officers will provide a verbal update at that time.

## **Residential Amenities**

Given that the proposed pavilion building is set away from neighbouring properties to the North boundaries, your officers consider that the proposed building will not harm residential amenities in terms of loss of light or noise disturbance.

## **Other Matters**

Sport England was formally consulted on the application and after further information have stated; The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use. Comments that were made by the county Football Association/Football Foundation as part of Sports England response have been sent through to the agent. The response was as follows'

Their comments on funding and engagement are noted however the town council are in funds for the building and to my knowledge do not seek FA/FF or additional funding.

The building is multi use /community use and so the spaces will also serve additional purposes such as the space to change for the town, and the Town council are already engaged in dialogue with service providers for community Café similar to that on the leys in Witney and that operated at the Windrush leisure centre by Yellow submarine.

Your officers have had full regards to the objection comments received. Comments relating to clauses of covenants are not considered to be planning issues. However if planning permission was granted, then it would not override civil and land issues such as covenants.

The proposed uses within the building are considered by your officers to be appropriate for such a location within the town centre. There are various existing uses within the immediate location for meeting rooms and coffee shops, however this would give more of a choice of facilities.

Your officers also consider that there will still be sufficient space to accommodate all the existing uses of the recreation field. This is especially so with the cricket area now not forming part of the proposal.

Your officers are recommending a condition for a Construction Management Plan, to ensure that the construction of the building is carried out safely. Your officers are also recommending a condition for ecological benefits to be incorporated into the building such as bird and bat boxes.

## **Conclusion**

Your officers have fully assessed the proposal against the policies of the adopted West Oxfordshire Local Plan. Whilst a high number of comments have been received, which officers have had full regard to, your officers consider that the proposed pavilion is compliant with the relevant policies. Policy E5 is supportive of new development of local services and community facilities to meet local needs and to promote social wellbeing, interests, interaction and healthy inclusive communities. The proposed pavilion will provide much needed up to date facilities for football provision and will provide additional spaces for the local community. The design is which will enhance the existing character of the area. As such your officers consider that the proposal is compliant with the relevant policies of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide and the relevant paragraphs of the NPPF.

However a full verbal update by your officers will be given to Members at the meeting, regarding the stance with OCC Highways.

## **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. That part of the development to be constructed of artificial stone shall be constructed with a form of artificial stone that will best match the colour, texture and method of laying of natural stone to be found in the locality. A sample of such artificial stone shall be submitted to and approved in writing by the Local Planning Authority before any such material is used on site.

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

4. The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.

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

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

REASON: In the interests of Highway safety.

6. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

7. The premises shall be used for the purposes set out within the submitted and approved Design and Access Statement as approved and for no other purpose.

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

### **INFORMATIVES:-**

This planning consent does not override the civil issues or property/land ownership rights.

### **Notes to applicant**

This planning consent does not override the civil issues or property/land ownership rights.

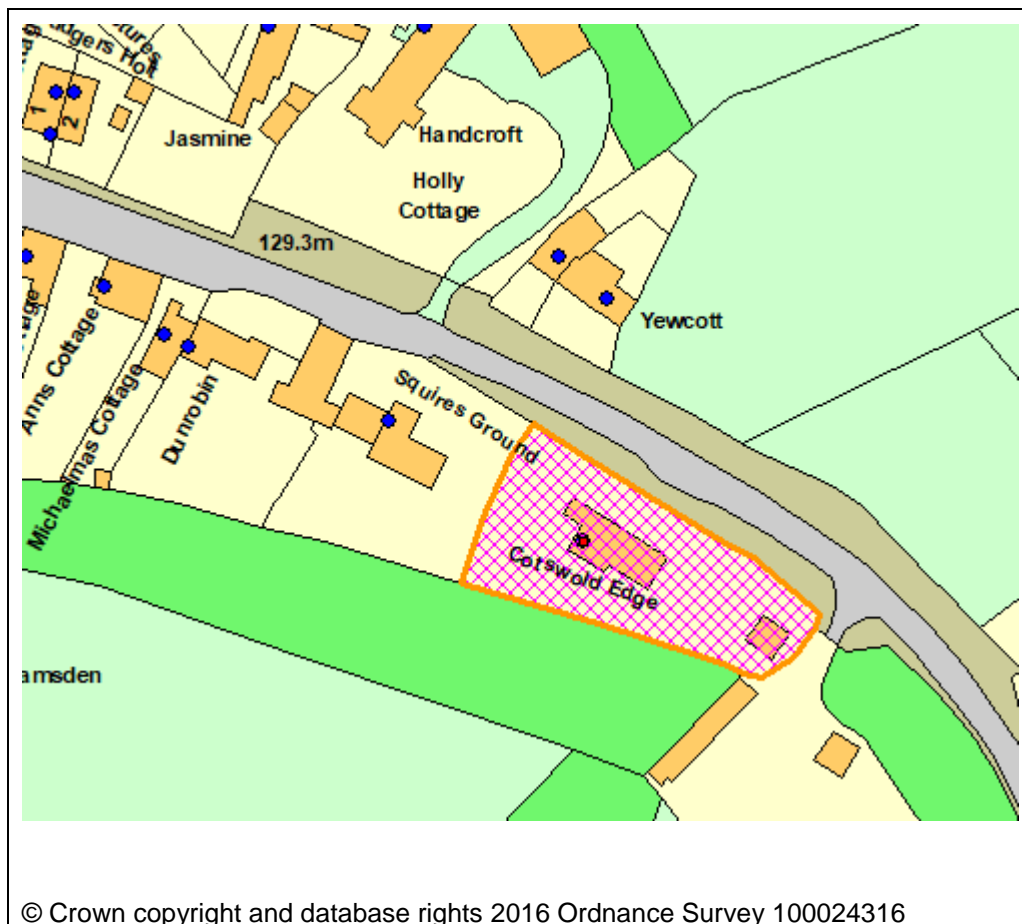
**Contact Officer:** Miranda Clark

**Telephone Number:** 01993 861660

**Date:** 7th July 2021

Application Number	21/00866/FUL
Site Address	Cotswold Edge Lower End Ramsden Chipping Norton Oxfordshire OX7 3AZ
Date	7th July 2021
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Ramsden Parish Council
Grid Reference	435834 E 215144 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Demolition of existing bungalow and garage. Construction of replacement dwelling and detached garage (amended plans)

**Applicant Details:**

Mr And Mrs Guy And Kathryn Wengraf  
Cotswold Edge  
Lower End  
Ramsden  
Oxon  
OX7 3AZ

**I CONSULTATIONS**

Conservation Officer	No objection
OCC Highways	<p>The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network</p> <p>Recommendation:</p> <p>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</p>
WODC Drainage Engineers	No Objection subject to conditions
WODC Env Health - Lowlands	Mr ERS Pollution Consultation I have No Objection in principle.
Parish Council	No Comment Received.
Biodiversity Officer	No Comment Received.
Parish Council	<p>Councillors objected to the plans as produced, as the proposed house will, due to its height, overwhelm other Lower End dwellings, particularly Handcroft, Holly Cottage &amp; Yew Cottage. Sitting high above, and close to, the road it is therefore not contained within the villagelandscape.</p> <p>Council also objected to the destruction of the mature cedar on the site due to its value as a useful visual barrier between this site and the neighbouring dwelling.</p>

**2 2 REPRESENTATIONS**

2.1 Six letters of representation have been received raising objections to the proposed scheme and one general comment. The comments have been summarised as;

Building is much taller than neighbouring properties and would be overbearing

The roof is all of one height and the option of groundwork excavation and terraced landscaping has not been explored sufficiently as a more sympathetic alternative.

It would also be very sad to see the removal of a mature specimen cedar tree on the plot as this is the only evergreen in the vicinity and enjoyed by both neighbours and viewed from the road.

Combined with the already elevated plot, this will unduly dominate other Lower End properties

The new build will also occupy a much larger percentage of the plot when compared to the current house. This leaves little garden space and our concern is that this over development of the site will be overbearing from the street view and not in keeping with the rural setting of Lower End and the Conservation Area.

