

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 11th October 2021

REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



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.

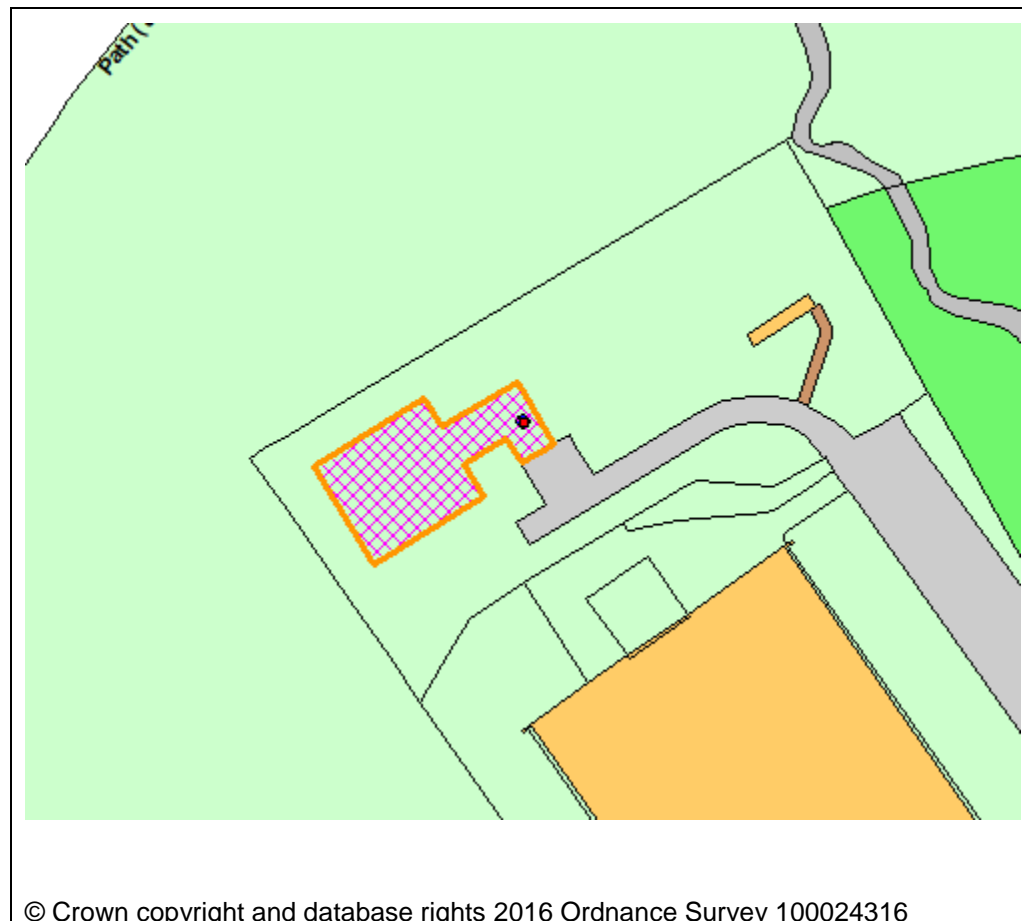
Please note that:

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

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11	<u>21/01197/FUL</u>	Tactical Medical Wing, RAF Brize Norton	Miranda Clark
32	<u>21/01497/FUL</u>	The Bell Inn, 21 High Street, Standlake	Miranda Clark
42	<u>21/01812/FUL</u>	The Stone Barn, High Street, Standlake	Miranda Clark
51	<u>21/01992/FUL</u>	6 The Paddocks Weald Street, Weald, Bampton	Kim Smith
56	<u>21/02099/FUL</u>	Land South Of Ferndale, Back Lane, Aston, Bampton	Esther Hill
65	<u>21/02210/FUL</u>	Unit 1-5, Avenue Two, Witney	Miranda Clark
76	<u>21/02321/HHD</u>	The Deanery, Church Close, Bampton	Kelly Murray
81	<u>21/02322/LBC</u>	The Deanery, Church Close, Bampton	Kelly Murray
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Application Number	21/01197/FUL
Site Address	Tactical Medical Wing RAF Brize Norton Carterton Road Brize Norton Oxfordshire
Date	29th September 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Brize Norton Parish Council
Grid Reference	429489 E 208003 N
Committee Date	11th October 2021

Location Map



Application Details:

Installation of a new Primary Surveillance Radar on a new radar tower together with associated works and a new ground-based equipment cabin.

Applicant Details:

Mr Barrie Rickard
Aquila ATMS Ltd
4000 Parkway
Whiteley
Fareham
Hampshire
PO15 7FL

I CONSULTATIONS

Parish Council There are two key assessments that could demonstrate that the installation of a 33m high radar tower on high ground in the geographic centre of Brize Norton Village will have a material (adverse) impact on the village and its occupants:
There is no Flood Risk Assessment, no Visual Impact Assessment. BNPC consider that these are key assessments that need to be carried to determine whether the location of the radar tower in this location would have any adverse impacts within the parish. In addition there has been no meaningful public consultation to demonstrate to parishioners that the proposed location is the best place that will cause minimum harm to the public.

These omissions need to be addressed for the following reasons:

1. Flood Risk Assessment - WODC is aware of the ongoing flooding issues within Brize Norton and of the mitigation measures that are in the process of being installed as part of the Brize Meadow Development. At the very least this application should demonstrate that it will not adversely impact the drainage mitigation measures that are currently under/imminently due for construction.
2. Visual Impact Assessment - This application makes no mention of the fact that this 33m high radar tower on high ground in the geographic centre of the village is in the direct line of site of:
 - a) Nine (9) of the 15 Grade II listed buildings in the village.
 - b) The Brize Meadow Development that is currently under construction. The nearest house in the development, that has planning approval, is 70m from the base of the tower.

A plan showing the location of the proposed tower, its relationship to the nine (9) Grade II listed buildings, the nearest house in Brize Meadow and the rest of the village is attached at the end of this letter as Appendix A.

BNPC consider that a comprehensive Visual Impact Assessment with verified CGI images of the views from the five locations illustrated on Appendix 2 for both day and night conditions is required to determine the level of visual impact this proposal will have on the local community.

3. Public Consultation - There is a statement saying the Base Commander will liaise with the local parish councils, this however is not a proper public consultation. Given the size of the proposed development, its location in the

geographic centre of the village and the visual impact it would undoubtedly have; Councilors consider that once the Flood Risk Assessment and Visual Impact Assessment described above are complete, the Applicant should hold a properly advertised public consultation meeting where they can present the complete pack of assessments to both the Parish Council and the parishioners to demonstrate that the proposed location is the best location that will cause minimum harm to the public. BNPC would happily make the Elder Bank Hall available for the Applicant to use for this exercise.

Based on the information provided to date BNPC consider that this proposal:

- a) Will cause significant adverse impact with regards to visual amenity to the Grade II listed buildings shown on the plan in Appendix A and to the new houses in Brize Meadow.
- b) B. May cause adverse impact to the flood mitigation measures in the village that have recently been constructed/are due for implementation in the near future.
- c) C. Has not taken key facts into consideration when determining that the proposed location of a 33m high radar tower, on high ground in the geographic centre of the village is the best site, that will cause minimum harm to the public, when compared to alternative locations within the MoDs local land ownership areas.

Based on the information provided to date, BNPC object to this proposal and consider Permission should be refused.

Parish Council RAF/Aquila presented a Power Point presentation explaining why they consider that the proposed location is the 'only one that is suitable'.
The map provided in this presentation was of poor quality as it did not indicate the air base or the various locations on the base that were rejected.
PC member produced a map indicating the air base and the three 'exclusion zones' which clearly indicated that the radar tower cannot be installed on any RAF Brize Norton MOD land!

However, the presentation went on to state that only by the RAF/Aquila breaking their own exclusion zone rules, (compromises!) they could just squeeze the radar tower in the TMW location.

It was pointed out that the proposed location is not secure as the 'Masons Arms' car park is only 30M away and there will be a public car park next to the tower in Brize Meadow, the 'wire' being the only separation. This location is therefore extremely vulnerable to attack.

When asked about other locations, the RAF stated that the tower had to be on MOD land. However, Aquila stated that in other areas they were placing one tower 'in a public car park' and another in an AONB. RAF/Aquila also rejected sites at Little Rissington and Fairford.

All of the locations considered and rejected by RAF were all 'inside the wire'. No consideration has been given to locations 'outside the wire' (and no less secure than TMW).

The RAF/Aquila admitted that they did not have a back-up plan and were totally reliant on the proposed location. Aquila/Black Box stated that if planning permission was refused, they would simply just go to appeal and win the case! Not only is this extremely arrogant but will be at a great cost to the public purse.

The planning application is solely based around the RAF requirements and has taken no consideration to the surrounding community and environment.

Resident of Brize Meadow is extremely upset by the proposed location of the radar tower as it will decrease the value of his property which he has just purchased.

The Station Commander thought that the public consultation was initiated by the RAF/Aquila. PC informed her that RAF/Aquila had no intention of holding a public consultation until pressurised by PC, WODC and our MP, Robert Courts.

It was only because the PC gave the Community information regarding this proposal through their media channels that anyone knew about it. The official public notice was placed on a speed sign on Carterton Road, nowhere near the affected population. No letters were sent to local residents affected by this proposal.

The proposal for a replacement tower was started in 2014. In 2020, a suitable location was sought. The one plan provided by Aquila did not show Brize Meadow or its proximity to the tower (70M).

Numerous suggestions about using 'on site' areas south of the airfield have all been rejected by RAF. However, there has been no consideration to 'off-site' locations south of airfield.

Security will be increased around the tower and there will be no floodlighting. It was confirmed by Aquila that the adjacent trees on MOD and privately owned land will NOT have to be lopped.

RAF/Aquila went to some lengths to explain the technical differences between the proposed tower and the one at Cambridge. The point was raised that it is not how the radar functions, but the visual and noise impact on local residents which has now meant the Cambridge Tower is to be moved. When asked if the impact on the residents of Brize Norton was any less than that at Cambridge, no answer was given.

Of all the radar towers being installed by Aquila, it is the only one being constructed in the centre of a village with a direct impact on c900 homes.

Bloor Homes, the developer of the adjacent housing development, still has unanswered concerns regarding the tower's location.

