

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 16th August 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.

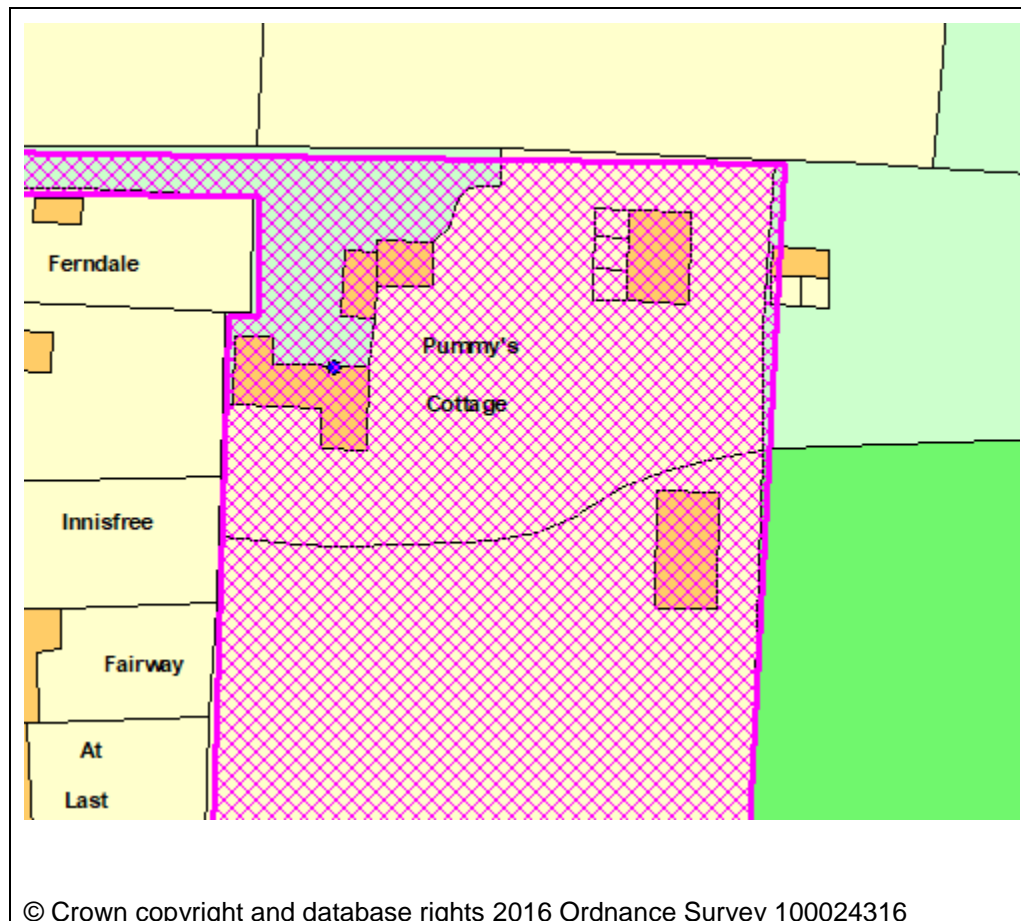
Please note that:

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

Page	Application Number	Address	Officer
13	20/01971/FUL	Pummys Cottage 57 Sutton Lane	Miranda Clark
26	21/02065/OUT	Peartree Farm Cross Tree Lane	Miranda Clark
34	21/01180/FUL	43 Milestone Road Carterton	Miranda Clark

Application Number	20/01971/FUL
Site Address	Pummys Cottage 57 Sutton Lane Sutton Witney Oxfordshire OX29 5RY
Date	4th August 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Stanton Harcourt Parish Council
Grid Reference	441771 E 206408 N
Committee Date	16th August 2021

Location Map



Application Details:

Demolition and replacement of an existing dwelling with a new dwelling being of high quality with associated parking and landscaping.

Applicant Details:
Mr & Mrs A & N Jones
Pummys Cottage
57 Sutton Lane
Sutton
Witney
Oxfordshire
OX29 5RY

I CONSULTATIONS

OCC Highways	No objection
WODC Drainage Engineers Thames Water	No objection subject to condition No Comment Received.
Conservation Officer ERS Env. Consultation Sites	No objection While I have no major concerns in relation to the proposed development please could the applicant confirm the use of the out buildings on the site. Please could they also confirm if any fuels or other potentially contaminating substances have been stored on the site.
WODC Env Health - Uplands Biodiversity Officer	I have no objection in principle. Additional information required
Parish Council	The Parish Council objects to the above referenced application and would like to refer to the reasons the previous application (16/03792/FUL) was refused, as the Parish Council feels that the reasons for refusal are applicable to this application also: The main issue is the effect of the development on the character and appearance of the area.

Reasons

- The site is located in a village of predominately residential character and contains more than 70 listed sites and is right on the edge of the Conservation Zone.
- The majority of the houses front onto Sutton Lane and are set back from the road with gardens to the front. This essentially linear development is a significant characteristic of the village and particularly so near the site.
- Pummys Cottage, within the site, and the adjacent Akeden sit behind the dwellings that front onto Sutton Lane. They do, however, appear tucked in behind the frontage properties. While this breaks the consistent linear pattern, the residential properties are nevertheless contained close to the lane.
- Some gardens extend a good way back from the lane and contain

outbuildings and various built form, including at the site. However all the significant residential development is contained close to the road and the buildings that are located further back are generally lower in height and do not appear dominant in the landscape. There is an open and verdant appearance to the rear of the houses which reinforces the rural character of the area. This is prevalent in views from the lane, many of the dwellings, and the nearby public footpath to the north of the site.

- The proposed would be a significant feature in the local landscape and not comparable to the existing buildings in this part of the site. The proposed design of the dwelling is unashamedly contemporary. However, the contemporary nature, and bold appearance, of the dwelling would stand out from the other residential dwellings. The design of the dwelling would be harmful in this setting and thereby accentuate the harm that would arise from its siting. There is a considerable variety of styles of dwellings in the village; however in the locality of the appeal site, there are no examples of such striking architecture. In this context the dwelling would not blend into the landscape. It would constitute an incongruous element that detracted unacceptably from the character and appearance of the area.
- The scheme would see the removal of the existing dwelling and outbuildings. The outbuildings to be replaced by one very large 'garden store'. This building would be very evident, it would be apparent not just from glimpse views down the access track but also from adjacent houses and gardens and the public footpath.
- Seen from these viewpoints the appearance of the development would be appreciably at odds with the prevailing pattern of development in the locality.
- The Parish Council feels that removal of these mature trees would be unfortunate.
- This garden store would require the removal of some trees. Trees that are shown on the arboricultural report but are not identified as being removed. The arboricultural report has been prepared for a previous planning application, it has not been updated and should not be used in support of this planning application.
- The National Planning Policy Framework (the Framework) is clear that planning decisions should not attempt to impose particular architectural styles, or tastes, or stifle innovation. The planning application seeks to create a one-off and innovative dwelling, however a requirement of the Framework is that any planning application should reinforce local distinctiveness. The development would result in significant harm to the character and appearance of the area. It would be contrary to Policies BE2, BE4, NE1 and H2 of the West Oxfordshire Local Plan 2011. These policies seek to ensure development respects the character of the area, assimilates into the landscape and does not result in the erosion of the distinctiveness of settlements.