It has also been noted that the developer has registered the property as a limited company, Cotswold Edge Ltd. We are concerned this is not intended as a family home but a property designed to be used for short term lets. This may explain why there are 6 proposed bathrooms for a 4 bed house, and little interest to maintain a decent size garden.

We hope we are wrong here as we fear continual guest changeover and entertaining would be disruptive to the tranquility of the area. Plus, as we are facing a housing shortage in the area the loss of further permanent residential properties seems inappropriate.

the cedar tree to the right of the property has been amended from a tree to be removed to a new tree. We're not sure if this is an error and would appreciate confirmation that this tree will remain.

Loss of amenity

The significant increase in size in percentage terms, not only demonstrates the imposing scale of the property but also that it would result in a property that contributes to the lack of affordable housing stock in the village.

The property has also been registered as a Limited Company, as other similar properties purchased by the applicants have been, which suggests, like others, that it is for commercial gain, principally for letting. This would erode the sense of community in the village.

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

A Design and Access Statement was submitted as part of the application which concludes:

Care has been taken to develop proposals that maintain the established building line and position and draw upon local vernacular form, scale and detail. Sympathetic landscaping helps settle the proposed dwelling seamlessly within the village streetscape.

The use of local, traditional details and techniques ensure that the proposed design will sit comfortably within the village.

The proposals will be of no detriment to neighbouring properties.

We therefore trust that this application gains your approval.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H2NEW Delivery of new homes  
H6NEW Existing housing  
EH3 Biodiversity and Geodiversity  
EH10 Conservation Areas  
T4NEW Parking provision  
NPPF 2019

DESGUI West Oxfordshire Design Guide

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

## **5 PLANNING ASSESSMENT**

### **5 Background Information**

5.1 This application seeks planning permission for the demolition of the existing bungalow and garage and for the erection of a replacement dwelling and detached garage. The application site relates to Cotswold Edge, a 1960s detached bungalow situated on the South side of Lower End in Ramsden. The existing bungalow is constructed using imitation stone and timber cladding under a reproduction slate roof. The building sits at a slightly elevated position, in the middle of its plot. The application site is situated within the Ramsden Conservation Area.

5.2 The application is before Members of the Lowlands Planning Sub-committee for consideration as your officers recommendation is contrary to the Parish Council's response in accordance with the scheme of delegation.

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

Principle  
Siting, Design and Form  
Impact on the Conservation Area  
Residential Amenities  
Highways  
Landscaping

### **Principle**

5.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.

5.5 With regard to the principle of development; Ramsden is categorised as a small village within the adopted West Oxfordshire Local Plan 2031. Policy H2 states that replacement dwellings are permitted in small villages subject to them complying with the general principles set out in Policy OS2. The general principles include that all development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants and conserve and enhance the natural, historic and built environment.



5.6 Policy H6 states that proposals for replacement dwellings are permitted on a one-for-one basis 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.

5.7 In this instance, the existing bungalow is not considered to be of any historical or architectural value and the proposal seeks to replace this bungalow for a two storey dwelling on a one-for-one basis. The character and appearance of the surrounding area is not considered to be eroded and there would be no harmful impact on ecology or protected species within the area. Your officers are therefore of the opinion that given the context and size of the plot, that the proposed replacement dwelling is considered to be of a reasonable scale and therefore is considered to be acceptable in principle subject to consideration of the matters below.

### **Siting, Design and Form**

5.8 The existing dwelling relates to a 1960s detached bungalow constructed using imitation stone and timber cladding under a reproduction slate roof. The application seeks planning permission to demolish the existing dwelling and garage and replace it with a new, one and a half storey dwelling and garage.

5.9 Amended plans have been submitted reducing the height of the dwelling by approximately 600mm. The amended scheme now proposes a replacement dwelling which would sit 7.2m tall and would have a footprint similar to the existing footprint of the bungalow. The proposed new dwelling would utilise materials such as traditional local limestone and reproduction stone slates which are considered to be in keeping with the local vernacular. Therefore, by virtue of its scale, siting, design and form, the new dwelling is considered to sit comfortably in the site and respect the existing pattern of development and character of the area.

5.10 The proposed garage would consist of a traditional pitched roof and would have an overall height of 5.5m. The garage would be constructed using traditional materials which are considered to be in keeping with the character and appearance of the surrounding area. By virtue of its siting, design and scale, your officers are of the opinion that the proposed replacement garage would represent an appropriate ancillary outbuilding.

5.11 The proposed development is to be set back from the road; however it is sited in a prominent location on the main road through Ramsden. Your officers are of the opinion that the proposed new dwelling would be in keeping with the character and appearance of the surrounding area and as such would not detract from the street scene. As such the proposed development is not considered to give rise to any adverse impacts in regards to visual amenity.

### **Impact on the Conservation Area**

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

## **Residential Amenities**

5.13 In regards to the impact on neighbouring amenity, this has been carefully assessed. Objections have been received raising concerns in regards to the height of the new dwelling and the overbearing impact this may have on the neighbouring properties. Similar concerns have also been raised by Ramsden Parish Council. Following these comments, the application has been amended, reducing the height of the proposed new dwelling by 600mm. Your officers are of the opinion that given the height of the building has been reduced and that there is a separation distance of 16m between the new dwelling and the nearest residential property, Squires Ground, the proposed replacement dwelling would not be overbearing or give rise to any adverse neighbourly impacts in regards to overlooking, loss of light and or loss of privacy.

## **Highways**

5.14 The proposal seeks to retain and utilise the existing access. In addition to this, the proposed replacement dwelling would continue to be served by sufficient space to provide for sufficient off street parking. OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience subject to conditions. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

## **Trees and Landscaping**

5.15 The Parish Council have raised objections in regards to the destruction of the mature cedar on the site due to its value as a useful visual barrier between this site and the neighbouring dwelling. Amended plans have been submitted and the proposal now seeks to retain the mature cedar on the site.

## **Ecology**

At the time of writing, your officers are waiting formal comments from your ecological officer. A response is expected to be received prior to the meeting, where your officers will verbally update Members.

## **Conclusion**

5.16 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS3, OS4, H2, H6, EH9, EH10, and T4 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the National Planning Policy Framework 2019.

## **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 external walls of the dwelling and garage shall be constructed of Local Limestone 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.

- 4 The roof(s) of the dwelling and garage shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.

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

- 5 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.

- 6 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed in the interests of visual and residential amenity.

- 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.

- 9 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

### **INFORMATIVES:-**

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

### **Notes to applicant**

- I The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
  - Code for sustainable homes - A step-change in sustainable home building practice
  - Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
  - The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
  - CIRIA C753 SuDS Manual 2015

- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

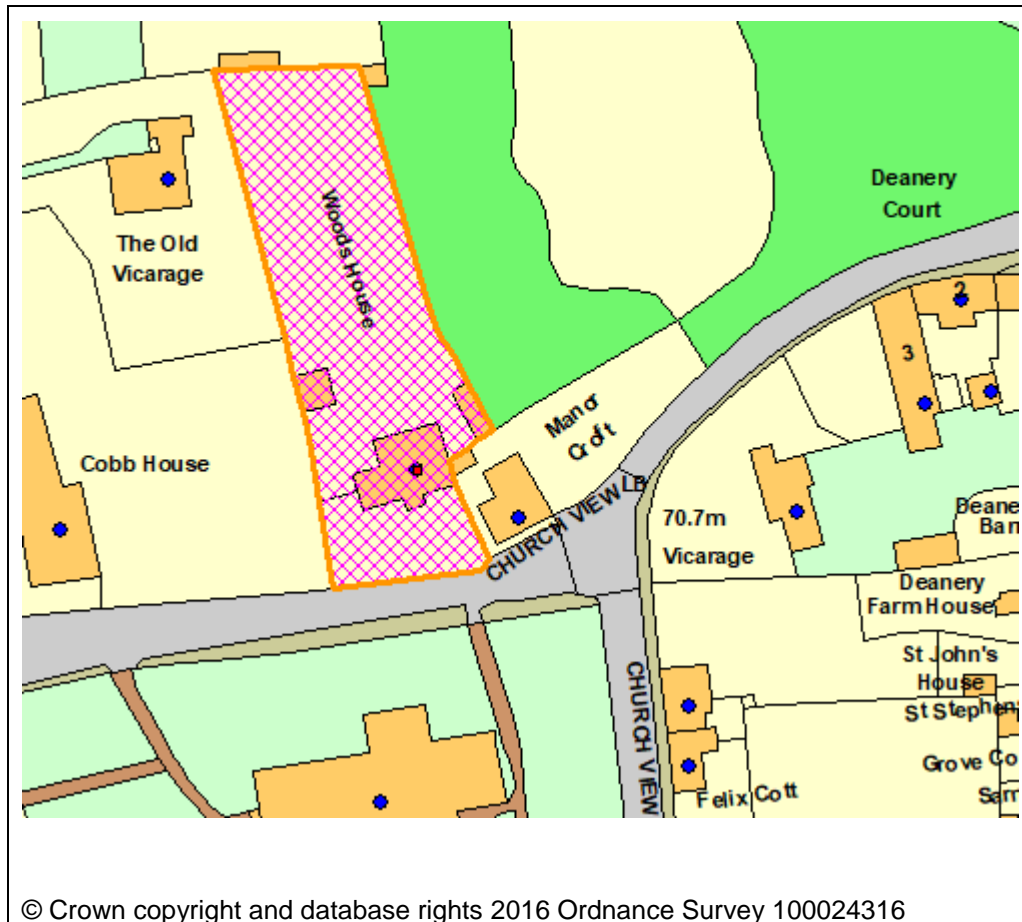
**Contact Officer:** Chloe Jacobs

**Telephone Number:** 01993 861697

**Date:** 7th July 2021

Application Number	21/00949/LBC
Site Address	Woods House Church Close Bampton Oxfordshire OX18 2LW
Date	7th July 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431268 E 203379 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Internal and external alterations to replace two dormer windows in front elevation.

### Applicant Details:

Mrs Marie Dent  
Woods House

Church Close  
Bampton  
Oxon OX18 2LW  
United Kingdom

## **1 CONSULTATIONS**

Conservation Officer	No objection
Parish Council	No Comment Received.

## **2 REPRESENTATIONS**

2.1 No comments received at the time of writing.

## **3 APPLICANT'S CASE**

3.1 A Design and Access Statement has been submitted with the application. It has been summarised as; The two dormer windows have badly deteriorated (see photos below), despite having been repainted just six years ago. As owner of a Listed Building, situated at the centre of a historic market town, now regularly visited by tourists due to the Downton Abbey series being filmed here, we take the appearance and the maintenance of our house at very seriously. It is important to us that the front of the house makes a positive contribution to the Conservation Area.

We are asking permission to replace the existing two dormer windows by two new dormer windows in order:

- to replace badly constructed and rotting wooden windows and frames with new properly made wooden replacements.
- to make sure the house keeps an attractive front façade for the years to come.
- to improve the thermal performance of the windows.
- to reduce the carbon footprint of the house - even if in a small way.

The two dormer windows are flush casement windows, made of soft wood. We believe that they were made and installed from the 70's. This has been confirmed by a professional

As far as their state current physical state is concerned:

- The wooden frames have rotted extensively all the way through their base.
- Some of the windows are split along most of the length of their frame and probably have been since they were fitted.

he initial work was not of high quality

and therefore years of sun and rain have had a very negative impact on them. Furthermore, these windows don't have any historical or architectural value compared to some of the other windows found on the property - if anything, their style is not in keeping with the standard of the house so replacing them will not mean losing a valid original intrinsic part of the house. And finally, the amount of wood that would need to be replaced is more than the amount of wood that could still be kept. The finished result would have joins that would only last for a short time before needing to be repaired again and wouldn't reach any of the objectives as detailed above.

What we are proposing as replacement windows:

The new windows would combine some of the old windows' properties with some of the advantage of new craftsmanship and techniques.

They will be:

- the same size.
- have a flush casement.
- be made of soft timber wood.
- have the same white finish.
- be double glazed to improve their heat insulation properties.
- constructed without the central mullion to improve means-of-escape advantages.

We believe that after reading this Statement you will understand why we are asking permission to replace these windows instead of simply repairing them and that we have demonstrated that serious thought was given to how best to achieve an efficient solution that would benefit the house for the years to come and respect the Listed Building status.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

EH10 Conservation Areas

EH11 Listed Buildings

OS4NEW High quality design

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

## **5 PLANNING ASSESSMENT**

### **5 Background Information**

The existing building is Grade II Listed and located within Bampton's Conservation Area.

The proposal seeks Listed Building consent to replace windows to the two dormers to the front elevation.

The application is to be heard before the Lowlands Planning Sub-Committee as the applicant is a relative of a Councillor.

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**

The existing dwelling is a Grade II Listed Building, and is located in a prominent location within the Conservation Area, adjacent to the Church.

Given its listed status Officers are required to take account of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy EH11 of the Local Plan reflects this advice and states;

Proposals for additions or alterations to, or change of use of, a Listed Building (including partial demolition) or for development within the curtilage

of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to:

conserve or enhance the special architectural or historic interest of the building's fabric, detailed features, appearance or character and setting;

respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context; and retain the special interest that justifies its designation



through appropriate design that is sympathetic both to the Listed Building and its setting and that of any adjacent heritage assets in terms of siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form.

The proposal seeks to replace the windows of the existing front dormer windows. Given the modern age of the existing windows, and that there is no early fabric worthy of preservation. your officers consider that the principle of replacing them is acceptable and that given the supporting information submitted, and the high quality of design and materials that the proposal will enhance and conserve the special character of this Listed Building.

### **Siting, Design and Form**

The new windows will be of the same size, be of soft timber wood and have a white finish. The proposal is to also replace the glass with slim double glazing. Whilst not usually supportive of double glazing to Listed Buildings, given that the proposed replacement windows have been sympathetically designed, and are of slim double glazing, your officers consider that the development will still preserve and enhance the historic interest of the building's fabric, and detailed features.

### **Conclusion**

Your officers have fully assessed the proposal and consider that given the sympathetic design and use of high quality materials that the replacement glass to the existing dormer windows will retain the special interest and character of the host Listed Building.

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

REASON: To preserve internal features of the Listed Building.

5. 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.