At the close of the meeting, the community was asked if they have now been convinced by the facts put forward by the RAF/Aquila that the proposed location is the only one that is suitable. Not one person raised their hand!

Action Points

Following on from the RAF/Aquila presentation and lengthy Q&A session, not one person who attended the public consultation meeting considered that the proposed location was the only suitable solution.

The Community requested that RAF/Aquila carry out a full survey of areas to the south west, south and south east of the airfield even though this may mean that the MOD would have to purchase a small parcel of land to accommodate the tower.

Numerous locations were suggested at the meeting, with even more being put forward afterwards that would cause minimum visual impact. RAF/Aquila should give due regard to these locations even if land 'outside the wire' would have to be purchased.

RAF/Aquila to recalculate the three exclusion zones due to admitted confusion and lack of clarity as to exact areas/distances and how they were calculated. Breakdown of calculations to be provided to PC for onward distribution.

Aquila confirmed that trees adjacent to the proposed tower both on MOD and privately owned land will not have to be lopped. Please explain why DIO have contacted local farmer to gain access to his fields so they can lop the trees.

RAF/Aquila to provide answers to Bloor Homes as requested.
Community and PC urge the RAF/Aquila to 'make a Plan B'!

Biodiversity Officer	Mostly satisfactory, however requested preliminary roost assessments.
OCC Rights Of Way Field Officer	No objections
ERS Env. Consultation Sites	Given the current use of the proposed development site, please consider adding the contamination condition to any grant of permission.
WODC Env Health - Lowlands	<p>I refer to the above application and the very latest amendments to the main noise assessment document (attached) which I have been party to, following an interesting on-site visit to consider likely noise impact for neighbouring residential. The site visit was very useful following receipt of their noise assessment report. Their noise assessment report is very thorough. I am also aware of the public interest the application has provoked. I have taken on board comments relating to noise impact.</p> <p>Overall taking everything into consideration, all the information, the site visit, their approach to noise assessment; I have No Objection in principle to the application subject to strict noise conditions</p>

2 REPRESENTATIONS

Over thirty comments of objection have been received. The comments can be viewed on line in full, but have been summarised as;

The current Primary Surveillance Radar is located within the bounds of the main RAF Brize Norton site. This is where I believe the new PSR tower should also be sited to keep the visual and noise impact on the local community of Brize Meadow and Burford Road Brize Norton to a minimum.

There are often buzzards nesting in the trees to the east side of the proposed site which could be harmed by the rotating parts of the radar system.

There is little evidence due to lack of data, concerning the dangers of the microwaves emitted for radar surveillance on surrounding residents as usually such a tower would be in the centre of an airport (not a residential setting). With so little evidence, how could safety be insured? There have been suspicions of the impact of such towers with clusters of cancer cases.

Do we really want to be risking placing a tower so close to a residential street and expanding estate not to mention the new proposed primary school in Brize Meadows and the existing Brize Norton Primary school?

The look of our village is forever changing- from a once very rural idyllic gem to now, almost an extension of Carterton and now the vision from many windows will be a reminder of an encroaching base. This has not been well thought out with consideration for us as neighbours let alone good, friendly neighbours.

The properties between numbers 14 and 22 on Blackwell Drive will face this mast with house number 22 looking directly onto it and with it only being a short distance away from their property and the three storey flats behind them.

Also the property's on Blackwell Drive are situated in an elevated position to this proposed mast, so can we be sure that the masts signal will be projected well above them?

Not only will it be an ugly blot in a beautiful landscape but will affect reception of TV signals and interfere with the local community life. Nobody wants to see this from a country park and it is not wanted. There are plenty of other places to erect this monstrosity on their own land away from a local community. Just selfish and inconsiderate behaviour expecting people to put up with this.

The RAF have said how they had considered other locations much nearer to the runway, and also their current radar and SSR are also much closer. Furthermore, there are sites, for example south of the runway and also on the corner of their football pitches next to the roundabout as you enter Carterton from Brize Norton on the Carterton Road. This siting would be near to industrial sites and not residential housing.

Visual impact: A 33 metre high mast will be extremely imposing, towering over the trees in that area.
Noise: The potential noise from both the mechanical moving parts of the radar and the wind noise through the mast has not been addressed.

The health hazard from radiation from masts, pylons etc. is something that is often played down, but then found to be significant. I am not totally convinced by the claims of safety. However, whether or not

the radar is a risk to health, public perception tends to be that it is harmful. Therefore, the siting of one in such an imposing place right by houses could significantly affect the future saleability of these properties.

The RAF have said that the proposed site is the only one that fulfils all the regulations, but never is it explained clearly what these regulations are. Surely they should be made to explain their assumptions. Furthermore, there is a line of trees alongside the small stream to the north and north east of the Tactical Medical Wing site. I would want to know that these trees which help to screen the proposed metal gantry would have a condition that they must not be removed. More importantly I would like to suggest that the new radar tower should be sited within the main area of the Station. If the open land south of the runway has been considered and found unsuitable the reasons need to be explained. Another possible site would be within the boundary of the station to the north west, in the field area to the east of Gateway House. This is within the security area of the station, accessible to power and connectivity.

I believe that RAF Brize Norton has a duty to be a good neighbour to the village of Brize Norton. In this case it is running roughshod over the welfare of the villagers and I do not believe that it has truly considered other more appropriate sites within its own main boundary to site this radar mast, that would have a much lower impact on those living nearby.

The plan for the installation at the proposed location was made before the Defence Command Paper of March 2021 which announced that the complete fleet of Hercules C130J aircraft based at RAF Brize Norton will be retired in 2023. The Hercules aircraft and their supporting facilities are based across the multi-acre area south of the main runway. This very large area would be redundant and available for the installation of the new radar tower. This area is well away from the dense housing built and in-built directly adjacent to the proposed installation.

For noise because undoubtedly there will be particularly when winds are strong. Health whether this is a proven scientific higher risk of disease such as cancer or not there is a psychological detrimental effect for those whom it will tower over 24/7. There is also the negative impact it will have on the value of homes and the prospects of local business be it local pub or holiday let or local attraction, because even if any of the above are not scientifically proven as yet the public perception is that risks are high and that many known cases are not simply coincidence.

Given the structure's height, warning lights to avoid collision from aircraft will be present. Again, the elevation of the tower will make these a prominent feature in the night sky and to nearby residents. By their nature, their colour and brightness must offer a striking contrast to ensure they are easily observed by pilots. I suspect that the beam angle of the light will also need to be wide to ensure they can be observed easily at different elevations and from different directions. Their necessary prominent illumination and positioning will shine on adjacent homes in this residential area. Again, this has the potential to disturb sleep and impact the community's mental and physical health.

Stroboscopic light impact: I am concerned about the stroboscopic light impact on the local community from the radar's operation. This has been an issue with other radar installations. For some residents, a shadow of the rotating antenna may be cast on their homes at sunrise and sunset.

Radio waves and other electromagnetic emissions: I am not a radio wave engineer; however, I am very concerned about the constant electromagnetic emissions from the tower's radar and systems, and how they might affect the health of the community and any impact they may have on telecommunications equipment. I am not convinced by the notes in the application. In many fields, we have seen safety levels adjusted as scientists understand the effects of pollution in more detail. Diesel cars are a good example.

They have gone from an environmental triumph 10 years ago to an air pollution disaster today. Why take a risk with electromagnetic pollution when other safer sites exist in adjacent farmland?

If the TAC Medical annex did not exist, I suspect the Radar would be sited on the main station or adjacent farmland would be secured. I suspect the TAC facility is the cheapest and easiest implementation - this does not make it the best site.

I would encourage you to review how residents were negatively impacted by similar radar towers such as the one built at Cambridge Airport. Radar tower planning applications are unusual and I would encourage you to research how these have impacted communities to ensure you make a fully informed decision.

The currently proposed location of the radar tower will provide the most impact to the wider community, and will only be 70m from the Brize Meadow development and 208m away from Grange Farm, Kings Barn, Grange Barn and Albion Barn (Grade II listed buildings). With the phasing out of the Hercules, there will be more than ample space to locate the radar tower on the opposite side of the runway, with no close proximity or impact on any properties there (with the exception of Lower Hadden Farm, which is over 0.9km to the north of this location). In addition, there is a height discrepancy in the paperwork with Aquila claiming it will be taller than the planning documentation suggests, as well as a different colour. In addition, Aquila have claimed that there will be no noise impact, but this area is susceptible to high winds and it's hard not to imagine that this will create some sort of noise irritation. Therefore, a 70m distance from any residence is not acceptable, as well as the adverse visual impact on all surrounding properties.

The proposed siting of this radar will be in clear view of every single front facing window of Brook House, ten in total. It will be impossible to look out of any of the windows without the negative impact of this proposed eyesore. After 250 years this is not appropriate.

The proposed site is vulnerable from the point of attack or invasion. Will the RAF be proposing 24-hour armed guard, dogs, search lights and the like after completion to ensure security? Another total invasion of village life. If not this site would be an 'easy target' for terrorists and I will be in permanent fear for my safety. How ridiculous when if sited in any other location within the main compound security would not be an issue.

Since I have been aware of this planning application, I have had great trouble sleeping. I am both anxious and fretful of the implications that this proposed application will have on my wellbeing. Planners and applicants have a duty of care to the local community. When making this decision I respectfully ask that planners take into account the mental welfare of myself and many other local residents alike. We will not be able to deal with the resultant stress.

Failed to provide any drawing showing the relationship between the proposed location of the PSR and the adjacent local housing. The existing housing is only 150m away from the tower and Brize Meadow only 70m away. This proposed location is the closest it could possibly be to any housing and therefore it will have a maximum negative impact on our community.

Neither the Wing Commander nor Aquila have provided any information or justification detailing that the PSR must be 1.4km away from the runway. This information only appears in a letter from the Media and Communications Officer dated 01/02/2021 (Attachment - Letter to BNPC). The Wing Commander has clearly stated in his letter (para 3) that two alternative sites were proposed on the base.

The first was on the north side of the runway on the site of the original SSR. However, this was rejected because the Air Dispatch Hanger was built on this site. This building is 0.3km from the runway. The second location was to use the location of the current SSR on the south side of the runway. However, this was rejected because it had to remain in use whilst the new PSR is being constructed. The SSR is 0.5km south of the runway. Both of these sites were rejected because of operational reasons not because they were inside the 1.4km line! Note - the current PRS is 0.4km north of the runway (adjacent to Guard Room) and is approximately 30M tall.