2 REPRESENTATIONS

2.1 9 comments have been received which have been summarised as;

- If circumstances change then there is a high risk that the current dwelling, aka old house, will not be demolished after the new dwelling has been built, leaving two properties on this site.
- There could then be significantly more traffic going to and from this additional property along a track which is adjacent to my property. This track is not in the best state of repair (potholes form regularly) and therefore doesn't dampen the sound of traffic moving along it.
- Other properties in Sutton lane have been demolished and occupants either moved out or installed a mobile home on site whilst the new property is being built.
- The applicants have not discussed this planning application with me even though I am an immediate neighbour.
- I realise that this plot lies just outside the conservation area (the boundary of the plot is also the boundary of the conservation area), but would draw your attention to the following paragraphs from WODC's PDF file entitled 'Proposals for Preservation and Enhancement, Stanton Harcourt and Sutton.'
- Any new buildings, and extensions to existing buildings, must be well designed in themselves, sustainable, and must be sympathetic to the established character of the area. They should respect the form, setting and scale of the adjoining and surrounding buildings.
- Special care must be taken to ensure that views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed. New development must incorporate existing features of historic, visual or natural importance, such as trees, hedgerows, ponds, stone walls, paths and tracks.
- I can understand the applicants' desire to build a home with strong ecological features and do not have an issue with that, but the outside appearance of this building does not fit in with the surrounding houses or any that I can think of within Stanton Harcourt or Sutton.
- Dominate views from public right of way.
- Large black garden store which has been placed very close to my boundary. This will also be highly visible from Sutton Lane, looking up the shared drive.
- No matter how sincere the current owners may appear regarding the existing building being demolished events may overtake them too resulting in the site being sold to a new owner with different motives/ambitions. Should the two properties remain I question whether in reality WODC have the resources to ensure/enforce the existing building be demolished so it seems logical to demolish the existing as a first step not the last step to eliminate this risk.
- Whilst this (two properties remaining on the site) in itself is unacceptable it would inevitably lead to the owners of the adjacent property (Akedon) seeking permission for an additional property on their land - a permission which would be difficult to refuse given the precedent set at Pummy's resulting in 4 properties where there are currently 2 - development by stealth!
- Lack of detail
- Appears that the new buildings have all moved closer to the boundary with Akeden and therefore will be more dominant when viewed from the frequently used public right of way that runs through Akeden.
- Looks like a scaled down shopping centre, and if allowed will dominate the view from both the conservation area and the public right of way that runs through our property for many decades to come. I also notice that the arboricultural survey and report and the ecological appraisal are both 4 years out of date.
- Appears to be little information on the application regarding interior details. A new building on the site - yes. This design - no
- The materials used for cladding would be improved by using Cotswold stone
- Sewage concern
- A proposal more in keeping with the locality that placed restrictions on further development, required access and road improvements whilst banning construction vehicles of an unreasonable

size from accessing Sutton Lane and not allowing vehicles to park and cause congestion on the Lane itself may well be received more favourably.

One comment of support summarised as;

The proposed new building represents a positive attribute to the village. It replaces an unattractive and dysfunctional 1970s self-build. Sustainability and ecological integrity, the proposal addresses current concerns about climate change and potentially offers zero demands on resources. It promises an ingenious and admirable blueprint for ecological construction in West Oxfordshire that will surely benefit future generations for whom we all have a responsibility. As to appearance, over the years developments in Sutton Lane have included every possible architectural style. No consistency or apparent accord to historic local architectural provenance. The Parish Council objects to this application's 'unashamedly contemporary' appearance, however as the PC acknowledged some years ago, reactionary attitudes should not influence planning proposals, otherwise (as it was said) it would be prescribed that every new building should have a thatched roof! We would respectfully suggest that the design of Pummys Cottage complements rather than conflicts with its neighbouring buildings.

The architects for the Pummys Cottage application have shown great sensitivity to the vernacular of Oxfordshire buildings with materials that echo those used on others in the area. The new house occupies its space with limited visual impact on its environment.

There are many recently built properties in the vicinity that deserve the inappropriate slur of 'carbuncle', but not this current application. The ubiquitous honey-coloured 'cotswold stone' suggested to be used as cladding, as it appears on other buildings in the Lane, is not a traditional feature of this part of Oxfordshire. We do not understand how the materials used, mostly brick, can be viewed as anomalous to neighbouring properties.

General comment summarised as;

I am not commenting on the substance of the proposed demolition and replacement dwelling as it will not directly impact my own property. However I would like to put on record, for the planning officer's attention, inaccuracies in the OS extract that is attached to the application. In particular, the position of the right of way for certain householders which runs from between Brigstow Cottage and Langton House at the bottom of Sutton Lane, through to Wynmarie, is not represented accurately.

3 APPLICANT'S CASE

3.1 An in depth Design and Access Statement has been submitted as part of the application. It has been summarised as;

The proposals seek to produce a residential dwelling; a desirable place to live, within an existing landscape, a new eco-house set within its site as a piece of landscape. The proposed innovative dwelling will be of high quality design delivering an house for the 21st century as envisaged by West Oxfordshire's Local Plan, the National Planning Policy Framework, Sustainable Development in Rural Areas. The village of Sutton sits between Sutton Green and Stanton Harcourt. The character of the buildings that define this part of Oxfordshire is very eclectic. The palette of materials used ranges from stone, brick, render, timber cladding, zinc and thatch to clay tiles, concrete tiles and slate. The walled garden at Ruskin Hall, is a great source of inspiration for us. The idea of a wall wrapping itself around a parcel of land to provide structure for growing a plants on, also contains and screens what ever may be taking place inside from the outside world when viewed across the open countryside. This example is particularly of interest to us because it zig-zags, allowing the wall to be self supporting whilst creating walls that face in different directions to maximise the amount of light falling on them.

The material quality, and shift in materials, make this wall very beautiful in its own right. It is this quality that we are searching for when thinking about designing a house to replace the existing house. A house that has the appearance of a walled garden quietly nestled in-between the existing trees and landscape. The layout of the house has been informed by the sites access, orientation and gardens/habitats whilst respecting its neighbours.