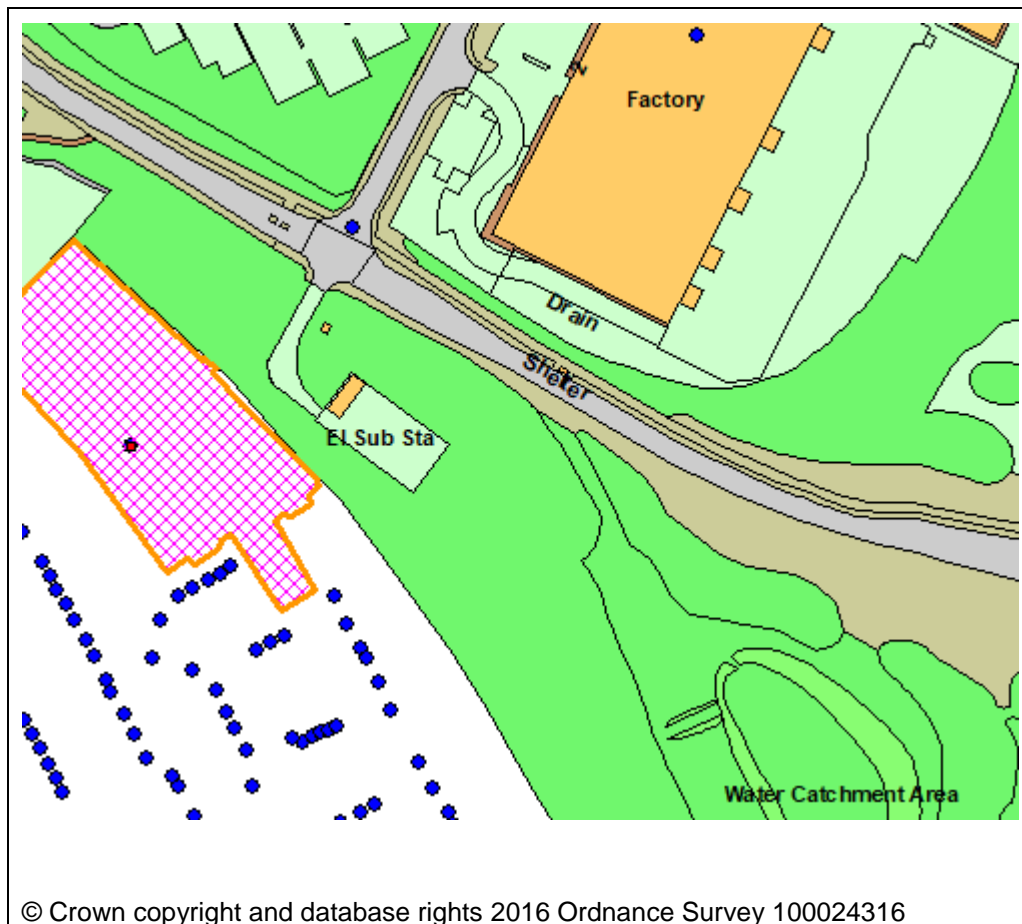
**Contact Officer:** Miranda Clark

**Telephone Number:** 01993 861660

**Date:** 7th July 2021

Application Number	21/01285/FUL
Site Address	Phase 3B Land At West Witney Downs Road Witney Oxfordshire
Date	7th July 2021
Officer	Abby Fettes
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	433297 E 209743 N
Committee Date	19th July 2021

### Location Map



### Application Details:

A residential development comprising 34 dwellings (use Class C3). New road infrastructure, landscaping and other associated infrastructure works.

### Applicant Details:

Mr Samuel Garland

Persimmon Homes  
Verona House  
Tetbury Hill  
Malmesbury  
Wiltshire  
SN16 9JR

## I CONSULTATIONS

Adjacent Parish Council	No Comment Received.
Major Planning Applications Team	Highways  No objections subject to conditions regarding CTMP, travel plan, parking dimensions and cycle parkin  Drainage No comments to date
WODC Env Services - Waste Officer	No Comment Received.
WODC Env Health - Lowlands	ERS Pollution Thank you for the opportunity to consult on this application.  I have No objection in principle.
WODC Housing Enabler	Having had the opportunity to review this application I am able to make comments from an affordable housing point of view.  The application proposes that 30% of the homes as affordable housing. However, the housing numbers for the West Witney scheme set initially at the Outline application stage (ref 12/0084/P/OP) have been exceeded. It is therefore appropriate that current policy requirements for affordable housing are applied for this phase of development. Policy H3 of the current West Oxfordshire District Council 2031 Local Plan requires developments to provide 40% affordable housing in the medium value zone and provides guidance on the development mix. Providing policy compliant affordable housing on this site will make an important contribution to meeting local housing need.

Thames Water

#### Waste Comments

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this

information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1.

Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and

infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at [Thameswater.co.uk/preplanning](http://Thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203

577 9998) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be

necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such

we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on

a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water

strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

#### Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to

apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

There are water mains crossing or close to your development.

Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within

3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way.

The applicant is

advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Conservation Officer

No Comment Received.

ERS Env. Consultation Sites

I have seen the above referenced planning application on the planning portal. I have looked at the application in relation to contaminated land and potential risk to human health. I understand that the site forms part of a wider application, 12/0084/P/OP. Please consider adding the following condition to any grant of permission.

1. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the environment in the interests of the amenity.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

Parish Council

Whilst Witney Town Council do not object to the principle of development outlined in Phase B, members hold strong views with regard to practical matters and ask that this Phase B take a more considered approach for the success of the development. Earlier phases are sub-optimal and members would like to make representations that can improve quality and that these issues be controlled by 'prior to first occupation' conditions.

Connectivity and application of West Oxfordshire Local Plan Policies T1 and T3 - Connectivity through and to the site should

ensure that residents can easily access footpaths, cycle routes and bus stops, facilitating sustainable travel and sensible routes for accessing Downs Road, Range Road and through the estate to Curbridge Road. That developers take the opportunity to work with the relevant authorities to implement a 20mph speed limit through the estate. That adequate cycle storage be provided in line with Oxfordshire County Council recommendations.

Thames Water Consultee Comments - The LPA should refuse to give consent until the proper consultations are sought and that Thames Water be given adequate time to ensure that Foul Water and Surface Water infrastructure needs can be adequately met. A holding response by way of condition is not an acceptable approach.

Affordable Housing Type and Mix - Members seek assurance that the proposal is compliant with West Oxfordshire Plan Policy H3 with regard to affordable housing provision. Local Plan documents indicate a proportion of 35% of the affordable units be three and four bedroom homes, members ask that this allocation of much needed family size homes is met.

Section 106 Obligations - Members note that a community centre or community hall for the West Witney development has not been provided for and ask that S106 funding be considered for this community resource.

## **2 REPRESENTATIONS**

2.1 None Received

## **3 APPLICANT'S CASE**

The site forms part of the West Witney development site which totals 73.42 hectares located on the south - west of Witney and to the north of Curbridge village. The overall development site of West Witney was allocated for a comprehensive mixed use development, under Proposal 8 West Witney Development Area. Outline planning permission was granted on 16th January 2012 (Local Planning Authority reference 12/0084/P/OP)

The submission of this detailed application for Phase P3B follows the reserved matters approval of Phase P3A (Local Planning Authority Reference: 18/01782/RES) on 12th June 2018.

Persimmon Homes have identified land within the Outline development site which can be brought forward for residential development. The proposed development will deliver 34 residential units above our agreed quantum of units with the development consortium.

The detailed proposals for Phase P3B follow the design and planning principles established within the wider site, and set through the Outline planning process.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places



WIT5NE Witney town centre strategy

WIT6NE Witney sub-area strategy

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

## **5 PLANNING ASSESSMENT**

### **5 Background Information**

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**

The site is a small remaining parcel of the wider West Witney development but a new application is required because the overall quantum of development allowed under the Outline consent has now been reached. It sits in the NE corner of the wider development and the principle of using land which has already been allocated for housing development and which lies in the main sustainable settlement of the district is considered acceptable

#### **Siting, Design and Form**

Whilst the house types are considered acceptable largely following on from the types used on adjoining phases of development your officers do have concerns that the density of development is a little too high. This expresses itself in the prominence of frontage parking, the lack of convenience of some of the parking and the failure to respect the lower densities of the edge of development location. Amendments have been suggested to the applicant that would address these concerns and amended plans are awaited

#### **Highways**

As stated above whilst there are no direct safety concerns the layout is such that on street parking would be encouraged. There is also a need to ensure that the parking spaces and garage sizes meet minimum standards or this concern would be exacerbated resulting in on street parking with consequent inconvenience to neighbours and difficulties for refuse vehicles accessing all parts of the site. A reduction in the numbers of units and provision of more on plot parking should help address this concern and with regards to the concerns of the Town Council the site is located in close proximity to one of the main cycle routes and a condition suggested by OCC will require cycle parking

#### **Residential Amenities**

The design is based on a street and block approach and standards of amenity are generally in excess of minimum standards in terms of rear to rear overlooking and even in the closest relationships meet standards. All plots have their own private gardens and parking spaces

#### **Section 106**

The applicant has sought to roll forward the provisions of the enabling 106. However that related to the outline consent and this is a new standalone application. As such Officers are seeking to apply the requirements of the recently adopted plan which require a greater level of AH. Members may also recall

that when the original outline consent was considered it was necessary to forgo some of the requests for funding in order to make the scheme viable. Your officers are suggesting that rather than roll forward some of the contributions when the infrastructure is now in place /secured as a result of the houses already built that it would be more appropriate to seek to back fill that contribution. In that regard funding towards the refurbishment of the West Witney Sports facility seems an appropriate and locally relevant item that may benefit from such funding. Again the developer has been asked to comment on that suggestion