There are vast areas of open green space to the south of the runway, all 'inside the wire' which has a high degree of security because the ordnance storage area is also in this location. There are numerous towers south of the runway so a clear precedence has been set. The area outside the 1.4km line is virtually as great as that in the TMW. Lower Hadden Farm is the nearest dwelling which is 0.9km to the north and Black Bourton is the nearest village which is 1.5km away to the southwest so will have minimal visual impact compared to Brize Meadow which will be 70m away

The Planning Statement introduction and the Justification document - items 5, 23 and 42 all indicate that the 'tower' will be 25M tall. Aquila have conveniently failed to mention in any of these descriptions that with the radar equipment and lightning finials mounted on top, the overall height will in fact be 33M. This data is only detailed in a small chart (item c) which forms part of the introduction (section 3) and on drawing DS99100 OA 118A DDT and therefore this information is not transparent to readers of either the Justification or Planning Statement documents.

Aquila have stated that this location has been chosen because it sits on higher ground to the north of the airfield. I would bring to your attention that the main area of the base and runway is 82M above sea level. The proposed location of the radar tower is 90M above sea level which means the height gain by placing it this location is just 8M. This height gain could easily be obtained within the main base by raising the height of the tower by the same amount. I would suggest that our Community would prefer a 41M tall radar tower within the base as opposed to a 33M tall radar tower in the geographic centre of our village which will cause a major negative visual impact and be so close to housing.

One of the tallest buildings on the base is the new A400M hanger which is 28M tall and only 310M from the runway. There are also numerous lighting gantries which are approximately 30M tall spread around the north of the runway and aircraft servicing areas and more are planned on the southern side of the runway. I would suggest that none of these tall structures impact on the operation of the current PSR. There is a discrepancy between the Wing Commander's letter, the Media and Communications Officer letter and Aquila's description regarding colour. The Wing Commander and the Media and communications Officer both state in their letters that the tower will be 'red and white'.

Aquila states in their Planning Statement page 5.6, that the tower will arrive zinc galvanized (no colour mentioned) and the turning gear, cabins and radar antenna will 'arrive on site' finished in goose-wing grey. However, they go on to state in their Justification Document, item 43, that the tower will be grey (zinc galvanized steel), and the antenna will be orange. Who is right and what will be the finished colour of each element because there is a conflict of information? For information, the current PSR is a round concrete structure painted a yellow/green colour presumably to blend it into the background. If the PSR was to be built in the proposed location, it would have an adverse visual impact on 894 properties in Brize Meadow, Burford Road, Minster Road, Chapel Hill, Manor Road & Carterton Road which includes 16 Grade II listed buildings. If the PSR was to be built within the vast open green space to the south of the runway (still within the wire) it would cause minimal visual impact as one dwelling (Lower Hadden Farm) is over 0.9km away to the north and Black Bourton village is 1.5km away to the west.

I would refer you to an article published in the Cambridge Independent where a similar tower has been constructed at Cambridge airport under Permissive Planning rules. An image of this tower and the horrendous visual impact it is causing can be seen in Attachment - Cambridge Airport Radar Tower. This tower has now caused a public outcry have it move it to another location which is supported by their local MP Daniel Zeichner. This airfield is privately owned by Marshall Aerospace & Defence Group who service and maintain military aircraft and the tower is only 0.55km from the runway. Aquila have gone to great lengths to explain in great technical detail that the rotating radar head will not cause a noise nuisance. However, they have not given any information about the increase in noise as the rotating radar head ages or the potential wind noise which will be generated through an open lattice structure on a windy day.

I would refer you to the article in the Cambridge Independent where the residents are not only complaining about the visual impact, but also noise and light disturbance. This would suggest that radar towers do have an adverse noise impact.

Both the Media and Communications Officer and have used the same paragraph to inform that the Community that they will not be exposed to any risk from EM Radiation. However, I would refer you to the link below which relates to a published paper by the US National Library of Medicine/National Institute of Health. This paper relates to research carried out regarding concerns about present and future health effects caused by the RAF radar tower in Akrotiri, Cyprus on three local villages. I fully acknowledge and respect the work carried out by RAF Brize Norton on a global basis. However, with this, comes the acceptance that the base creates a major adverse visual impact to the south west quadrant of the Parish of Brize Norton as well as creating noise and light pollution. It is with this in mind, that the remaining vistas are extremely important for the mental health and wellbeing of our Community.

RAF Brize Norton remind us that they wish to be 'good neighbours to adjoining Communities' so I strongly recommend that they reappraise the location of this PSR as there appears to be no justification for it to be built in a satellite area remote from the main base, and so close to local housing causing an adverse visual impact on our Village and Community combined with perceived sources of threat especially taking into account that the base covers an area of 460 hectares (1.8 square miles). This is particularly relevant as Wing Commander John Lawson has clearly stated in his letter that alternative sites were considered within the main base and the only reason they were rejected was because other buildings/equipment now occupy these sites.

The new Country Park extension will be ruined by this radar tower, which is not in keeping with the council's own ambitions to 'safeguard and enhance' our natural environment. We currently enjoy a plethora of local wildlife in this area, Ravens, Deer, Badgers, Foxes etc. all of which I've filmed at the corner of the proposed site. There are also Barn Owls nesting in the hangar air duct. Clearly identified by the guano at the entrance. These animals are very much more sensitive to construction and ongoing radio and radar than we are. Their habitat is also reduced by residential construction.

We already endure the regular testing of Military Emergency siren testing at the closest unit. The tower may start as Radar but the temptation to use it for radio or other technology may prove irresistible. We are aware that a number of residents on our Brize Meadow development have raised objections. It is incumbent on the District Council as the local planning authority to carefully investigate the issues that the residents have identified, and specifically to ensure that a robust and comprehensive assessment of all potential sites for the radar tower across the airbase and other land within the MOD's control has been undertaken.

The final phase of our Brize Meadow development will involve the construction of new housing, two and three storey buildings on land to the West of the radar tower location. It is important to emphasise the extant outline planning permission constitutes a significant material planning consideration which must be taken into account when determining the application for the radar proposal. It follows that permission should not be granted if any subsequent Safeguarding Zone restrictions arising from the operation of the radar installation prevents or hinders the implementation of the remaining phases of our approved housing development.

I am sorry to say that the meeting held in our village hall did very little to convince us that they have a strong case for siting it within the Tac Med site. It would appear that they selected it thinking it would be easy and indeed it was suggested that they did not even seem to have knowledge of the future building of the 700 houses and school etc. that had already been approved some years ago.

I am aware that you will make recommendations to the councillors, but we feel that Aquila and the RAF quote that there are rules that they must comply with, but even at the meeting they were saying that the distances etc. have just changed again. Public perception is that people feel they cannot trust what they are saying. The Station Commander stated that they would go away and check again whether there is anywhere else that may be more suitable and one feels that we should wait until their investigation is complete. Then, if they do not choose a more suitable location, then one would hope that their statements could be verified by an independent qualified body, like for example the Civil Aviation Authority. I, for one, cannot believe that there is not another site, which would have much less impact on those who live nearby.

I have grave concern for the trees at the rear of my house (Old Quarry House, Burford Road). It appears from the simulation drawings that the radar beam cuts through these trees to the NNW. As such, does this mean they will need lopping? The documents are unclear on this. These trees are beautiful, old and very tall (which I would think were protected at that height?) and there have been crows nesting in the tops of these for many years. If these are lopped, the views would be ruined and these birds will lose their longstanding homes. The same ambiguity in the documents is true for the trees to the east of the proposed site (in Rookery Farm), as this land is higher than the radar tower land. Why is there no information about these trees?

Referring to slide 5 of the presentation, a map was shown which indicated the three overlapping radar exclusion zones. Unfortunately, this map failed to indicate the location of the airfield. I have therefore attached a map below, which indicates the expanse of the combined exclusion zones and their relationship with the base. It can be clearly seen that the proposed radar tower location is within one of the exclusion zones and therefore, Aquila are contravening the RAF's own HERO Cat I conditions. This is confirmed in slide 7 which states that this location is 'in breach of Military Aviation Authority - Mandated obstacle limitations regulation.

The presentation goes on to explain that 'compromises have been made by the RAF BN to allow the siting of the radar tower in the TMW'.

If compromises can be made for this location, then compromises can be made with other locations. This planning application relates to the suitability of siting the radar tower in the TMW. It is not for members of the public to promote alternative sites. However, in the spirit of co-operation, this is exactly what is happening.

The RAF and Aquila have looked at an area covering Brize Norton, Upper Rissington, Fairford and Bampton. It is inconceivable that in a search area of 56 square miles, not one alternative site can be found.

As stated by the RAF, there is no such thing as a 'perfect location' that fits every requirement for this tower so compromises will have to be made. These compromises should also apply to the RAF and Aquila who currently reject every option that has been put forward for consideration.

It is a fact that this will be most insecure location in which to place an RAF asset. If someone wanted to cause 'harm' to the tower, they would simply park in the Masons Arm's car park and fire an RPG at the tower, it would be irrelevant how and when a guard was patrolling. However, it would be far simpler for someone to arrive in the public car park immediately opposite the tower (this is not indicated on any Aquila drawing!), wait for the guard to pass by and then just throw an explosive device over the wire. What is totally abhorrent and completely unacceptable, is the spectre of parents with young children tending their allotment on the west side of the wire and a guard c/w sub-machine gun and live ammunition just a couple of metres away on the east side. This is the most intimidating situation a family could find themselves in and would put anyone off 'being at one with nature and tending their produce'. I feel that it is very naive of Aquila to provide images of the proposed tower which indicates that it will have a minimal visual impact whereas, by moving a few metres to a slightly different location, the tower becomes far more predominant and therefore creates a significant negative visual impact.

At the public meeting, the RAF stated categorically that the trees around the tower would not have to be lopped. This is further confirmed in Wing Commander Hampshire's letter dated 09/09/2021 where he states that there is no need to manage tree heights.