The existing dwelling currently occupies the area defined as a walled garden. This will allow the new dwelling to be built whilst our clients remain in the old house. Once the new dwelling has been completed excluding the garage, the old dwelling will be demolished.

The zig-zag wall can be used for growing plants on or against, you can also see slots for bats, pipes for insects and triangular openings for bird nesting, the additional surface area of the wall will help increase the amount of heat stored in the wall and light that falls on the wall. The sites ethos of slowly developing as a wildlife habitat is something we want to bring to the building. We like the idea that the house is a piece of habitat for local wildlife as well as its occupants. This will be achieved by building into the brickwork, bat slots, bird boxes and insect pipes. The wall therefore not only defines and encloses the dwelling, adjusts its orientation to work with the existing landscape, and create thresholds, it's also a piece of habitat. The roof is lower than the top of the zig-zag wall, again reinforcing the notion of a wall with a building leaning onto the back of it.

Making a building that is low in height not only deals with the transition between the village and open countryside it also allows us to nestle the building into its habitat.

3.2 A Sustainability Statement has also been included. The conclusion has been summarised as;

The dwelling is to be autonomous, a house that does not rely on natural gas, electrical power, or similar utility services allowing the home to operate independently from the traditional public utility service. The provisions set out within this sustainability report demonstrate how this is achieved; Electrical power is to be generated through the proposed photovoltaic panels, with rainwater harvesting implemented for irrigating the garden and a ground source heat pump provides the source of heating. In addition to the incorporated technology, the proposals are designed to minimise the buildings carbon footprint. Careful design and detailing of the project is the first step in achieving sustainable construction.

Fabric first sustainable building entails looking at the materials used within a build, and considering the energy and carbon used to create them and transport them, as well as considering the pollution, resource use, habitat destruction, and other environmental impacts of producing and using those materials.

The buildings constructional elements are to exceed modern building regulations standards, providing a thermally efficient building fabric, reducing energy demand and using energy more efficiently. Materials used on the project are to be chosen for the longevity in use and locally sourced where possible. Consideration will be given to the sustainability of the methods used for the construction phase. When materials are being specified, it is important consideration is given to how these materials will be installed or applied.

Comments received from the applicant has been summarised as;

The time and trouble neighbours have taken to write regarding this application are much appreciated. This is our response to those concerns.

The main comment has been that the design doesn't suit the area, it's out of keeping, out of character. With no description or evidence of the area's character offered, what does this mean? What is the 'established character' of the area? What is the form, setting and scale of adjoining and surrounding buildings? Is there a character beyond just opinion or individual taste? Some surrounding houses have two storeys, some are single as is the proposed house. Most have walls of brick (as is proposed design), others are painted brick, patterned brick, limewashed plaster, glass and painted stone. Roofs are red clay pantiles, concrete pantiles, slate, concrete tiles, thatch and vaulted wood/metal (inverted boat-shape, great design though unlike any other roof till Woodstock). Unlike any nearby, the new house has a shallow-pitched roof with good reasons, such as, reducing visibility (an improvement for neighbours over the existing house) and better environmental performance.

What are the visible features of the proposed design? Do they suit the area? Traditional brick finish, same as Akeden, Willow Bank and 4 neighbouring bungalows. This is suitable for the area. On the edge of, but not in, the Conservation Area, the single-storey shallow-pitched roof building has a low minimal profile, an improvement for the area and unseen by all but one or two neighbours. Views into and out of the Conservation Area are improved. This is suitable for the area. Walls with integrated nesting places for birds and bats. This is suitable for the area. Enclosed kitchen garden with better use of solar energy and water efficiency for food production. This is suitable for the area.

Extensive glass, shading, passive cooling, thermal mass, ground-source heat pump and solar panels for reduced grid use and small carbon footprint. This is suitable for the area and required for new buildings. Great care has gone into the design for a simple, sustainable and functional house, essential for 21st century living and the challenges of climate change. The existing house is a 1970s rebuild on limited resources. Attempts to retrofit low-carbon systems would be unsatisfactory, compromised by existing scale and structure, and therefore wasteful.

Addressing other comments:

The new building is further from Akeden than existing buildings and thus less dominant. The single storey and shallow-pitched roof further reduce the visual impact. From the public right of way, the new building is mostly hidden by Akeden's sheds, van, cars and caravan.

No mature trees are planned for removal.

Demands on the local sewage system will not change.

Construction lorries will park on site not Sutton Lane.

Demolition of existing house is a non-negotiable LPA condition.

The Parish Council refers to policies BE2, BE4, NE1 and H2 under Local Plan 2011. However, this was replaced in September 2018 by Local Plan 2031. For example, BE2 was replaced by 3 different policies OS2, OS3 and OS4, and so on. As demonstrated here and in the application, this development respects and improves the character of the area and, by improving the design quality and sustainability of the dwelling, adds to local distinctiveness.

The new building is not in the Conservation Area. Residents in the Conservation Area benefit from the new building.

"Climate change is the biggest threat we face ... The three most important things we can do are to stop the activities that cause it; enhance our resilience to its effects; and talk about it." Sir James Bevan, Chief Executive of the Environment Agency 24 September 2018, "The quality, design and use of homes across the UK must be improved now to address the challenges of climate change ... low-carbon, low-energy and resilient to a changing climate ... should use low-carbon sources of heating such as heat pumps ... energy efficiency measures such as loft and wall insulation ... passive cooling measures (shading and ventilation); measures to reduce indoor moisture; improved air quality and water efficiency and (reduce) overheating." UK housing: Fit for the future? Committee on Climate Change February 2019.

4 PLANNING POLICIES

EH6 Decentralised and renewable or low carbon

H5NEW Custom and self build housing

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

H2NEW Delivery of new homes

EH10 Conservation Areas

EH2 Landscape character

EH3 Biodiversity and Geodiversity

OS4NEW High quality design

H6NEW Existing housing

OS3NEW Prudent use of natural resources

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application is seeking planning consent for the erection of a replacement dwelling. The application site is located adjacent to the Sutton Conservation Area, and Listed Buildings are in close proximity to the site. The site is 3850.00 square metres.

5.2 The application is to be heard before the Committee as the Parish Council has objected to the scheme. The application was deferred from the October 2020 meeting, due to the proposal requiring further bat surveys.

5.3 Planning history is as follows:

16/03792/FUL - Removal of existing dwelling and erection of new two storey dwelling and relocation of Nissen hut. Refused and Appeal dismissed.

Refusal Reason;

By reason of the replacement dwelling's siting, the proposal would fail to respect the existing pattern of development and would be harmful to the character and visual appearance of the rural and open countryside location. In addition due to the modern design of the proposed dwelling and its siting, the dwelling would appear as a highly incongruous harsh feature within this sensitive context. As such the proposal is considered to be contrary to Policies BE2, BE4, NE1 and H2 of the adopted West Oxfordshire Local Plan 2011, Policies OS2, OS4 and EH3 of the Emerging West Oxfordshire Local Plan, The West Oxfordshire Design Guide, and relevant paragraphs of the NPPF.