## **Conclusion**

The principle of this development is acceptable and negotiations are underway. However at the time of agenda preparation they have not concluded. Rather than delay the application for a further cycle officers have taken the opportunity to bring it to Members in advance of it being finally ready in the hope that acceptable amendments will have been received whereupon it may be possible to bring the application forward with a recommendation for approval or to seek delegated authority to determine the application at the point it is ready. A full verbal update will be given at the meeting

## **6 CONDITIONS**

I. It is anticipated that the application will be recommended for approval subject to the applicant first entering into a legal agreement to secure the policy compliant AH provision and a contribution towards local recreation improvements. Conditions would also be required to cover the following matters:

- garage sizes
- travel plan
- CTMP
- cycle parking
- Swept path analysis
- removal of pd rights for garage conversions
- materials
- landscaping
- means of enclosure
- drainage

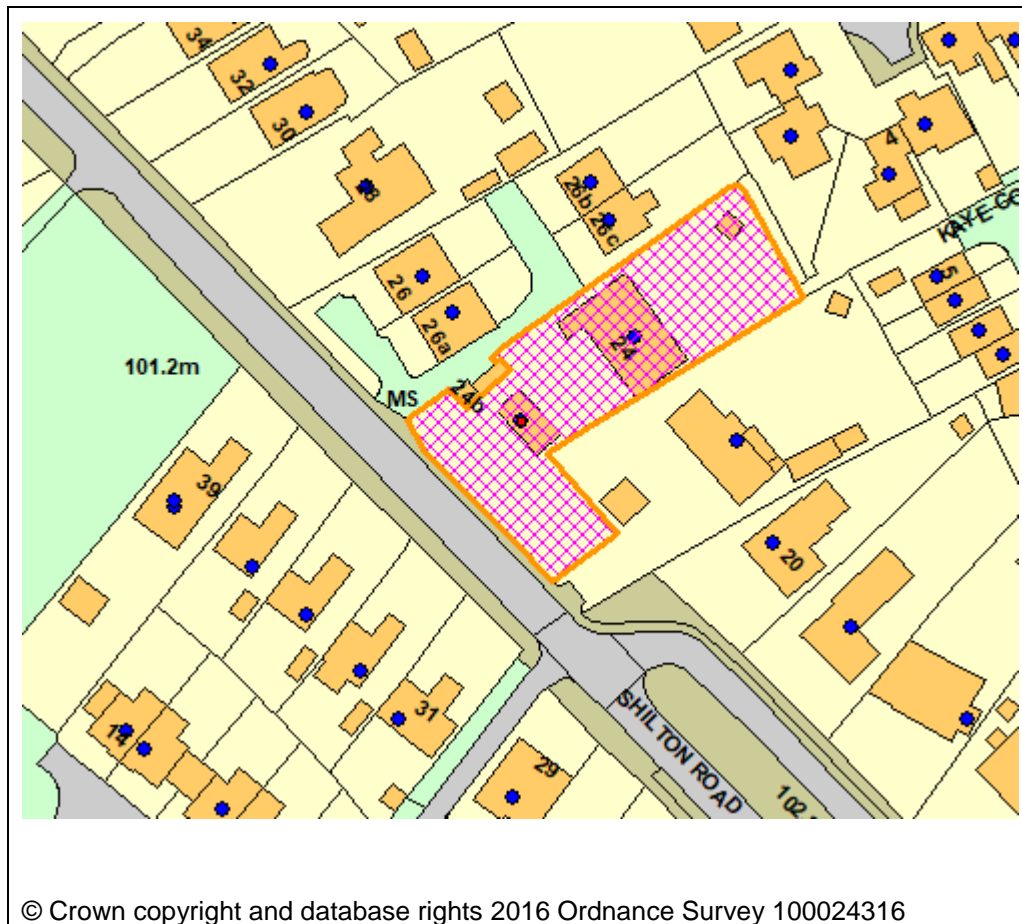
**Contact Officer:** Abby Fettes

**Telephone Number:** 01993 861684

**Date:** 7th July 2021

Application Number	21/01481/FUL
Site Address	Shilton Road Filling Station Winton 24 Shilton Road Carterton Oxfordshire OX18 1EH
Date	7th July 2021
Officer	Miranda Clark
Officer Recommendations	Refuse
Parish	Carterton Parish Council
Grid Reference	427642 E 207898 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Redevelopment of site, one dwelling and a replacement building and off street parking as a Class E business unit.

**Applicant Details:**

Mr and Mrs Gilbert and Mandy Anderson  
24 Shilton Road  
Carterton  
OX18 1EH

**1 CONSULTATIONS**

Parish Council	Support of the Planning Application Comment: Could Officers query whether a change of use is needed for the premises.
ERS Env. Consultation Sites	The proposed café is to be located very close to new residential units. Although the type of food likely to be served at this café is not especially odorous, nevertheless adequate dispersion of kitchen extract is required as the proposed kitchen appears to be less than 5m from the nearest dwelling.  So, although I have no objection in principle, I advise that ventilation arrangements must be agreed before the proposed premises is brought into operation.
WODC Env Health - Lowlands	I have No Objection in principle.
OCC Highways	No objection subject to conditions
WODC Drainage Engineers	No objection subject to conditions

**2 REPRESENTATIONS**

2.1 Three letters of objection, one general comment have been received. The comments have been summarised as;

No objection to development and in this case the proposed extra houses on the land don't appear to be an issue given that there are just two of them.

Concerns relate to the cafe for two main reasons, trouble pulling out of my drive at some times of day with the new estate up the road. The extra traffic pulling in and out of the cafe is likely to impact negatively on this and the parking provided for the cafe won't be sufficient exasperating the situation.

Orbit key are not noisy and are considerate it's usually only one customer at a time. A cafe wouldn't survive in this vain it would need to be popular to survive, hence noise and more vehicles.

Have concern about the limited parking available

I object to the change of use as an Internet Cafe will attract the younger generation which will create gatherings and noise late at night.

This application has no place for this type of business to be situated on this site and should be located towards the town centre where there is adequate parking available.

Noise from having a kitchen running all day and the smells associated with it so close to residential dwellings is a concern.

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

A Design and Access Statement has been submitted with the application. It has been summarised as; To seek planning permission to replace the former Shilton Road Garage, and replace it with a redevelopment that is part residential and part commercial use. The site is surrounded by housing. Mr and Mrs Anderson wish to decide what is best to do with the site, in a way that achieves a viable, alternative use or uses. They also want to enhance the approach road to their home, 24 Shilton Road. This dwelling lies just behind the site, and uses the established drive through the garage property to Shilton Road.

The District Council planning policies seek to retain employment generating uses, we felt that one option would be to replace the garage use with a more compatible use to the area under USE CLASS E - "commercial, business and service uses", part of recent changes within the government's Use Classes Order system.

In summary, this proposal is seen as a way to:

Remove an unwanted use from this predominantly residential setting.

Bring in more economically viable uses to the site.

Create a smaller, viable business use with less impact upon neighbours.

Create a site for one dwelling in a sustainable location, which is better for the residential amenities of neighbours than the use that exists.

Improve the character and appearance of the site.

Improve the aspect and residential amenities for the residents of 24 Shilton Road and other neighbours nearby.

The former garage on this site has long since been reduced to vehicle sales only, as shown on the attached photograph, though the original use is presumed to still be extant on this site. These days the site is considered to be far too small to offer a range of services now expected of a modern garage business.

There is no question about retention of the drive that splits the site, as access to 24 Shilton Road, this has to remain. The smaller part of the site, west of this drive, is we believe large enough to accommodate a dwelling.

This would benefit and enhance the amenities of the dwelling at the rear, and the dwellings to the west. That leaves the remainder of the site.

A low key use within the new use classes, with time limitations and other restrictions that the council feel appropriate for this area, are acceptable. The plan submitted gives the form and design of the proposed replacement building and the layout of the site, but the use as "café" is indicative only, it could be a convenience store, a small office, and so on, within the new use class proposed.

The point is the alternative uses are intended to be more compatible with neighbours than the established use - that is a key aim.

we feel this proposal fits into the site and surroundings better than the existing buildings, does not detract from the amenities of nearby residents, and is within a highly sustainable location for new housing. In these ways we believe the proposal accords with current planning policies for Carterton.