Please explain how the local farmer has been asked for permission by the DIO to enter his land and lop these very trees! I now note that in the 'Additional Information' document, drawing AIM/BRZ/PSR/001, refers to an area NNW of the proposed tower location which indicates that the trees in the Old Quarry House, Burford Road, will infringe on the safeguarded surface. Does this mean that the DIO are expecting to enter private land to lop these trees by 3.5M? However, what is not detailed, are the trees to the east of the proposed tower situated at Rookery Farm and The Cottage (both listed buildings) which are on higher ground than the TMW. Looking at the way the safeguarded surface bends down, I would suggest that these trees will need lopping? All of these trees have been in our village for hundreds of years, long before the RAF arrived in 1935, and form an integral part of the history and character of the village of Brize Norton. It would be unthinkable and a travesty if there was any consideration to destroy them in the name of technology because of the intransigence to find an alternative site. It is conclusive that the visual impact of radar towers and the radar waves they emit is detrimental to wildlife by completely changing an animal's behaviour and desire to be close to the location of the emission source.

This evidence brings into question, the evidence provided by Aquila's specialist RSK ADAS Ltd in their 'desk top study'. One of the fields on which Brize Meadow is being constructed was named 'Lark Hill' for a reason and during the season, sky larks can be heard in the morning and evening. This will potentially be a 'thing of the past' if this application is approved.

A published paper by the US National Library of Medicine/National Institute of Health <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2078518/> relates to research carried out regarding concerns about present and future health effects caused by the RAF radar tower in Akrotiri, Cyprus on three local villages. It states that health effects (within WHO definition) can occur when there is perceived to be exposure to radiofrequency and may be related to anxiety. The paper goes on to say that the visibility of sources of radiofrequency is likely to be as, if not more, important than actual exposure, and consideration of planning issues is required when deciding on location. Considerations needs to be given to separating communities from perceived sources of threat. It is incongruous to consider that this Country Park will have a rural informal atmosphere if a 33M tall radar tower, which

has an overreaching negative visual impact, is placed adjacent to its boundary, and is patrolled by armed guards. Likewise, the whole principal and functionality of a 'Green Corridor' will be completely destroyed by the impact of the radar tower and the radar waves it will emit. These facts, when combined with perceived health risks, clearly gives justification as to why the TMW is an inappropriate location for a radar tower. The more information RAF Brize Norton and Aquila provide, there appears to be even more questions to answer and more reasons for this planning application to be refused. It is abhorrent to consider that it is appropriate to have armed guards patrolling on one side of the wire when there are families engaging with the natural world in the Country Park, Nature Trail and whilst attending their allotments.

The matter of visual and noise impacts have not been alleviated.

3 APPLICANT'S CASE

The applicant has submitted the following case and response to main objections:

Site Selection

In respect of objections regarding the application site as a matter of principle, and the site selection process, we have responded to submissions and comments with the following;

Presentation of down select criteria and scoring assessment of 10 candidate sites to Parish Council (PC) and submission of presentation material along with a Justification Paper to LPA as part of application;

The down select data presents information on the technical and operational requirements of candidate sites, and illustrates that the proposed location adjacent to the Tactical Medical Wing (TMW) is the only feasible option within the MoD estate.

At the request of the PC following a public meeting, further clarifications and commentary on additional suggested candidate sites (Ex RAF Broadwell, Ex RAF Bampton Castle and fields to the south west of Brize Norton) were provided by the RAF (letter dated 9th September and down select table updated with additional sites). The letter and updated table clarify the locational requirements for the radar in respect of proximity to Weapons, Ordnance Munitions and Explosives (WOME) and that the additional sites suggested by the PC failed compliance requirements following assessment in accordance with the down select criteria. In addition, third party land would fail to meet the requirements for Compulsory Purchase Order (CPO) when there is suitable land already within the MoD estate.

It is clear from the information presented, that the TMW site is the only site which meets the technical and operational requirements for the new Star-NG Surveillance Radar.

Clearly if a suitable alternative site was available and which attracted less objection, it would be in our interest to pursue that option, but no such option exists. As illustrated by the submission information, site selection is determined by a thorough technical assessment process and in this case, no alternative site is available.

Ecology

Public objections in relation to risk to wildlife from the radar operation is addressed under health and safety below. In addition, the applicant's ecology consultant has liaised with the Council's Biodiversity Officer's regarding relevant ecological assessments of the site. The dialogue has concluded;

The Council's biodiversity officer is satisfied with the information submitted with the planning application and following clarifications from the applicant.

The Council's biodiversity officer is satisfied that the risk to wildlife from the radar operation is negligible.

The applicant's ecological consultant has also undertaken a Preliminary Roost Assessment (PRA) of the hanger building adjacent to the application site to determine potential for bats. The assessment found there was no evidence of bats using the hanger building and the nature of the structure meant it is considered to be of low suitability for roosting potential.

Overall, there is no substantive objection to the application in respect of ecology or biodiversity matters.

Landscape

The PC and members of the public have raised objection to the application on the basis of landscape impact.

No comments have been received from a landscape officer on behalf of the Council and the site is not located within any protective landscape designation such as AONB.

To respond to objections, the applicant submitted visual impact imagery to illustrate the proposal from numerous viewpoints.

The nature of the radar and its operational requirements obviously mean that normal landscape mitigation measures such as buffer planting is not possible within the application site.

However, the viewpoints analysis demonstrate that the radar is set within a local context of existing vegetation including tree canopy and buildings. For the majority of view points in the locality therefore, the radar is not visible on a featureless landscape which would add to its visual prominence, but rather with surrounding landscape features, planting or buildings in the foreground or background.

The perceived landscape and visual impact of the radar must be weighed in the overall planning balance. Lighting and Noise.

The application has been supported by submissions in respect of proposed lighting and noise, both of which seek to limit noise and light pollution as much as possible.

Calculated daytime noise rating levels remain below representative background levels by at least 10 db. Calculated night-time noise rating levels are at least 2 dB below night-time background levels at the worse-case receptor location.

It is concluded that the operational sound arising from the proposed radar at the TMW of RAF Brize Norton is likely to have a low impact at residential noise-sensitive receptors.

The lighting design limits the impact of light pollution ALARP from artificial light on local amenity or intrinsically dark landscapes.

The proposals install modern, low intensity airfield hazard lights that emit a maximum light output of 25 candela.

There is no objection to the application in respect of these matters from the Council's environmental health team or biodiversity officers.

Drainage

The PC also objected to the proposal on ground of Flood Risk.

The application site is located in Flood Zone I and therefore at the lowest probability of flooding having regard to the Environment Agency's mapping.

In addition, the nature of the proposed construction does not give rise to added flood risk to neighbouring properties.

The Council's drainage officer and the Environment Agency have raised no objection to the proposal.

Health and Safety of Radar Operation

Numerous objectors have also raised concern in relation to health impact as a direct result of the radar operation.

No objections have been made from the Council's Environmental Health Officers.

In terms of physical health, the radar and its operation are designed to present no adverse risk to human health.

The applicant has provided submissions including a Radiation Hazards (RADAZ) Statement addressing radar safety in respect of emissions to humans and wildlife, and also drawing ref AIM/BRZ/PSR/001 001 001 to illustrate the interaction between the radar and the nearest residential properties. The submissions demonstrate;

- The proposal is designed as a height which ensures there is no risk of radiation to human life or wildlife at ground level
- The general public are safe at zero meters from the radar at ground level. This is the highest safety level achievable;
- The proposed radar is also secure from public access being protected by the TMW security fence and 24hr armed patrols; and
- The risk to wildlife is negligible and improbable as the wildlife would need to be between 26m and 28m above ground, within 5.9m of the radar and directly in line with the radar beam for a sustained period of time.

Impact on Brize Meadows Development

The applicant process has raised the matter of the relation between the proposed radar and the adjacent Brize Meadow development.

The applicant has undertaken dialogue with Brize Meadow Developer, Bloor Homes in this regard.

The proposed radar does not blight the future reserved matters for the final phases of the Brize Meadow development with an exclusion zone.

The only scenario that would give rise to conflict between the radar and the Brize Meadows development is the highly unlikely event that Bloor Homes wished to develop taller buildings (i.e. four storeys or higher).

The approved Design Code for the Brize Meadow Development (application reference number 18/01525/CND) limits the development to a maximum height of 3 storeys.

The letter to the application from Bloor Homes dated 25th August 2021 confirms the final phases of their development will comprise only 2 and 3 storey buildings.

The applicant has undertaken dialogue with Bloor Homes to ensure there is no conflict between the radar operation and the final phases of development at Brize Meadow in respect of landscaping proposals and construction activities.

Aquila will continue dialogue with Bloor Homes to ensure no conflict arising between the radar operation and construction on Brize Meadows.

Bloor Homes letter dated 25th August 2021 raises no in-principle objection to the radar, nor any objections on technical grounds highlighting deliverability concerns with Brize Meadows.

Conclusions

A justification paper was submitted to supplement the planning statement setting out the need for and importance of the proposed radar upgrade for RAF Brize Norton, including the site selection process determining that the application site adjacent to the TMW is the only suitable and available site for the proposed radar.

The applicant has responded to the objections and concerns raised comprehensively included direct responses to each individual objection from local residents, and with robust supporting evidence as far as possible and reasonable.

In this case, it is understandable some parties will maintain objections as a matter of principle given the physical impression of the proposed radar tower and it is therefore unrealistic to think the applicant could pacify all objections through revision or mitigation measures (no matter where the radar is located).

The only substantive issue for the planning balance to grapple with is the visual impact of the proposed radar tower. The applicant has submitted numerous viewpoints analysis to assist this process.

Overall, any objectionable judgements in respect of the matters above need to be weighed in the planning balance against the strategic importance of RAF Brize Norton as the principal MoD airbase in the UK. It is home of the RAFs Strategic and Tactical Air Transport and Air-to-Air Refuelling (ARR) forces and as all too evident by recent events in Afghanistan, RAF Brize Norton is the key station for rapid global mobility required by overseas operations. Being the UK military's main airfield, the base also needs to store and accept weapons, ordinance, munitions and explosives (WOME), which is also a determining factor in locating the proposed Star-NG Primary Surveillance Radar, as discussed above.

The base and its effective operation are therefore vitally important defence infrastructure for both homeland defence and global matters. As part of the MoDs ongoing investment in new and advancing technologies, Project Marshall is delivering a critical upgrade to communications infrastructure, including the proposed new radar which is the subject of this application. The critical nature of the update includes necessary compliance to meet Civil Aviation Authority and Military Aviation Authority legislative requirements for aircraft surveillance (Mode S) compliance. Clearly, it is essential for RAF Brize Norton's operations to meet such compliance as well as availing of the latest technological improvements to maintain the base's central role within the UK military.