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

Principle

5.5 Your officers consider that Policy H6 of the West Oxfordshire Local Plan is the most relevant Policy when assessing the principle for replacement dwellings. This Policy states that proposals to replace an existing permanent dwelling which is not of historical or architectural value will be 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.

5.6 In terms of the previous refused scheme, the proposed modern two storey flat roofed dwelling was to be located some distance away from the existing house footprint. Whilst the Appeal Inspector at the time did not agree with the Council in terms of the design generally, the appeal was dismissed. The Inspector at the time of the appeal stated:

"A new, two storey and flat roofed, dwelling would be located further into the site than the existing dwelling and beyond the siting of Akeden. It would be apparent not just from glimpse views down the access track but also from adjacent houses and gardens and the public footpath. To my mind when seen from these viewpoints the siting of the development would be appreciably at odds with the prevailing pattern of development in the locality. It would therefore constitute an incongruous element that detracted unacceptably from the character and appearance of the area. Although the site would contain fewer buildings, and the dwelling would not encroach as far as the existing built form, the impact would be more significant due to the height of the building and its appearance as a dwelling.

The proposed design of the dwelling is unashamedly contemporary. I disagree with the Council that it would be an unmitigated box. I consider that, in itself, the design is of merit, both architecturally and due to its sustainable credentials. It has been carefully detailed and incorporates features that would add interest such as the use of contrasting materials. However, the contemporary nature, and bold appearance, of the dwelling would stand out from the other residential dwellings, drawing attention to it. The design of the dwelling would be harmful in this setting and thereby accentuate the harm that would arise from its siting.

I therefore conclude that the development would result in significant harm to the character and appearance of the area. It would be contrary to Policies BE2, BE4, NE1 and H2 of the West Oxfordshire Local Plan 2011. These policies seek to ensure development respects the character of the area, assimilates into the landscape and does not result in the erosion of the distinctiveness of settlements."

5.7 The proposed replacement dwelling subject to this application has been sited closer to the existing dwellings which form a linear pattern along Sutton Lane. Your officers consider that as the proposed siting of the replacement dwelling will be physically nearer to the existing linear built form it will not form such an incongruous feature within the existing landscape as the previous proposal.

5.8 The existing dwelling is a two storey dwelling which is not of historical or architectural value. The proposed replacement dwelling is of a single storey form. As such in this regard of Policy H6 your officers consider that the proposal dwelling is of a reasonable scale relative to the original building.

Siting, Design and Form

5.9 The proposed siting of the dwelling, is to be much closer to that of the existing dwelling. As such your officers consider that the proposed replacement dwelling would not be significantly visible within the wider public realm. This is also helped by the proposed design of the new dwelling.

5.10 The design of the proposed dwelling is of modern contemporary design. The submitted Design and Access Statement has explained how the form of the dwelling, has revolved around the traditional garden wall. The proposed the main wall that defines the spaces to be occupied as a dwelling starts on the northern side then zig-zags south along the eastern elevation, before it opens out on the southern side. This continues along the eastern elevation, before it opens out on the southern side. The zig-zag

wall is proposed to define spaces but also allows the wall to move around existing trees on the site. The openings punched through it are all the same scale and serve bedrooms looking onto the garden. The facades that face onto the walled garden have a lighter touch, like a glass house leaning onto a wall. They are glazed with timber frames.

5.11 Your officers consider that the proposed design and scale is more sympathetic to the existing visual character and appearance of the site and the village as a whole. As the building is low in height it will not be highly prominent to form an incongruous feature within the public views into the application site.

5.12 Your officers have taken into consideration both the Parish Council's and the neighbouring properties comments. However Sutton village includes a mix of materials both traditional and contemporary in places. The proposed materials for the proposed dwelling include brick, coloured concrete, zinc roofing, aluminium and timber windows, and timber cladding. Your officers are of the opinion that the proposed scheme includes the traditional materials found in the village and the Conservation Area. Samples of these materials will be requested by condition.

Highways

5.13 OCC Highways have not raised any objections to the proposal in terms of on site car parking, or highway safety issues. The proposal is considered to comply with policy T4.

Residential Amenities

5.14 The proposed dwelling is sited over 25m from the existing properties fronting onto Sutton Lane. There is also an existing conifer hedge which separates the application site from the neighbouring properties. As such your officers do not consider that any undue impacts in terms of overlooking or loss of light will result to residential amenity.

5.15 With regard to the comments raised regarding the demolition of the existing dwelling, your officers have included a condition to ensure that this is required. The proposed dwelling is located in close proximity to the existing dwelling on site, and it will need to be demolished to allow for the proposed garaging to be built.

Ecology

5.16 Whilst updated surveys have now been received, your ecology officer has requested further information in relation to these. Officers will verbally update Members at the meeting, and additional conditions may be suggested to be incorporated.

Sustainability

5.17 Policy OS3 of the adopted West Oxfordshire Local Plan makes reference to prudent use of natural resources. It states that all development proposals (including new buildings, will be required to show consideration of the efficient and prudent use and management of natural resources. These include: making the most efficient use of land and buildings, whilst having regard to the character of the locality; minimising use of non-renewable resources, including land and energy, and maximising opportunities for travel by sustainable means; minimising energy demands and energy loss through design, layout, orientation, landscaping, materials and the use of technology; minimising summer solar gain, maximising passive winter solar heating, lighting, natural ventilation, energy and water efficiency and reuse of materials; using recycled and energy efficient materials; minimising waste and making adequate provision

for the re-use and recycling of waste; and causing no deterioration and, where possible, achieving improvements in water or air quality.

5.18 The proposed design of the new dwelling will incorporate many of these features, including:

- Solar Gain Control
- Photovoltaic Panels
- Located within the garage there will be 2 charge points for electric cars.
- Cycle Storage

5.19 In view of this your officers consider that the proposal complies with this Policy.

Conclusion

5.20 Your officers have taken into full consideration the comments received from the Parish Council and neighbouring properties. Your officers consider that the proposal complies with Policy H6 which discusses the principle of replacement dwellings. The current scheme has taken into consideration the comments resulting from the dismissed appeal. The form, scale and design are of a more simple nature which your officers consider will assimilate more into the current visual character of the existing garden area of the application site. It is also considered that the proposed dwelling relates more to the existing village linear character, and the adjacent Conservataion Area. In view of the above your officers consider that the proposal complies with the policies as stated above.

5.21 A full verbal update will be given at the meeting by your officers regarding the ecological impacts related to the proposed development.