This proposal as we see it, accords with all relevant current planning policies, and will significantly enhance the site and its surroundings.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

H2NEW Delivery of new homes

E1NEW Land for employment

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

## **5 PLANNING ASSESSMENT**

### **5 Background Information**

The application site is located within Carterton. The existing building is of a commercial use for van sales, previous to this the use was a petrol station. To the rear of the commercial premises is an existing residential single storey dwelling. The site is within a mature residential setting.

The proposal is seeking planning permission for one dwelling and a replacement commercial use.

The application is to be heard before the Lowlands Planning Sub-Committee as the Town Council is in support of the proposal.

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**

Carterton is considered to be a main service centre within the relevant housing policies of the adopted West Oxfordshire Local Plan. Policy OS2 has general principles which include;

All development should:

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

Your officers consider that whilst the principle of development is acceptable within Carterton, due to the siting and scale of the proposed development, officers do not consider that it forms a logical complement to the existing character of the area, and that it will have a harmful impact on the amenity of existing occupants.

In terms of the change of use which the Town Council refers to, your officers can confirm that a change of use is required, given that the current use of the site is classed as sui generis.

From September 2020, the Government introduced a new Class E, Commercial, Business and Service, which now includes cafe and restaurant uses. Policy E1 of the adopted West Oxfordshire Local Plan seeks to support redevelopment of existing employment uses. As such your officers consider that a cafe use is considered acceptable.

## **Siting, Design and Form**

The dwelling is to be sited to the side of the existing access to the dwelling to the rear of the application site. The proposed commercial building sits to the other side of the access.

The proposed three bedroom dwelling is of a two storey form and to be constructed with artificial stone and grey roof tiles. The overall height is approximately 6.7m, with a deep and uncharacteristic form. On site parking to serve the dwelling is to the front, with a small rear garden.

Your officers consider that the proposed scale and siting of the new dwelling will appear as a cramped and incongruous feature within the streetscene, given that the immediate surrounding development is of single and one and a half storeys in scale. As such your officers are of the opinion that the proposal is contrary to Policies OS2 and OS4 of the adopted West Oxfordshire Local Plan.

The cafe building is to be of a single storey form of a simple design. As such your officers consider that this element is acceptable.

## **Highways**

Your officers have taken full consideration of the comments received regarding parking and turning issues. However OCC Highways have raised no highway safety or parking objections to both the proposed dwelling and the cafe use.

## **Residential Amenities**

The distance between the proposed dwelling and the existing single storey dwelling to the rear of the site is approximately 14m. Given that the proposed dwelling is to be of a two storey form, your officers have concerns that the proposed dwelling will result in an over dominant form to the residential amenities of No 24 Shilton Road. In addition a first floor bedroom window is proposed which may result in overlooking to No 24 Shilton Road.

No details have been provided regarding the type of cafe use. However if approval were to be given then your officers would advise appropriate conditions to be attached.

## **Conclusion**

Your officers consider that in principle some form of residential development is acceptable in this location. However the proposed two storey dwelling, in terms of its scale and siting will result in a cramped form of development, which does not complement the existing character of the immediate locality. As such the proposal is considered to be contrary to Policies OS2 and OS4 of the adopted West Oxfordshire Local Plan.

## **6 REASONS FOR REFUSAL**

1. The proposed two storey dwelling, by reason of its scale, design and siting would result in a cramped and incongruous feature which will appear visually over dominant and out of character within the immediate streetscene. In addition by reason of the siting of the dwelling, an adverse overbearing and overlooking impact will result to the existing residential dwelling at No 24 Shilton Road Carterton. As such the proposal is considered contrary to Policies OS2 and OS4 of the adopted West Oxfordshire Local Plan, the West Oxfordshire Design Guide and the relevant paragraphs of the NPPF.

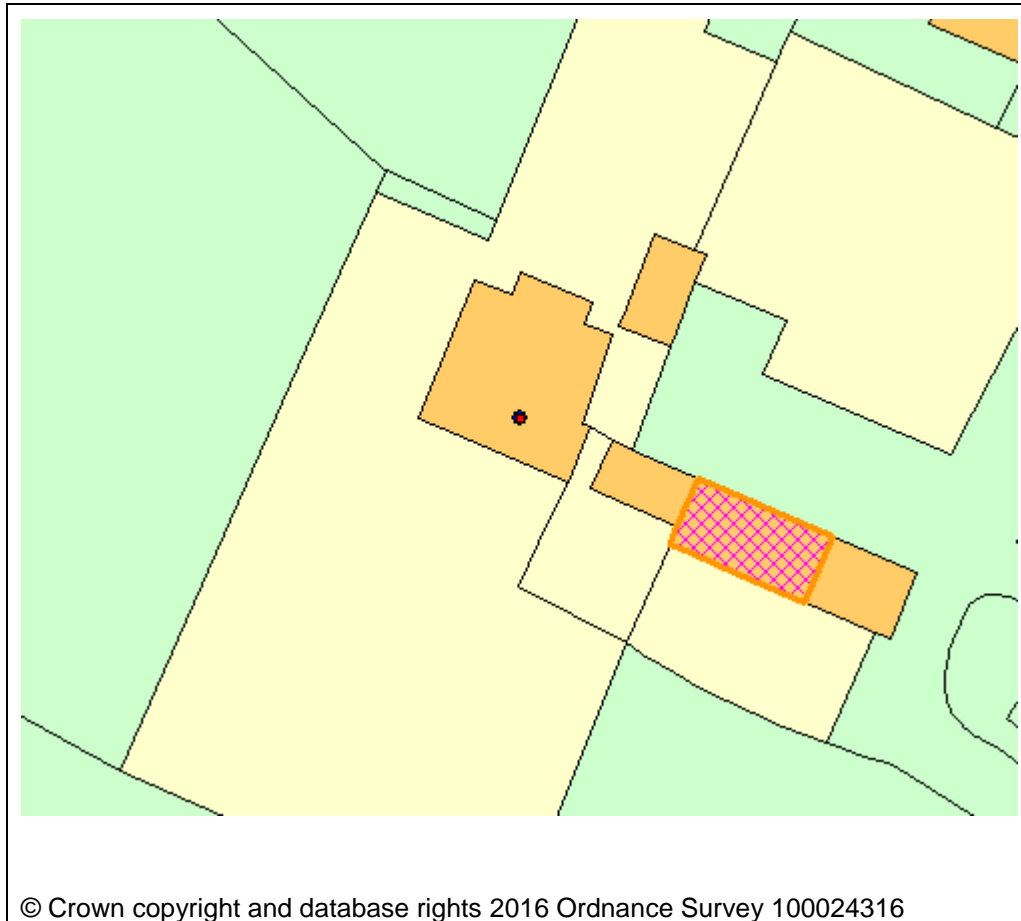
**Contact Officer:** Miranda Clark

**Telephone Number:** 01993 861660

**Date:** 7th July 2021

Application Number	21/01587/FUL
Site Address	Turley Farm Turley Lane Hailey Witney Oxfordshire OX29 9XA
Date	7th July 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Hailey Parish Council
Grid Reference	435165 E 213715 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Change of Use from one holiday let use to recreational space for art, yoga and pilates classes (retrospective).

### Applicant Details:

Mrs Kate Brown



Turley Farm  
Turley Lane  
Delly End  
WITNEY  
OX29 9XA  
United Kingdom

## I CONSULTATIONS

OCC Highways

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

WODC Env Health - Lowlands

I have No Objection in principle.

Parish Council

Hailey PC objects to this planning application. It objects on the grounds of change of use of the building, restricted access and number of vehicles. The previous application was rejected on amount of traffic it might create etc. and this issue remains the same. There would be a problem with the corner between Wood Lane/ Turley Lane and the public right of way (lots of walkers around). The wall has recently been damaged four times. Also off-site parking is an issue with very narrow road.

## 2 REPRESENTATIONS

2.1 One objection comment has been received. It has been summarised as;

Turley Farm are hoping to obtain retrospective planning for yoga, Pilates and arts and craft activities, primarily..... key word. I am concerned that the activities could increase both in nature and frequency. The use of "primarily is vague".