It is in this context of clear public interest therefore, that the planning balance of any perceived visual harm arising from the proposal needs to be weighed. Relevant to this assessment is Development Plan

Policy CA5 which clearly indicates the council's strategy to 'satisfactorily accommodating the needs of RAF Brize Norton' and 'working with RAF Brize Norton to meet their needs and ensure their impacts are mitigated wherever possible.'

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH11 Listed Buildings

EH2 Landscape character

OS5NEW Supporting infrastructure

EH3 Biodiversity and Geodiversity

CA5 Carterton sub-area strategy

EH8 Environmental protection

EH4 Public realm and green infrastructure

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks planning permission for a new Primary Surveillance Radar on a new radar tower together with associated works and a new ground-based equipment cabin for RAF Brize Norton. The radar is required as the current Watchman radar is now obsolete and requires replacement. The Star-NG will provide the Radar coverage required to provide a safe and efficient radar service to;

- RAF Brize Norton
- RAF Fairford
- Military and civilian airspace users in RAF Brize Norton's Area of Responsibility

The location of the proposed radar tower is adjacent to the existing Tactical Medical Wing within the site boundaries of RAF Brize Norton. However the village of Brize Norton surrounds the application site.

5.2 The proposal requires planning permission as The General Permitted Development Order 2015, Schedule 2, Part 19, Class H (c) states that the carrying out on operational land, by or on behalf of the Crown, of development in connection with the provision of air traffic services would consist of the installation or erection of any radar or radio mast, antenna or other apparatus which would exceed 15 metres in height, or, where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus, is greater.

5.3 The application is to be heard before the Members of 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

5.4 Your officers consider that the principle of development is acceptable. Policy CA5 of the adopted West Oxfordshire Local Plan which discusses the Carterton Sub-Area Strategy states that

proposals should *satisfactorily accommodating the needs of RAF Brize Norton and of local communities and visitors and working with RAF Brize Norton to meet their needs and ensure their impacts are mitigated wherever possible.*

The NPPF also states that planning policies and decisions should recognise and support development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

As such your officers consider that the principle of development for the RAF is considered acceptable.

Siting, Design and Form

- 5.5 The overall height of the proposed radar 33m. The structure is a steel lattice galvanised steel structure that is 25m in height. the upper cabin and antenna overall height 29.3m and the lighting finials provide an overall height of 33m.
- 5.6 The proposed external surface colour of the structure will be grey (zinc galvanized steel). The antenna will be commercial off the shelf Orange for such equipment in the vicinity of operational airfields. The upper cabin will be goose wing grey and the turning gear will be red.
- 5.7 As part of the public consultation process, the RAF demonstrated why the proposed site was specifically selected. Various restrictions on the Base resulted in previous sites not being suitable. These included that they were located near to metallic hangers. Locational requirements for the radar in respect of proximity to Weapons, Ordnance Munitions and Explosives (WOME) and that the additional sites suggested by the PC failed compliance requirements following assessment. Other sites suggested such as South of Brize Norton would involve third party land which would fail to meet the requirements for Compulsory Purchase Order (CPO) when there is suitable land already within the MoD estate. These sites also failed to meet the security infrastructure required for such a structure.

Responses to comments relating to the separation distance of 1.4km from the runway has been further expanded on by the RAF and is not from the physical form of the runway, it is from the aircraft carrying Weapons, Ordnance Munitions and Explosives (WOME) that would need to use the runway. The RAF are unable to site the Star-NG Radar closer to the runway than permitted in these regulations.

- 5.8 Your officers have set out below responses from the RAF in response to specific questions relating to the positioning of the Radar which were received as part of the application process.

Please can you give full details of different compromises that could be made to make a site within the main base suitable, giving measurable impacts on your operational needs?

To negate the impact of the STAR-NG on our operations if it were to be placed within the main base we would need to undertake some or all of the following actions;

Cease to accept Weapons, Ordnance, Munitions and Explosives (WOME)

This would be unacceptable to the UK Govt and MoD

As the UK's Military's main airfield, we require the capability to receive WOME. There is no other military airfield with the all-round capability or capacity to accept all the Cat's of WOME the military need. This would lead to an unacceptable reduction in UK capability.

Closing taxi routes

This is not an option as this would make it impossible for aircraft landing at Brize Norton to taxi around the airfield from their landing point to their parking bay and then back to the Runway to depart due to weight limitations on taxiways and the turning circle of some models of aircraft.

As an example, PSL4 has been dismissed because of its proximity to the runway and flightpath. How far from the runway and flightpath is this site? Please can you give details of what operational differences this would make and quantify any additional risks associated with this site?

PSL4 is 220m from the Runway, this would be inside the High Intensity Radio Transmission Area and Hazard of Electromagnetic Radiation to Ordnance Distances to aircraft on the Runway at RAF Brize Norton. This means that this location had to been ruled out on both explosive safety and aircraft safety grounds.

Why is there such a large exclusion area around the explosives storage area? Does this suggest there is some danger involved in being near a radar?

The large exclusions area around the explosive storage area(s) [and other categorised areas] are a borne from the tested susceptibility figures of (specific) ordnance, including the ordnance firing/triggering mechanism(s), and their interaction with the Radio Frequency bands used for radio emitters.

In the main, the materials used for fuels and/or explosives are not especially susceptible to the energy from the radar, however by comparison the triggering/firing mechanisms used on some systems can be susceptible in certain scenarios (e.g. when internals are exposed/in a vulnerable state i.e. if it is dismantled on a workbench/approved test area/processing area or damaged). In these scenarios triggering/firing mechanisms are not in approved packaging and therefore can be susceptible to external electrical, magnetic or electromagnetic energy sources, including Radio Frequency (RF) emitters, of which radar systems fall into that category. This energy can induce undesirable electrical currents within the electronic components, which in turn could result in the activation of the ordnance.

By contrast, when it comes to potential dangers to people, the hazard is created differently. The radiation emitted from a radar is categorised as non-ionising radiation, which means that it does not have the required energy to change the make-up of living cells. However, for people the hazard is the undesirable heating effect, that can be caused by prolonged exposure within the specified exposure limits, set out by the European Council Recommendation and European Directive. This guidance has been derived from that published at an international level by the International Commission on Non-Ionising Radiation Protection (ICNIRP).

The proposed radar installation has been designed to be safe; and as such members of the public shall be well outside and/or below the safety distances at all times, including accounting for the closest proposed 3 storey dwellings.

I have been told that the new tower is needed for national security. If it is sited off the main base, does this make the new radar potentially vulnerable to an attack? What additional, and potentially intrusive, further fences/security arrangements and monitoring may be necessary to keep this area safe. Has a risk assessment been undertaken of the potential risks to local resident civilians of such an attack should the new radar be sited here?

The new Star-NG Radar isn't required for national security. The Operational output from RAF Brize Norton and its infrastructure is required for national security. The TMW compound is

guarded to the levels required by the Joint Service Publication 440. This includes Armed Guards, roving patrols and CCTV. There are no additional security requirements specifically required for the Radar as the risk of attack is not elevated by the presence of the Radar. The Radar cabin will be the subject of security monitoring by both ATC and the Aquila Service Desk with both sections being alerted to any unknown intrusion or fire.

- 5.9 The RAF have continually stated that the application site is the only one which meets the technical and operational requirements for the new Star-NG Surveillance Radar. The site selection is determined by a thorough technical assessment process and in this case, no alternative site is available.

Ecology

- 5.10 In terms of the comments raised regarding wildlife your ecology officer requested a Preliminary Ecological Appraisal (PEA) due to the application site having grassland, scrub and hedgerows, and would be located within the linear green wildlife corridor associated with the neighbouring development in outline consent. Whilst the content of this was mainly satisfactory, your officers are awaiting a response from the Ecology officer in response to the recently submitted Preliminary Roost Assessments. It is considered that a full verbal update will be given at the meeting.

Landscape

- 5.11 The siting of the radar whilst within MOD property will be visible outside of the application site. The applicant has submitted visuals to illustrate how the radar will be seen from various vantage points. These will also form part of the presentation at the Committee meeting.
- 5.12 It is recognised by your officers that a key characteristic of West Oxfordshire is the quality and diversity of its natural and historic environment. One of the biggest challenges for the Local Plan, and your officers is to protect, sustain and enhance this environment, while at the same time accommodating necessary development. It is noted that the application site is not located within a Conservation Area or any other special designated area. It is also not within special landscape policy areas of the adopted West Oxfordshire Local Plan.

Whilst the radar will be visible within the local landscape, views from private properties are not considered to be material planning considerations. However public views can be taken into consideration.

- 5.13 Policy EH2 of the adopted West Oxfordshire Local Plan discusses landscape character. It states that proposed development should avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity. The radar will be seen within a context of existing vegetation, as such your officers on balance do not consider that the radar will be seen as an isolated feature. In terms of the lighting, your officers consider that the impact of light pollution will not adversely affect the local landscape visual amenity. It is proposed that the lighting will be low intensity airfield hazard lights.
- 5.14 Policy EH4 which discusses the public realm and green infrastructure states that the existing public open space will be protected and list ways which new development should take this into consideration. However due to the nature of the proposed development, your officers consider that the public open space will be protected. Both your ecologist and Environmental Health officer has no objections to the development.

- 5.15 Your officers have also assessed the impact to the setting of Listed Buildings. Whilst the listed buildings will be within the view of the radar, your officers do not consider that there will be such significant harm to the setting of the Listed Buildings to refuse the application.
- 5.16 Your officers consider that the proposed development will have a detrimental visual impact on the area. However, this has to be balanced against the essential operational need of the radar for the MOD, and on balance it is considered to be acceptable.