6 CONDITIONS/REASONS FOR REFUSAL

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

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

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

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

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

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

4 The existing dwelling on the site shall be demolished in its entirety within one month of occupation of the dwelling hereby permitted.

REASON: The provision of an additional dwelling would be contrary to policies for residential development in this location.

5 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 to protect the visual character of the area and the residential amenities of the adjacent properties.

6 Prior to the first trench being dug, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the 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 The garage accommodation hereby approved shall be used for the parking of vehicles ancillary to the residential occupation of the dwelling(s) and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

8 No development, including any works of demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

INFORMATIVES :-

0. NOTE TO APPLICANT:

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

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- 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.

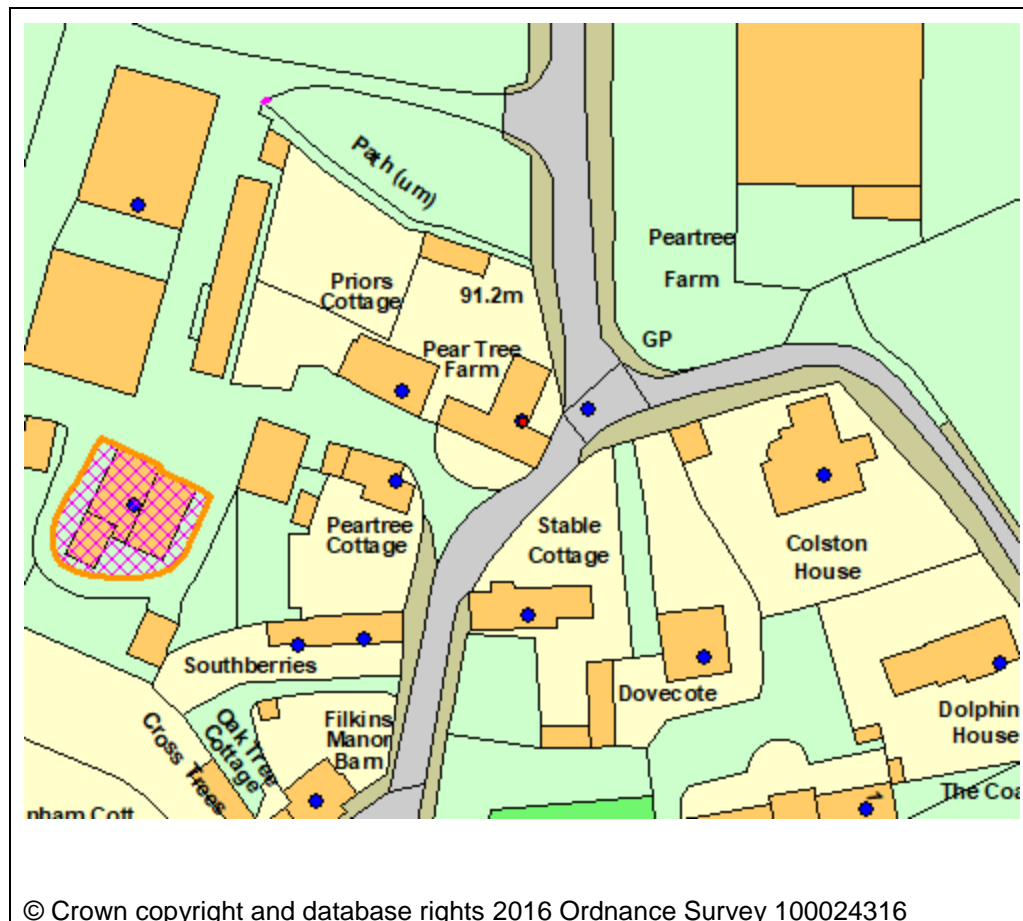
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 4th August 2021

Application Number	21/02065/OUT
Site Address	Peartree Farm Cross Tree Lane Filkins Lechlade Oxfordshire GL7 3JL
Date	4th August 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Filkins And Broughton Poggs Parish Council
Grid Reference	424033 E 204605 N
Committee Date	16th August 2021

Location Map



Application Details:

Outline planning application (with all matters reserved except access) Conversion of Dutch barn to two dwellings. Demolition of two agricultural buildings and erection of two dwellings

Applicant Details:

Mr D Goodenough
C/O Agent

I CONSULTATIONS

Parish Council

The objections to this planning application are as follows:

We do not feel that the agricultural feel of the site is enhanced by asking that the "Dutch" barn be kept. This is not a good specimen for the area and is unseen from all directions. Aesthetically this is of no improvement to the village. Utilising the dutch barn in the development completely limits the the whole site thus reducing other options.

The linear build of the original submission is certainly more in keeping with several sites around Filkins - rather than the urban cul-de-sac design created by having houses 3 and 4 at an angle to the existing barn. This would certainly be more acceptable to the Parish Council.

Having houses 3 & 4 angled leads to many over-looking issues for the surrounding 4 houses, the windows indicated on the eastern elevation will significantly intrude on the privacy of neighbouring properties.

House 3 is only 5 metres from the boundary of the existing barn conversion and due to the slope on the site will be, if elevated, overlook directly into the barn. Would this difference in ground height lead to the height allowed for new build houses next to a boundary to be exceeded.

If the site is levelled there will be a significant drop in ground level and drainage is, currently, dealt with via small drains within the boundary of the existing barn. There is reference to a soakaway and sustainable drainage system but no details are given. Similarly, there are no details as to the existing mature trees and hedges, no tree survey is attached to the application.

The agricultural feel of the site would be kept if all 4 houses were in a line and the old milking shed renovated for parking. This would alleviate the privacy issues of neighbouring properties, the existing trees could remain and provide a more desirable rear outlook for the property.

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.

WODC Contamination Officer - Recommend conditions

Thames Water

No Comment Received.

WODC Drainage Engineers

No Comment Received.

Biodiversity Officer

Further information required regarding wildlife boxes.