The classes are proposed for Monday to Saturday inclusive. This is a huge increase in vehicles using small country lanes.

I can imagine that anyone who has already experienced the numerous large vehicles ( generally by non residents), often driven quickly with little regard to residents down Wood Lane and other access roads would not be happy about this. We have experienced this before when the owners were offering classes without permission. Also previously they were not 6 days per week.

Previous planning permission restricted the number of yurts to three to control the number of vehicles going to the farm.

These proposals would generate far more vehicles on more days and does not include the number of instructors.

Roads in both directions are unsuitable for the number and frequency of traffic - they are single track lanes with blind bends. Although it is suggested that Turley Farm would require users to drive down Turley Lane, they cannot control this and it has no passing spaces for those arriving and departing. The road has collapsed on one side creating a low clearance and has no passing spaces.

Wood Lane is a residential road with lack of visibility. When the yoga / pilates classes were operating without permission we were experiencing fast 4x4 vehicles being driven and verges driven over. Families walk in the road for leisure, play and access to school. No care was being taken and there are no footpaths or road lighting. In winter time there could be more risk to residents. There is the village hall that can be used for these activities and there are many other venues under utilised in the area.

Exercise classes and / or any other classes are not appropriate in a location where access is so poor. It would significantly impact residents. I am writing this as a former resident of Wood Lane up to April 2021 so I am writing from first hand experience.

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

A Design and Access Statement has been submitted as part of the application. It has been summarised as;

It is proposed to change the use of two holiday lets to a recreational space capable of hosting community fitness and other classes.

The proposed development is considered to accord with relevant local planning policy, specifically with Policies OS2, E2 and E3 which identifies that development which supports sustainable tourism and farm diversification are considered appropriate within a hamlet or village.

The development makes beneficial use of the space and requires no further amendments to bring it into use, including plentiful levels of parking.

The proposed development would play an important role in helping the diversification of Turley Farm, creating a tranquil location to the north of Hailey, where guests will be able to relax and enjoy the natural surroundings.

It would also be an example of a restored Cotswold barn and the owners would like to maintain the internal structure (which includes two magnificent Elm A-frame beams), rather than losing it, as would be the case if they implemented the currently planning permission to make two holiday let units. We sincerely hope that the Council will assist us in making this venture a reality.

### **4 PLANNING POLICIES**

E2NEW Supporting the rural economy

OS2NEW Locating development in the right places

OS4NEW High quality design

E5NEW Local services and community facilities

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

### **5 PLANNING ASSESSMENT**

#### **5 Background Information**

The application site is located within an open countryside location which adjoins Hailey village.

Planning permission was granted in 2011 for the change of barns to holiday let accommodation. This proposal seeks retrospective planning consent for the change of use of two holiday lets within one barn to a recreational space, primarily to host community arts and crafts activities and fitness classes including local Yoga and Pilate's groups.

The application is to be heard before the Lowlands Area Planning Sub-Committee as the Parish Council has objected.

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**

Turley Farm is a 25-acre smallholding. The farm is surrounded by agricultural land to the east and west, with an ancient woodland and sporadic properties to the north and by Delly End to the south. The Farm is accessed from Turley Lane.

The farm rears rare breed Shorthorn cattle, rare breed Berkshire pigs and chickens. The farm also has a large vegetable garden.

Planning permission was granted for the conversion of two existing agricultural barns on the farm into three holiday lets in 2011. One barn was developed to one holiday let, the second barn whilst fully renovated externally and internally, its division into two further holiday lets was not implemented.

Your officers consider that the most relevant policy of the adopted West Oxfordshire Local Plan is Policy E2. This policy discusses supporting the rural economy. The policy states that in such locations development proposals which make a positive contribution to farm or country estate diversification will be supported where they:

- are supported by or operate as part of and will continue to add value to a viable core farm/estate business; and
- remain compatible and consistent in scale with the farm/estate operation and a countryside location; and
- re-use existing buildings where feasible in accordance with Policy E3.

Policy E3 which discusses the re-use of non-traditional buildings, including modern farm buildings, for employment, tourism and community uses will be supported where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme. This is subject to specific criteria being met. This includes that the building being capable of conversion to the proposed use without necessitating alteration(s) or extension(s) which would harm the form of the original building. It also states that buildings should be suitably located for the scale and type of the proposed use, having regard to the level of accessibility to the settlements, facilities and services and impact on the character and amenity of the area.

Given that the scheme is part of a farm diversification enterprise, your officers consider that the principle of such development is acceptable. The re-use of the existing barn has already been considered acceptable for conversion under Policy E3 in terms of it being a traditional building capable of being converted to holiday lets.

In terms of the number of classes, the applicant states that the space would be utilised between Monday and Saturday and that no more than three classes would take place per day. Each class would have a maximum of 10 attendees. In view of this your officers consider that the use would remain compatible and consistent in scale with the farm/estate operation and the countryside location

### **Siting, Design and Form**

As the application is for the change of use only, no alterations, other than those approved in the 2011 are proposed.

## **Highways**

Your officers' have taken into consideration the objections received both from the Parish Council and the letter of objection regarding traffic issues. However as part of the formal consultation process, OCC Highways were notified and raised no objections to either road safety or pedestrian safety issues.

## **Residential Amenities**

Given the location of the application site, your officers do not consider that the use will harm residential amenities of neighbouring properties in terms of noise and disturbance.

## **Conclusion**

Your officers' have fully assessed the retrospective use of the existing barn, and consider it to be compliant with the relevant policies as stated above and the Hailey Parish Neighbourhood Plan policies. Whilst it is appreciated that objections have been raised regarding highway safety issues and traffic, OCC Highways have not objected to the application. As such your officers consider that the level of use to be acceptable.

## **6 CONDITIONS**

- 1 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.

- 2 The existing barn shall be used for the purposes as set out within the application, and only for those uses to be conducted on the days and hours as specified within the supporting documents.

REASON: Control is needed to protect the visual appearance of the locality and to enable further assessment of highway safety if the use is to expand.