Residential Amenities

- 5.17 Your officers have had full regards to the health issues raised in objection comments. The RAF have stated that in terms of the issue of radiation it is stated that Aquila is governed by European Council recommendation 1999/519/EC & European Directive 2013/35/UE. Thales Star NG Radar radiation safety distances are clearly understood and compliant with European Council recommendation 1999/519/EC & European Directive 2013/35/UE. The radiation impact is zero (all categories) at zero metres ground level; the public are safe stood at the base of the radar. This is the highest radar 'Safe Working Zone' safety level achievable, and the public are not put at risk by the radar radio wave transmitter.
- 5.18 Your Environmental Health officer has visited the site and has taken into consideration the comments relating to noise issues. Whilst there are no technical objections, the officer has advised for conditions to be attached to the consent if given.
- 5.19 It has also been stated that TV interference will not be adversely affected. Thales Star NG Radar operates within the prescribed frequency allocation and sufficient numbers are in operation nationally, there are no instances of TV interference associated with Thales Star NG Radar. The radar operates in the S-Band and will use dedicated ATC Radar frequencies between 2.6-2.9 GHz. These particular frequencies are protected by OFCOM for use throughout the UK by ATC radars to ensure they are not interfered with by other EM emitters.
- 5.20 In terms of the impact to house values, this is not a material planning consideration.

Conclusion

- 5.21 Whilst your officers had initial concerns regarding the impact to the existing landscape, residential amenities, existing extant planning permissions proximity to the application site, and why other locations within the RAF base could not be used, it is considered that these concerns have been addressed sufficiently by the applicants. Your officers have had to balance the planning harms resulting from the development to the advice set out within the adopted West Oxfordshire Local Plan and the NPPF, by recognising and supporting development required for operational defence and security purposes. As such your officers consider that on balance, the proposed development is acceptable. However a verbal update will be given at the meeting relating to the outstanding ecology issues.

6 CONDITIONS

- I. 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. 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.

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. The operational noise rating at 1 metre outside the window of any room of a neighbouring residential property, shall not at any time exceed a background noise level of 33dB(LA90) as defined in the Noise Assessment Report Ref 2396W-SEC-00001-02, as measured in accordance with BS4142:2014+A1:2019'

REASON: To minimise noise pollution to a level that provides protection for health, environmental quality and amenity, in accordance with Policy EH8 of the West Oxfordshire Local Plan 2031.

7. On receipt of legitimate formal noise complaints to Council's Environmental Health service, RAF Brize Norton shall undertake a full noise assessment and report to verify that the operational noise condition limit is not being exceeded. And provide the assessment report to the Local Planning Authority within 28 days of the Council's complaint notification.

REASON: To minimise noise pollution to a level that provides protection for health, environmental quality and amenity, in accordance with Policy EH8 of the West Oxfordshire Local Plan 2031.

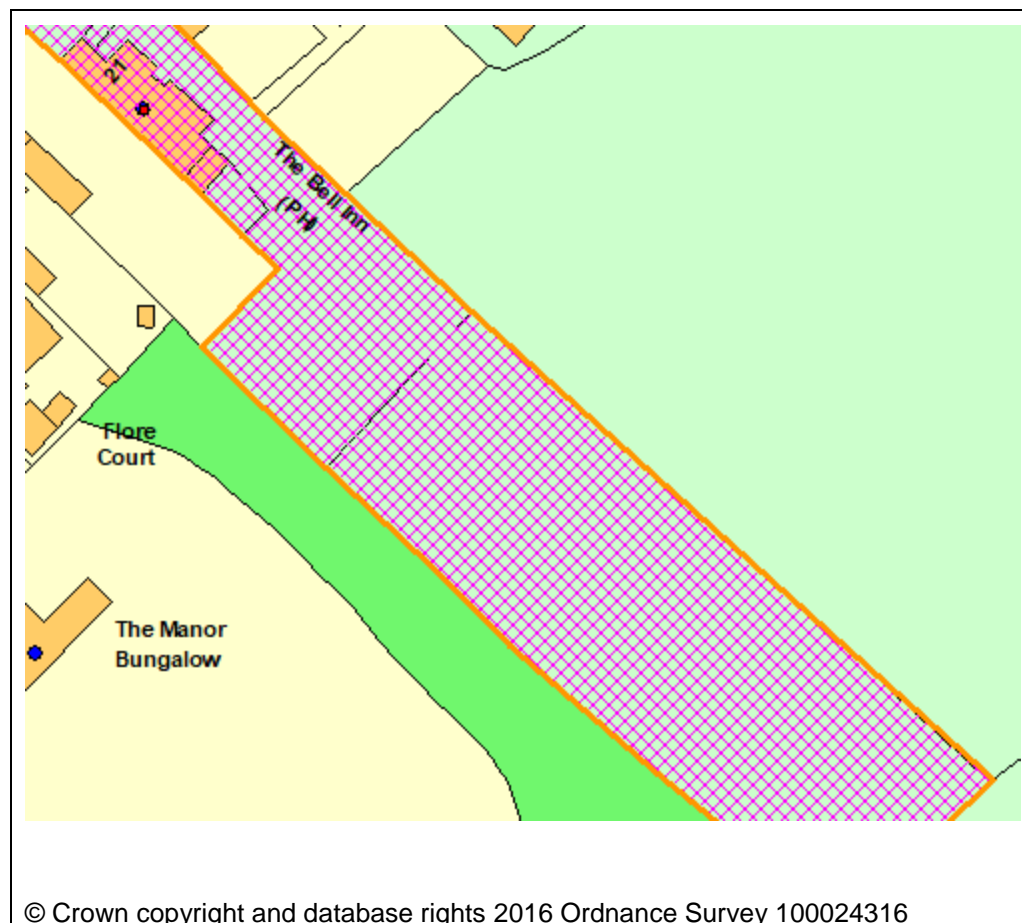
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 29th September 2021

Application Number	21/01497/FUL
Site Address	The Bell Inn 21 High Street Standlake Witney Oxfordshire OX29 7RH
Date	29th September 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439792 E 203144 N
Committee Date	11th October 2021

Location Map



Application Details:

Conversion of former pub into 4 bedroom dwelling and erection of two new 5 bedroom dwellings and carport to the rear with associated landscaping and parking areas.

Applicant Details:

Fews Inns Ltd
81 High Street
Standlake
Oxon
OX29 7RH

I CONSULTATIONS

Thames Water	No objection - informative
WODC Drainage Engineers	No objection
WODC Env Health - Lowlands	I have No Objection in principle.
OCC Highways	<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, subject to the following conditions:</p> <p>G28 parking as plan G25 drive etc. specification G35 SUDS sustainable surface water drainage details G32 turning facility</p>
Conservation Officer	No Comment Received.
Biodiversity Officer	Further information required
Parish Council	<p>Standlake PC objects to this application as follows:</p> <ol style="list-style-type: none">1. While the renovation of The Bell pub and conversion to a private dwelling is to be welcomed, the proposed construction of two very large properties behind is not acceptable.2. The size, scale and construction of the proposed dwellings is out of character with adjacent properties, and their close proximity to each other constitutes overdevelopment of the site.3. The positioning of the proposed dwellings is well behind the established building line along High St. which is of a linear character; if granted, this would set a precedent for other development behind adjacent properties.4. The proposal would result in a loss of biodiversity as the proposed site is on a natural paddock with associated trees and hedges being removed.5. Drainage and sewage: Standlake suffers from ongoing problems with both surface drainage and sewage capacity every winter and another two large dwellings will only exacerbate the situation.

2 REPRESENTATIONS

2.1 Eleven objection comments and one support comment have been received. The comments have been summarised as;

- Loss of green and open space
- Back building into green fields beyond the building line opens the door for future development behind the High Street.
- Increased danger of flooding
- Standlake's water and sewage problems are well documented.
- Green space in front of pub to be concreted over causing more drainage issues on the high street
- No access or maintenance plan for the proposed wildflower meadow There has been a Bell pub on the site since 1804. It is a part of Standlake history. Has anyone else been given the chance to reopen it as a pub? The loss of another pub is sad as it leaves us with no choice in a village which has two busy campsites. This is just another case of certain individuals acting purely for gross profit at the irreversible detriment of our local village community.
- We are content that the former Bell pub is proposed to be developed into a new dwelling as it has become an eye sore in the High St. However we object to the development of 2 over large 5 bedroom houses to the rear on the car park.
- If planning permission is granted why can they not be smaller afford able housing for young families within the build line? This village has enough large housing.
- Every year in winter Thames Water have tankers constantly pumping out the drains and adding more houses to this infrastructure just makes it worse. This issue needs to be sorted first before additional houses of any sort are approved to be built in the village.
- If planning permission was granted why could not smaller houses be built there instead and the current hedgerow and trees could remain intact. There is lots of wildlife, birds, insects and plant flora within this mature natural area. This area has been a natural habitat for generations.
- My main objection is that the two new proposed houses are situated on an area which is
- significantly beyond the existing build line of the High Street, including Manor Bungalow which sets the build line at present.
- The houses could be built within the confines of the brownfield site, and if planning is approved we would urge that they be required to be moved onto the existing car park area.
- There is no vehicular access to the rear of the two houses within the proposed development
- Would it be possible that permitted development rights be restricted in respect of extensions, additional ancillary buildings or new builds.
- If the pub has to be turned into a house it would definitely improve the look of the high street which has had to endure the site of this crumbling pub for years now. I object to the building of two extra houses. They are not needed in the village.
- Hedgehogs are nearly extinct in this country and yet their wildlife corridors will be taken away by the proposed houses. WODC planning department does not seem to enforce wildlife corridors when they are requested on a planning applications, this has happened in the high street and no corridors or bat/bird boxes were built in the last 2 houses that were built in the High Street. The Hedgehogs will not be able to move from one field to another as a wooden fence is proposed on a very long garden. Every person who lives in Standlake knows we have Hedgehogs living in the fields. Bats are here also, as they are in my garden from June onwards at

dusk. I was led to believe that Newts were also found in the back of the Bell Pub garden on one of the previous planning applications.