2 2 REPRESENTATIONS

2.1 One objection and one general comment has been received. The comments have been summarised as;

- This application proposes a dramatic change from a farm to an urban style residential development, adjacent to a conservation area. The farm and farm buildings are currently home to bats, owls, and other birds of prey that can be seen routinely, particularly in the evenings.
- Demolition of these buildings will compromise their current natural habitat.
- This proposal will, inevitably, incur a loss of trees and foliage that are well-established and entwined in the border wall, and the milking shed, at the bottom of the rear gardens of Pear Tree Farmhouse and Priors Cottage. These currently provide a 'natural privacy screen', in part, between the farm and Pear Tree Farmhouse and Priors Cottage.
- The proposed layout of the new residential development resembles an urban style cul-de-sac rather than a setting that is more in-keeping with traditional farm properties (e.g., residential barns, cottages, open barns for vehicles etc.), as the neighbouring properties are.
- This proposed scheme is compact and cramped and does not complement the overall setting of the existing residential properties.
- This application proposes a massive aesthetic shift from a rural working Cotswold farm to a suburban-style residential development.
- The proposed modern properties are much higher than the existing farm buildings and will negatively impact on this old rural landscape.
- Three car spaces per household is excessive.
- This proposal suggests Pear Tree Farmhouse's main garden will be overlooked by two of the new properties (1&2 on the plan) which will bring a total loss of privacy.
- The farm is generally quiet, particularly, at weekends. Inevitably, with four new residential properties, in a confined area, there is likely to be a significant increase in noise, particularly given the proposed proximity of the new properties to existing homes and gardens.
- Under its current guise and whether as a line of houses or courtyard design, the proposal for 4 'new build' houses (as distinct conversions) with an excessive number of parking spaces (3 per property) squashed within the curtilage of the existing buildings contradicts the council's acceptability 'of a limited development' and is suburban and cul de sac in form.
- The site is acknowledged as prominent, is adjacent to the Filkins Conservation Area and is located within close proximity of listed buildings. The proposal not only fails to acknowledge these facts but also to reflect the loose knit character of the settlement pattern in the immediate locality or retain the agricultural story of the site.
- In such a sensitive setting, an alternative approach to one of retention and sympathetic conversion of the barns including the milking shed for open bay
- The availability of two parking spaces per property ought to be amply sufficient and further reduce the urbanised, parking lot nature of the site. Equally, consideration given to the conversion/development of just 3 larger properties rather than 4.
- The proposal indicates the demolition of the milking shed and replacement with a parking lot for 9 cars, resulting in both loss of mature trees/landscaping but also, significantly, the current privacy afforded to the rear gardens of Priors Cottage and Pear Tree farmhouse. Notwithstanding the obvious potential to retain and convert the milking shed to open bay carports to help retain an agricultural courtyard setting, it is assumed these trees are protected and will remain as part of any approval granted for the proposed development.

3 APPLICANT'S CASE

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

This planning statement reviews the planning policy considerations in relation to the conversion of 1 no Dutch Barn to 2 Dwellings, Demolition of two Agricultural Buildings and Erection of two new dwellings at Pear Tree Farm, Filkins with all matters reserved except for access.

The proposed dwellings shall see the development of Pear Tree Farm, Filkins from agricultural use to residential use. Utilising the existing Dutch Barn for conversion to two dwellings and demolishing the remaining buildings with development proposed on their former footprints. The development shall see the betterment of the site in terms of aesthetics and shall be a positive contribution to the surrounding character and Conservation Area whilst also contributing, albeit in a small way to local housing need. The proposed development shall not impact residential amenity and is in accordance with the policies outlined within this statement, it is recognised that the development of the four new dwellings accords with both national and local level planning policies with a principle of development established.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH10 Conservation Areas

EH11 Listed Buildings

E3NEW Reuse of non residential buildings

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

T4NEW Parking provision

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

3 5 PLANNING ASSESSMENT

5 Background Information

The application site is located on the edge of Filkins, within a former farmyard. The site is within the Conservation Area and in close proximity to existing Listed Buildings. The proposed development consists of the conversion of the existing Dutch Barn to two dwellings and the demolition of two agricultural buildings and the erection of two dwellings with associated gardens and parking.

The proposal is seeking outline planning permission with only access to be considered at this stage.

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

The application site is 0.35 Hectares.

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

Your officers consider that the Policy OS2 is the most relevant housing policy of the adopted West Oxfordshire Local Plan when assessing the proposed new development of the scheme.

Filkins is considered to be a Village, suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. This Policy also includes general development principles which includes;

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment;

Given the location of the proposed development, your officers consider that at this outline stage, that the principle of development is acceptable. The proposal utilises an existing site which will improve the the setting of the settlement and the Conservation Area as a whole. Given existing dwellings in this location, your officers consider that the principle of development would form a logical complement to the existing scale and pattern of development and character of this specific location.

Your officers note the objections from the Parish Council and representations regarding the layout of the proposed development. For clarification it was suggested by your officers that a more informal layout of the proposed development was more acceptable in this rural location, rather than the more urban and uniform line of dwellings, put forward at pre-application stage. However this proposal is in outline stage, with all matters reserved apart from access. As such the siting of the proposed development would be considered at a later stage.

In terms of the proposed conversion of an existing barn to dwellings, Policy E3 of the adopted West Oxfordshire Local Plan states that In accordance with the overall strategy, conversion of existing buildings to residential use is more appropriate within our service centres and villages with services and facilities is considered to be the most relevant. Your officers consider that with a sympathetic design approach to the conversion, that the proposed two dwellings resulting from the conversion would complement and enhance the character of the area.

Siting, Design and Form

As the application is in outline form only, with access to be considered, these details have not been submitted. However from the indicative site plan, one existing farm building is proposed to be converted to two semi detached dwellings, and two proposed dwellings are proposed after the demolition of other farm buildings. Your officers consider that the number proposed, four in total, is more in keeping with the limited surrounding development that exists.

Furthermore your officers consider that the proposed limited development will not adversely affect the visual appearance of the Conservation Area or the setting of the Listed Buildings.

As the site is within close proximity to a number of listed buildings, in accordance with Section 66 (l) of the Planning (Listed Buildings and Conservation Areas) Act as amended, the local planning authority shall have special regard to the desirability of preserving the buildings setting or any features of special architectural or historic interest which it possesses. Given the location of proposed development to the rear your officers are of the opinion that the setting of the listed building will be preserved.

Since the application site is 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. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.

Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area. Given the limited development proposed, your officers consider that the proposal will not harm the pattern of development within the area.

Full details of the design, siting and form will be considered at the reserved matters stage of the application. Your officers have suggested a condition that limits the number of dwellings to four to ensure that the rural visual character of the Conservation Area is retained and the setting of the Listed Buildings protected.

Highways

OCC Highways has been consulted and have no objection in terms of the access to serve the proposed development.

Residential Amenities

Your officers have fully considered a proposed re-development of the existing farmyard to residential properties and the impact to existing residential properties. Your officers have concerns regarding the proximity of the new build dwellings to existing neighbouring properties. However as the siting, scale or design of the proposed dwellings are not to be considered at this stage, your officers have recommended an informative to advise the applicant that the siting of the new build dwellings should be set at a sufficient distance not to adversely affect the residential amenities of the existing neighbouring properties.

Ecology

Your ecologist officer has requested further information including for the proposed elevations of the dwellings to be submitted. However as previously stated the design of the proposed dwellings, and the conversion design are matters which are not to be considered at this stage. Notwithstanding this a condition has been suggested for it to be included if the application is approved.