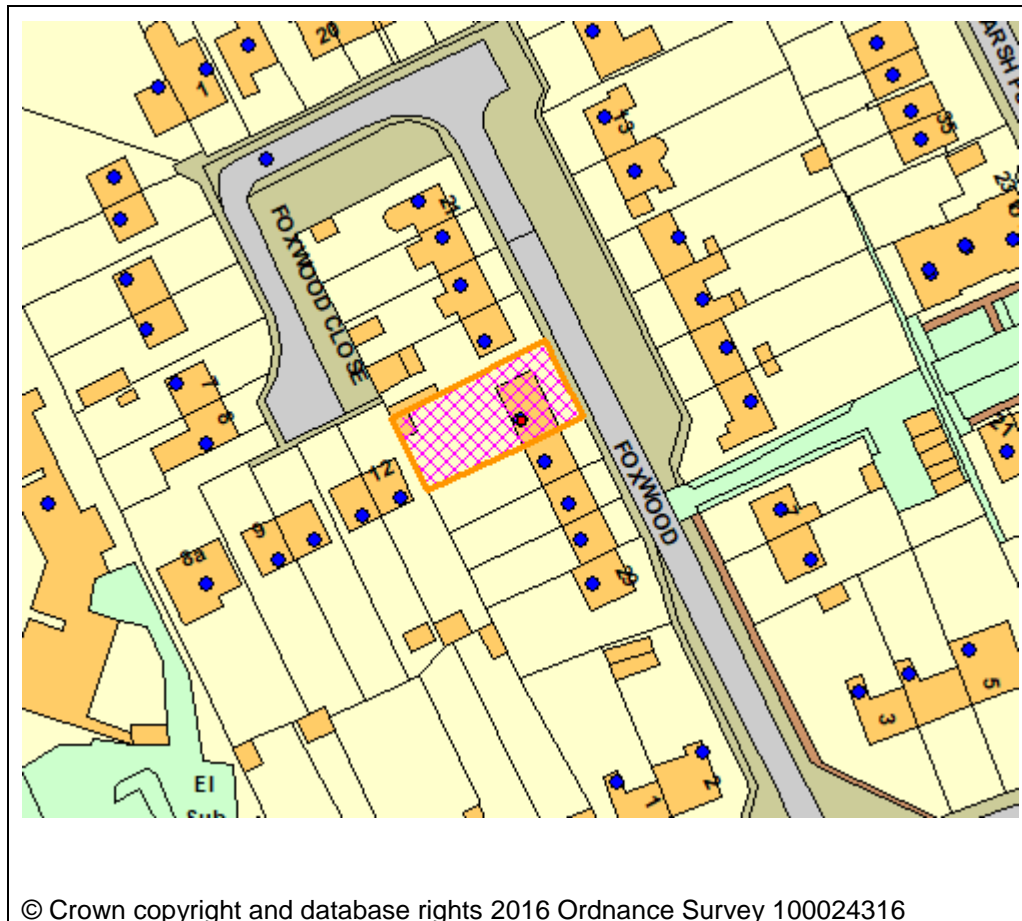
**Contact Officer:** Miranda Clark

**Telephone Number:** 01993 861660

**Date:** 7th July 2021

Application Number	21/01588/FUL
Site Address	25 Foxwood Aston Bampton Oxfordshire OX18 2DZ
Date	7th July 2021
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	434385 E 203201 N
Committee Date	19th July 2021

### Location Map



### Application Details:

Subdivision of existing dwelling to create two dwellings, works to include erection of two storey side extension and single storey rear extensions along with the provision of bin storage and accessible off street parking to both dwellings

**Applicant Details:**

MR ALI  
25 Foxwood  
Aston  
Bampton  
Oxfordshire  
OX18 2DZ

**I CONSULTATIONS**

WODC Env Health - Lowlands Mr ERS Pollution Consultation I have No Objection in principle.

Kind regards

Neil Shellard  
Senior Officer| Acoustics lead

OCC Highways No Comment Received.

Thames Water No Comment Received.

WODC Drainage Engineers No Comment Received.

Parish Council No Comment Received.

Three letters of representation has been received, objecting to the application for the following reasons:

Lack of parking availability to serve the new dwelling  
Congestion along Foxwood  
Noise disruption from construction  
Dust and debris  
Extension will block light to adjacent neighbour's kitchen  
Parking

**4 PLANNING POLICIES**

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

**5 PLANNING ASSESSMENT**

## **5 Background Information**

5.1 The application seeks planning permission for the subdivision of the existing dwelling to create two dwellings, works to include erection of two storey side extension and single storey rear extensions along with the provision of bin storage and accessible off street parking to both dwellings.

5.2 The application site relates to a 25 Foxwood, a modern end of terrace house constructed out of brickwork masonry under a tile pitched roof with UpVC Windows. The application site is located within the built up area of Aston and is situated within the Aston Conservation Area.

5.3 The application has been brought before Members of the Lowlands Sub Planning Committee as your officers recommendation is contrary to the Parish Council.

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

Principle

Siting, Design and Scale

Highways

Impact on Conservation Area

Residential Amenity

### **Principle**

5.5 In regards to the principle of development, locational policy OS2 of the adopted West Oxfordshire Local Plan identifies Aston as a 'village' within the settlement hierarchy. The policy states that the villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. In addition to this proposals for residential development will be considered in accordance with Policy H2 of this Local Plan. Local Plan policy H2 state that new dwellings will be permitted on previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan.

5.6 In addition to this, local plan policy H6 states that alterations, extensions or sub-division of existing dwellings are acceptable in principle where they respect the character of the surrounding area and will not unacceptably affect the environment of people living in or visiting that area.

5.7 On this basis, the principle of a two storey extension and the subdivision of the plot to create two dwellings is considered acceptable provided the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan. The detail of the proposal as assessed against the general principles of Policy OS2, as outlined above, are considered in more detail in the relevant sections below:

### **Siting, Design and Form**

5.8 The application proposes to erect a two storey extension to the side of 25 Foxwood. The extension would extend 1.8m to the side and would sit in line with the ridge of the existing dwellinghouse. the proposed extension would utilise materials such as brickwork masonry under a tile pitched roof to match those of the existing dwellinghouse. The proposed extensions and alterations to subdivide the existing property into two residential units would be visible within the street scene. However give the

modest level of extension and alterations, officers are of the opinion that the proposed would not give rise to any adverse impacts in regards to visual amenity.

5.9 The application also seeks to erect a single storey extension to the rear of both the existing dwelling and the new, proposed dwelling. The single storey extension has been designed to have a single storey lean to roof. The proposed extension would utilise materials such as brickwork masonry under a tile roof to match those of the existing dwellinghouse. Your officers are of the opinion that by virtue of its siting, design and scale, the proposed single storey rear extension would be acceptable in this regard.

### **Impact on the Conservation Area**

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

### **Highways**

5.11 The proposed development would seek to subdivide the existing 4 bedroom property into two, one-bedroom properties with study. As part of the development, the proposal seeks to retain the two existing off street parking spaces to the front of the existing dwelling. In doing this, the proposal would allow for one parking space per dwelling.

5.12 Two letters have been received objecting to the scheme in regards to the lack of parking availability and the impact the proposed new dwelling would have on the road.

5.12 OCC Highways have been consulted on the application and have raised an objection in regards to highways safety and convenience on the adjacent highway network, Foxwood. OCC Residential Design Guide 2003 (2nd edition 2015) details that 2 off street parking spaces should be provided for a 2 bed dwelling together with convenient pedestrian access to the front door of the dwelling. This application proposes 1 off street car parking space to the front of each dwelling, which would not meet the standards as outlined by the Highways Authority. Therefore the proposal, if permitted, would result in overspill parking on the highway where parking spaces are at a premium, causing obstruction and hazard to highway users. On this basis, the scheme is not considered to be acceptable and would be contrary to policy T4 of the West Oxfordshire Local Plan.

### **Residential Amenities**

5.13 In regards to the impact on neighbouring amenity, this has been carefully assessed. Given the nature of the proposed development officers are of the opinion that the proposed would not give rise to any adverse impacts in regards to neighbouring amenity. Whilst the proposed development is moving closer to the neighbouring property, the proposed extension would not extend beyond the build line of no. 24 and as such it is not considered to give rise to any significant adverse impacts in regards to being overbearing. A single, obscurely glazed window is proposed within the side elevation facing towards no. 24 Foxwood. Your officers consider that there will always be a level of overlooking in built up residential areas, and therefore the addition of a new dwellinghouse with first floor level windows would



not have an unacceptable impact on neighbouring privacy or cause unacceptable levels of overlooking. The proposed window seeks to serve a hallway and as such, officers are of the opinion that given their use, this would not result in any unacceptable levels of overlooking or loss of privacy.

5.14 One letter of representation has been received, raising objections to the proposed extension in that they would result in a loss of light into the neighbours kitchen. Officers note these concerns and have assessed the potential impact in regards to loss of light. Given the orientation of the dwellings and the siting of the proposed single storey extension, officers are of the opinion that the proposed single storey extensions would not give rise to and unacceptable levels of light availability to the adjacent neighbours and therefore the proposed in considered to be acceptable in this regard.

5.15 In terms of amenity space, both dwellings are considered to have sufficient land and garden space available to cater for future occupiers.

## **Conclusion**

5.17 Taking into account the above matters the proposal is considered to have a significant, detrimental impact in regards to highways safety and convenience and therefore is considered contrary to policies OS2, H2 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

## **6 REASONS FOR REFUSAL**

- I The proposal would result in a significant adverse impact on highway safety as a result of the proposal failing to provide adequate off street parking to meet current standards, which would be harmful to the locality and to the safety and convenience of highway users.  
The proposal would therefore be contrary to Policies OS2 (Locating development in the right places), Policy H6 (Existing housing) and T4 (Parking provision) of the West Oxfordshire Local Plan 2031 and relevant paragraphs of the NPPF.

**Contact Officer:** Chloe Jacobs

**Telephone Number:** 01993 861697

**Date:** 7th July 2021