- There appears to be only one car port on the drawings so where will other cars be parked?
- The Bell pub was a community asset, unfortunately not any longer. It is high time WODC looked at whether a proposed development will benefit the village and not line the pockets of developers who want to build extremely expensive houses. Houses that are out of the reach for most villagers and their children.
- The development will encourage more CO2 polluting cars into the village. No effort has been made by the developer towards sustainability of the local environment.
- The planning committee will be aware of the ongoing groundwater flood problems and sewage issues in Standlake. The committee will also be aware that Thames Water persist in not acknowledging the seriousness of the problems and will see once again that their consultee comment pays little heed to the heartache that winter brings to Standlake residents, with 24/7 tanker pumping out and flooded streets and houses. While people in all parts of the village are living with floods and sewage in their gardens and houses it is in our view irresponsible to approve any new development that adds input to the sewage and drainage system in any way.
- The WOLP does not identify Standlake as suitable for development for a number of reasons. The plan should be respected not ignored.
- The WOLP states that as far as is reasonably possible development should 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
- It is not of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality; The design does not allow access to the Meadow beyond, for maintenance purposes, and is designed to produce maximum square footage up against the hedge boundaries, resulting in loss of important hedgerow and mature trees. There is also loss of the garden at the front of the Bell which will affect the street view.
- If this application is granted I would also respectfully request that Permitted Development Rights to be restricted, in particular in respect of extensions and additional ancillary buildings which would further cover the ground area, increase flood risk and negatively impact ecology.
- The development is therefore contrary to the WODC local plan which states that the council will: "...seek to protect and enhance the high environmental quality of the district and meet challenges of climate change by improving sustainability of new development...".
- The Thames Water document on "Standlake Drainage Strategy" is currently at Stage 4 of their schedule, but more houses have continued to be approved and the village highways continued to flood with sewers overwhelmed again in January 2021.
- A good outcome for a very sad situation. Will rejuvenate a building falling into repair.

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted with the application. It has been summarised as;

The proposed scheme seeks full planning consent for the creation of 3 high-quality, family sized dwellings through the replacement extension and internal refurbishment of the former pub building, and the erection of two new dwellings behind. The development aims to form dwellings that are sustainable in both the property use and location. The proposed scheme seeks to achieve a level of development which is appropriate and consistent for the locality and the plot's generous size.

Furthermore, the former public house is to be converted into a dwelling and so the loss of the Bell Inn as a local facility has been deemed acceptable and sustainable, in that, the village has an alternative pub, the Black Horse,

which is also located on the High Street. Given the Bell Inn ceased trading in September 2015 it is evident that the village can be easily sustained by the one public house facility.

The site is sustainably located within an established residential area. It is well served by means of transport links to local towns, and is within easy reach of day-to-day amenities such as the local shop.

The vehicular and pedestrian access to site is to remain as existing.

The scale and form of the proposed development is greatly governed by the surrounding context, site limitations and the character of the village. This is evident by the carefully considered design changes to the existing building both internally and out; the replacement extension reduces the existing building's footprint and the new facade materials, forms and heights are to match the existing, creating an attractive period property that currently lies vacant from fire damage.

The massing and height of Plot's 2 & 3 are broadly the same as neighbouring properties and the existing building. By being set back into the site, they will not appear dominant or visually obtrusive to neighbouring properties views or from the public eye of the High Street. The facade material and traditional forms create contemporary family homes that are respectful and complimentary to local vernacular of Standlake.

The proposed planting and retention of existing vegetation will give the site a verdant character as well as maintaining and improving its biodiversity on the site. Overall, the proposal therefore is deemed to have a positive impact to the currently unused site on the High Street of Standlake, and represents a sustainable development.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks consent for the conversion of the former pub to a 4 bed dwelling and the erection of two 5 bed dwellings to the rear. The application is before the Lowlands Area Planning Sub-Committee as the Parish Council are objecting to the proposal. In addition the application has also be referred to committee by Cllr Good and Cllr Levy.

5.2 The application site is 0.60 hectares and was a former pub. It sits within on the High Street in Standlake. It is not within any areas of designated control.

5.3 Relevant planning history includes;

19/01171/FUL - Redevelopment of Public House to care home with associated parking and landscaping. Withdrawn following officer concerns.

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 Under Policy H2 of the adopted West Oxfordshire Local Plan, Villages such as Standlake, 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 the plan.

Policy OS2 continues by stating that villages Standlake is categorised as a Village within the adopted West Oxfordshire Local Plan Policy OS2. Limited development is acceptable in such locations which respects the village character and local distinctiveness and would help maintain the vitality of the local community. The general principles 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;

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;

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

5.6 Your officers have also taken into consideration of Policy E5 of the adopted West Oxfordshire Local Plan which discusses the loss of community facilities. Given that the use of the former Bell Inn ceased in 2015, and there is an existing public house within the village.

5.7 After assessing the principle of development, your officers consider that the proposal is of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality. Whilst the two detached dwellings are set further into the application site, your officers do not consider that these will adversely affect the visual character and appearance of the locality as a whole. Given that the layout of these two dwellings your officers are of the opinion that additional dwellings to the rear will not be possible so will prevent further expansion to this area. In addition due to the proposed orchard area which has been recommended to be conditioned, your officers also consider that further development would not be possible.

Siting, Design and Form

5.8 Plot one is the proposed conversion of the former public house. Existing extensions are to be replaced with a more contemporary design which your officers consider will still ensure that the character and appearance of the building will still be retained. Due to the existing building having low eaves, the proposed windows and doors to the gable end are larger to ensure there is sufficient natural light. Conservation roof lights are also proposed. The proposed extensions are proposed to have red brick and a clay roof tile to match the existing building. The replacement single storey extension is of a modest design which is subservient to the host building.

5.9 Plots two and three which relate to new builds Plot's 2 & 3 have also been designed with contemporary elements. Simple gabled forms showing clearly secondary elements are proposed. To add contrast between the two properties they are articulated by slightly different window bays and dormer windows on the front facade. Dormer windows have been implemented to help accommodate the low eaves line which matches that of the existing building on site. Plot Three has a carport that has been designed to match the contemporary looking dwellings in materials and in form. The carport is partly open to allow a bat loft.

5.10 The massing and height of Plot's 2 & 3 are broadly the same as neighbouring properties and the existing building. By being set back into the site, they will not appear dominant or visually obtrusive to neighbouring properties views or from the public eye of the High Street. The facade material and

traditional forms create contemporary family homes that are respectful and complimentary to local vernacular of Standlake.

5.11 Traditional materials such as Cotswold stone are also proposed with a mix of vertical timber cladding, zinc and slate roofs.

5.12 Your officers consider that the proposed design and form are respectful to the surrounding residential development and to the village.

Highways

5.13 OCC Highways have been consulted and have no objections subject to conditions. As such it is your officers' opinion that highway safety and parking is satisfactory.

Residential Amenities

5.14 Given the siting of the two new dwellings, your officers do not consider that existing neighbouring properties' residential amenities will be adversely affected.

5.15 With regards to the conversion of the existing building, your officers are of the opinion that existing properties will not be adversely affected in terms of loss of privacy. However the windows which face towards Pear Tree House will be changed to obscure glazing.

Ecology

5.16 WODC recognises the importance of ecological issues. Policy EH3 of the adopted West Oxfordshire Local Plan states that it is importance that biodiversity is carefully considered in relation to all development proposals.

5.17 To the rear of the proposed two dwellings it had been proposed that a grass meadow was to be provided. However your officers had concerns that whilst a management plan condition could be included if the application were to be approved, the habitat would be under private ownership and unlikely that it would be retained or sufficiently managed in the long term. An alternative habitat was suggested to the applicant and a new orchard and flowering lawn is now to be created to the rear of the gardens.

5.18 However at the time of writing your officers are awaiting for an updated ecology report that details this. It is expected that once this is received, your officers will be able to recommend conditions including a condition to ensure that the works are carried out in accordance with the full details of the report.

Drainage

5.19 Your officers have fully noted the comments received from both residents and the Parish Council regarding sewage matters. However given that Thames Water and WODC Drainage engineers have no objection, your officers consider that the proposed development is acceptable in terms of drainage issues.

Conclusion

5.20 Your officers consider that the proposed conversion of the former public house is acceptable in this village location. The proposed alterations are considered to be appropriate in terms of scale and design. It is your officers' opinion that this part of the proposal will not adversely affect the visual appearance and character of the street scene. Whilst your officers have had full regard to the comments received and the Parish Council's response, the proposed additional two dwellings are located to the

rear of the site are also considered acceptable. Whilst they are not positioned in line with the majority of the existing dwellings, your officers do not consider their positioning to have an adverse impact to the character and appearance of the village as a whole.

5.21 There are no technical objections to the proposal, and as such your officers consider that the proposals are compliant with the relevant adopted West Oxfordshire Local Plan policies and the relevant paragraphs of the NPPF.

6 CONDITIONS

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

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

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

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

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

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

4. 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.

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

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

6. 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.

7. No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.

8. No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.

REASON: In the interest of road safety.

9. 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.

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

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

INFORMATIVES :-

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.

NOTE TO APPLICANT:

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

- a. Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- b. Code for sustainable homes - A step-change in sustainable home building practice
- c. 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))
- d. CIRIA C753 SuDS Manual 2015
- e. 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

- 1 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.

2 NOTE TO APPLICANT:

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

- a) Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
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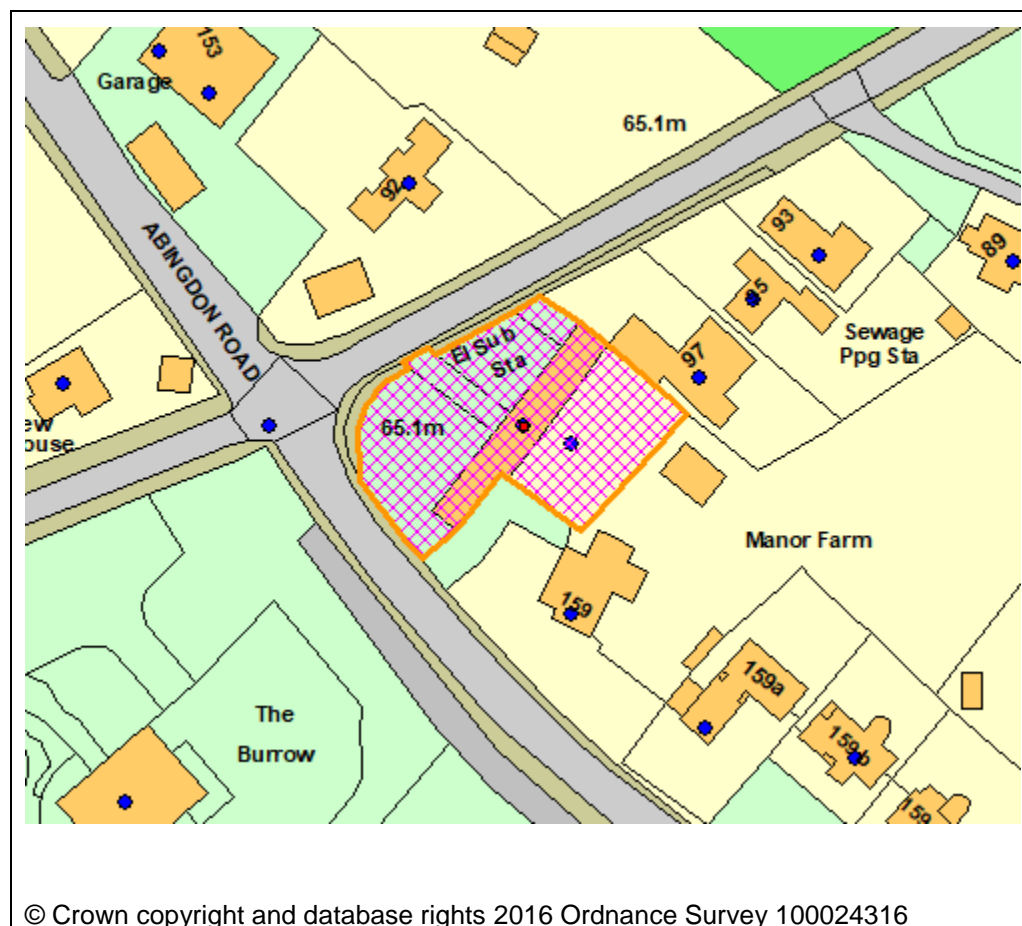
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 29th September 2021