Other Matters

Your officers are awaiting a response from your drainage officers. The response is anticipated to be received prior to the meeting, where your officers will verbally update Members.

Conclusion

Given the above your officers consider that the principle of a small residential redevelopment is acceptable in this village location and accords with the relevant adopted West Oxfordshire Local Plan policies. The access has been fully assessed and considered by OCC Highways who has raised no objection to the proposal. A verbal update will given to Members at the meeting regarding the outstanding consultation response from WODC Drainage.

6 CONDITIONS/REASONS FOR REFUSAL

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; and

(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2 Details of the Appearance, Landscaping, Layout, and Scale (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

3 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.

4 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.

5 The development shall be limited to up to four dwellings consistent with the submitted Planning Design and Access Statement.

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

6 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON: To ensure any contamination of the site is identified and appropriately remediated.

INFORMATIVES :-

0. You are advised that the siting of the new build dwellings should be set at a sufficient distance not to adversely affect the residential amenities of the existing neighbouring properties.

Notes to applicant

I You are advised that the siting of the new build dwellings should be set at a sufficient distance not to adversely affect the residential amenities of the existing neighbouring properties.

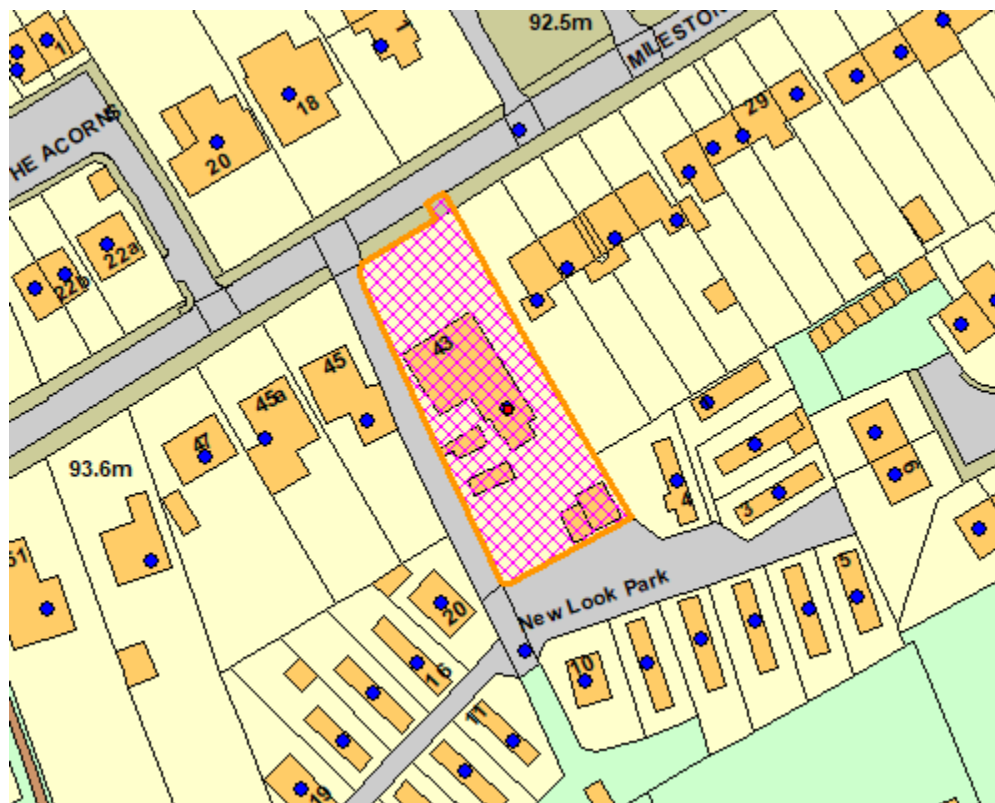
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 4th August 2021

Application Number	21/01180/FUL
Site Address	43 Milestone Road Carterton Oxfordshire OX18 3RJ
Date	4th August 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Carterton Parish Council
Grid Reference	428044 E 206243 N
Committee Date	16th August 2021

Location Map



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Application Details:

Demolition of a bungalow and associated outbuildings. Construction of five dwellings and amenity areas.

Applicant Details:

Mr Paul Mansbridge
c/o agent
39 Hartington Place
Letchworth

I CONSULTATIONS

Parish Council	Carterton Town Council: This would be an overdevelopment of the site.
OCC Highways	I note the proposed parking spaces appear to measure 4.8 x 2.4m. OCC Residential Design Guide 2nd edition 2015 requires spaces to be 5.0 x 2.5m. The proposal should also provide cycle parking in accordance with the same document.
Biodiversity Officer	No objection, subject to conditions
WODC Drainage Engineers	No objection subject to condition
ERS Env. Consultation Sites	Please consider adding a condition to any grant of permission.
WODC Env Health - Lowlands	I have reviewed the documentation and I have No Objection in principle. Mr ERS Pollution Consultation Hi, I have No Objection in principle. Kind regards, Neil Shellard, Senior Officer I have No Objection in principle
Oqema Ltd	No response received to date.
MOD MOD (Brize Norton)	No response received to date.
Thames Water	No objection subject to informative

2 REPRESENTATIONS

2.1 One letter has been received. It has been summarised as;

Will allow my bungalows kitchen, dining and living room to be fully overlooked by the bedroom windows in the rear set of houses and my garden by the front set of houses. This is not acceptable as it will lead to mental anxiety brought about by the feeling of living in a goldfish bowl. As such I totally object to houses being built on the proposed site but have no objections to the existing bungalow being replaced with new bungalows.

Loss of light and views:- We have already had a significant loss of light from our front elevation due to the development opposite us (22 to 24 Milestone Road) and would have objected had we realised how tall the houses were going to be. This new development will also cause a significant loss of light and views due to the excessive height of the houses, particularly from the rear garden.

Over-development:- To replace one existing bungalow with qty 5 houses is not only an unacceptable over development of the site but it's high density build is out of character with the local area. The

proposed over development should be replaced with a plan that is far more in keeping with the immediate area by building four bungalows at most.

Mental health and Wellbeing:- The council has a responsibility for the mental health and Wellbeing of the residents within its district. If this development is approved it will cause great distress to both myself and my wife as it is overbearing, out of scale and we will feel permanently overlooked.

Discrimination:- When the development at 22 to 24 Milestone Road was put forward it originally had six houses but after verbal objections from 42 Ashfield Road, Carterton the house closest to his property was replaced with a bungalow. I feel that I should be afforded with the same consideration and not be discriminated against, or anyone else for that matter.

Environmental consideration:- I have been informed that the roof tiles on No 43 Milestone Road have a high asbestos content and are not concrete as stated on the proposed planning application.

3 APPLICANT'S CASE

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

We are proposing to demolish a dilapidated and tired bungalow and associated outbuildings and replace with 5no. new dwellings of a high quality, varying in size to suit the current market conditions (growing and established families). The location of the dwellings has been carefully considered to ensure no loss of light or amenity issues occur to any of the surrounding properties. The dwellings to the front of the site have a reduced ridge line to further decrease any impact on the street scene of Milestone Road. Ample outdoor space is provided for each of the dwellings, with plenty of 'green' areas in the form of trees, grass and hedges to ensure a good quality of life for future occupants is achieved.

Our proposals are in line with the West Oxon local plan and we invite the council to approve our proposals.

Revised plans have been received regarding window details and larger car parking spaces along with the comments below;

I have seen the ecologist is happy with our landscaping proposals. I am happy to accept the conditions they are proposing for the development.

In respect of the neighbours comments regarding overlooking, we believe that the proposed and existing dwellings are sufficiently angled away from each other. This combined with the plentiful distance between the houses should not enable any overlooking to take place. Furthermore, the new trees, planting and 1.8m high timber fence will restrict any potential views over the neighbours garden further.

Our proposals are fully in accordance with the local plan and the NPPF. The client wishes to construct five good quality dwellings, replacing a derelict bungalow and a heavy dilapidated site.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

H4NEW Type and mix of new homes

EH3 Biodiversity and Geodiversity

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

5 PLANNING ASSESSMENT

Background Information

5.1 The proposal seeks planning permission for five, three bedroom dwellings with amenity areas.

5.2 The application site is 1228.00 square metres. It is within a residential area of Carterton and sits outside any areas of designated control.

5.3 The application is to be heard before the Members of the Lowlands Area Planning Sub-Committee due to the Town Council objecting to the scheme.

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

Principle

5.5 The application site is located within a mature residential area of Carterton. To the rear of the site is a mobile home site, with residential dwellings to either side and opposite. A delapidated bungalow is situated on the site along with a garage.

5.6 Given the site location within Carterton, a main service centre, your officers consider that the principle of such development is acceptable under the considerations of Policy OS2. As part of this policy, all development should meet general development principles which include:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;

5.7 After fully assessing the proposed development, your officers consider that the general principles are met.

Siting, Design and Form

5.8 The siting of the development comprises of two dwellings to the front of the site, two semi-detached and one detached dwelling to the rear. The two proposed dwellings to the front of the site are set back from Milestone Road which allows for soft landscaping as well as parking. Whilst not set back as much as the existing bungalow, your officers consider that the proposed dwellings will not appear over dominant within the streetscene.

5.9 The form of the development are two storey dwellings. The proposed design has been amended to enable the fenestration of the dwellings to appear more uniform with each other. The heights of the proposed dwellings are approximately 7.7m for the dwellings to the rear and 6.8m for the front properties.

5.10 The dwellings themselves will be constructed using a high quality buff coloured brick, with a timber effect cement board (colour Anthracite Grey), applied between the windows. The roof will be finished in a Marley slate effect tile. The windows and doors to the dwellings will be anthracite grey coloured UPVC framed double glazed windows. Your officers consider that the proposed materials are acceptable within this part of Milestone Road, which has various designs and uses of materials.

5.11 Your officers also consider that the proposed heights and designs of the proposed dwellings will not harm the visual appearance and character of the streetscene.

Highways

5.12 OCC Highways were consulted as part of the application process. Comments have been raised regarding the parking space sizes and cycle parking. Whilst the car parking spaces have now been amended in line with OCC your officers are still seeking revisions with the agent in terms of the cycle parking at the time of writing. A full verbal update will be given at the meeting.

Residential Amenities

5.13 Your officers have fully assessed the objection comments received. Your officers are of the opinion that given the distances between the proposed new dwellings and the adjacent properties, that no adverse impact will result in terms of overbearing, loss of light or loss of privacy, First floor windows to the side elevations of the proposed dwellings which serve bathrooms are proposed to be glazed with obscure glass to prevent future overlooking.

5.14 In terms of asbestos issues, your environmental health officers and building control officers would manage this issue.

Conclusion

5.15 Whilst there has been objections to the proposed development in terms of over development, your officers consider that the proposed site layout and design, result in the development visually appearing to complement the existing pattern of development. In addition it is your officers view that with the space around the overall development, that it will not appear overly cramped within the application site.

The designs and forms are considered acceptable with the overall heights not being excessive given the proximity to the type of dwellings around the application site and within Milestone Road generally.

5.16 With regards to the cycle parking, your officers will verbally update Members at the meeting.

6 RECOMMENDATION

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

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

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

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

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

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

4 Before first occupation of the building/extension hereby permitted the window(s) to the side elevations shall be fitted with obscure glazing and shall be fixed shut (without any opening mechanism) and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

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 windows should be balanced casements. 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 The development shall be completed in accordance with the following documents: Recommendations in Section 4 of the Preliminary Bat Roost Assessment, dated 7th May 2021 prepared by Arbtech, as submitted with the planning application; and All measures outlined within the Forest Of Dean District Council's Precautionary Working Method Statement guidance note dated 16th May 2012 available at: <https://www.fdean.gov.uk/media/wjth1ruj/precautionary-method-of-working-forreptiles.pdf>. All the recommendations and measures shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

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

7 Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that light spillage into wildlife corridors will be minimised as much as possible.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

8 Before the erection of any external walls, a scheme for biodiversity enhancement, shall be submitted to, and agreed in writing by, the local planning authority and thereafter implemented, retained and maintained for their purpose in accordance with the approved scheme. The scheme shall include the incorporation of permanent integrated bat roosting features (on the southern or eastern elevations of the buildings) and integrated bird nest boxes (on the northern or eastern elevations of the buildings), the provision of hedgehog gaps/holes within the fences/walls, native hedgerows and the planting of native tree species. The scheme shall include, but not limited to, the following detail:

- I. Description, design or specification of the type of features or measures to be undertaken;
- II. Materials and construction to ensure long lifespan of the feature/measure;
- III. A drawing(s) showing the location and, where appropriate, the elevation of the features (e.g. bird and bat boxes) or measures to be installed or undertaken as well as the specific dimensions of the hedgehog gaps;
- IV. Confirmation of when the features or measures will be installed within the construction or operational phases of the development permitted and;
- V. A 5-year maintenance plan and a 10-year biodiversity management plan.

REASON: To provide biodiversity enhancements in accordance with Policy EH3 of the West Oxfordshire District Local Plan, paragraphs 170(d) and 175(d) of the National Planning Policy Framework and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

9 If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure effective delivery of approved landscaping and to secure enhancements for biodiversity in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

10 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.

11 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 details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

13 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.

INFORMATIVES :-

0. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

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

Contact Officer: Miranda Clark

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Date: 4th August 2021