Application Number	21/01812/FUL
Site Address	The Stone Barn High Street Standlake Oxfordshire OX29 7RL
Date	29th September 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Standlake Parish Council
Grid Reference	439335 E 202767 N
Committee Date	11th October 2021

Location Map



Application Details:

Conversion of three linked agricultural buildings into one 5 bedroomed dwelling.

Applicant Details:

Mr Charles Leveson Gower
Home Barn
Home Farm
Harewood End
HR2 8JS

1 CONSULTATIONS

Parish Council	Standlake PC has no objection to this application. However, if the application is approved, the council would wish to see a condition attached as follows: A restriction be placed on any building in the rear courtyard area of the property, to ensure that full access to the rear of 159 Abingdon Rd. is maintained.
Thames Water	No objection
WODC Drainage Engineers	Further information required
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, subject to a condition
Biodiversity Officer	Further information required
WODC Env Health - Lowlands	I have No Objection in principle.
Conservation Officer	No objections

2 REPRESENTATIONS

2.1 Three letters of objection have been received. The comments are as follows:

As a neighbour of this property, I am in support of the transfer to residential use. The building has fallen into disrepair, which is sad to see and, in its current state, is detrimental to the local area. In addition, I am in support of the plans to rejuvenate the existing buildings on their existing footprint and within the existing elevations.

However, I am extremely concerned the plans will impinge on the right of way granted to the property at 159 Abingdon Road. As stated in the case document 'REGISTERPLANON247648' 159 Abingdon Road is granted "a right of way at all times and for all purposes with or without vehicles over and along the land shown hatched brown on the plan".

The area 'hatched brown on the plan' is the rear courtyard where a car port is planned to be erected. I would query the legality of any additional buildings within this courtyard, given the area covered by the right of way; with the placement of the car port being particularly problematic as it could reduce access for larger vehicles with greater turning circles to the gate which is located in the north east most corner of the courtyard.

The north most of the two gates in the boundary fence (marked in 06-PLANS-PROPOSED COPY(1)) is essential as it provides access to the rear of the property at 159 Abingdon Road. This route passes behind the annex property and into the garden area. Without access to this gate, vehicle access to the rear of the property would be impossible.

Standlake has been and is increasingly at great risk of flooding. The continued necessary use of pumping-trucks by Thames Water every winter for months at a time emphasize this. Continued development and construction in Standlake will only make this problem worse, with the paving and foundations needed. The design of any renovated building would, if not keeping the shell of the old one, would be incongruent with the design of those around it.

The development of this building would cause issues with the landscape around the property, clearing the old-growth trees and village green next to it in order to develop a garden or pave it over to provide parking would also significantly affect local ecology, with many larger birds nesting in the trees there and the wild green being an important reserve in the village. Not only that, but it would significantly decrease the common-resource of green space in the village, affecting the landscape. It would also potentially increase congestion around the area, with the property leading off to a junction meaning that it would interfere with the proper flowing therein.

The proposed plans for The Stone Barn are widely supported and the transfer of the derelict barns into family living accommodation would be welcomed. However, I do have concerns on two main areas of the proposed plans. The NE gable end of the barn runs directly along the boundary of my property, 97 High Street. The plans show that the current arched window becoming a bedroom, which looks directly over my property and into a bedroom and living room of a disability annex. The window should remain, as it complements the gable end of the barn, I suggest the window should be frosted for privacy to both properties.

The car port to the SW of my boundary is my other concern, the structure should not allow for further development into living space (annex etc.) and should only remain as a car port. The structure should not breach the end aspect of my SW facing wall and not be built to height that obstructs the SW facing window, which provides natural light into the bedroom of 97 High St.

3 APPLICANT'S CASE

3.1 A Design and Access Statement has been submitted with the application. It has been summarised as;

Originally, Manor Farm consisted of Manor Farm House and attached dairy, the pig sheds, the 3 agricultural barns (the application site), the paddocks and land to the East of Manor Farm house. The Farm was owned by Mr Gower's family and he was born and lived there from 1959 to 2000s. Manor Farm was run as a farm up until 1960s. In the 1980s, the dairy became an antique shop and the stables were converted into office and storage for the antique shop, which was run by my Mr Gower and his mother. In 1995, land adjacent to Manor Farm House gained planning permission for 3 houses 159a, 159b and 159c Abingdon Road. In 2008, Mr Gower's mother passed away and she left the property to be divided between Mr Gower and his sister. Manor Farm House and attached dairy (former antique shop) and paddocks was left to Mr Gower's sister and the 3 agricultural barns to Mr Gower. The business at this point ceased to exist due to the division of the property. Manor Farm House was sold and the dairy (former antique shop) became a part of the domestic use of Manor Farm House during its modernisation and refurbishment. Manor Farm House became 159 Abingdon Road. In 2008, Planning permission was granted for the Stone Barn to become a party hire venue for medieval banquets. There was only one ever event held due to problems with noise and lack of parking. There were a large number of complaints from villagers as a result. The lack of amenities also created problems as the Stone

Barn has no heating, water supply or connection to main drainage. In 2013 a garage and storage was erected in the courtyard by the new owner of Manor Farm House (159 Abingdon Road) where the pig sheds used to be. In 2016 planning permission was granted for 3 houses in the curtilage of Manor Farm House (the paddocks)

Since 2008 the agricultural barns have been redundant and have not had any commercial use due to the division of the property and lack of amenities.

The proposal seeks to consolidate the development that has already occurred at Manor Farm in the extension of Manor Farm House and garaging, the creation of 159a, 159b and 159c Abingdon road and the 3 new houses within the former Paddocks. The creation of a dwelling from the former agricultural buildings would be the final piece to this residential area.

The proposal is to create 1 x 5 bed dwelling from the conversion of all 3 agricultural buildings. The design has been developed to retain as many of the original features with minor changes to the external appearance of the barns allowing these buildings to be put into use and maintained as part of the history of the village.

The main elevation facing onto the High Street has minimal changes and has been sensitively designed with a light touch to maintain the current character to the entrance to the High street. Associated works include supplementary hard and soft landscaping measures alongside the border between properties Manor Farm House and Stone Barn and all trees will be retained.

Parking to be located to the East, fronting the courtyard and main entrance to the proposed dwelling. The proposed design has taken guidance from the West Oxfordshire Design Guidance Chapter 15 Conversion of Agricultural buildings

- The plan and massing of the building has remained substantially unaltered;
- No alterations are made to the pitch of the roof
- The creation of new window and door openings are minimal and existing openings have been retained
- The open nature of barn interiors has been preserved
- The relationship between the building and surrounding landscape has been preserved
- Residential features have been minimised
- Boundary treatments reinforce the agricultural character
- All new features are in keeping with the original agricultural barn
- The principle of conversion of these buildings to residential is covered by the current permitted development rights for both agricultural buildings and offices.

The proposal provides additional housing to the area and would provide significant benefits to the village as it occupies a distinctive and prominent position in the village. It forms a logical complement to the existing scale and pattern of development and character of the area. It is compatible with the adjoining Manor Farm and other residential buildings and does not have a harmful impact on the amenity of its neighbours, in fact it enhances the area by bringing these handsome buildings back into use. The design has been sensitively considered and guided by the advice in the West Oxfordshire Design Guide Chapter 15 and the resulting dwelling will secure the preservation of these buildings and maintain their contribution to the character of the surrounding area. It is therefore considered that the proposal is fully compliant with the policies OS2, H2 OS4, T4 of the WOLP 2031 and should be approved.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

E3NEW Reuse of non residential buildings

H2NEW Delivery of new homes

EH12 Traditional Buildings

EH3 Biodiversity and Geodiversity

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application site is located within a prominent corner site of High Street and Abingdon Road in Standlake. The site comprises of redundant agricultural buildings.

5.2 Whilst the Parish Council have not objected to the proposal, Cllr Mr Good has requested that the application be heard before the Lowlands Area Planning Sub-Committee for the following reasons;

I am concerned for the impact on the street scene on this very prominent corner site on Abingdon Road and High Street. Likewise established access or pedestrian rights, not to mention the large and important trees give me cause for concern.

Finally, is the farmhouse building listed? If so what impact on that setting.

Then there is the garden amenity space and garden furniture paraphernalia issue, Along with refuse bins, parking, how does all that work?

Job losses of various local artisans / micro businesses including recently a collectibles China ware specialist, a bespoke cricket bat maker, a local carpenter and previously the Antique Centre itself. Using the suis genesis planning consent granted it was also used for a locals artists Art Exhibition and also a Medieval Christmas Banquet Venue.

5.3 Planning history associated with the application site includes;

09/1504/PFP Part change of use to allow use as a function room for a maximum of 12 occasions a year - Approved

According to the current Design and Access Statement this use ceased after a large number of complaints relating to noise and impact on residential amenities. The events company also struggled with lack of amenities in water, drainage, heating and parking. As a result, only one function was held at the Stone Barn.

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 Standlake is categorised as a Village within Policy OS2 of the adopted West Oxfordshire Local Plan where limited development is generally acceptable. Policy E3 of the adopted West Oxfordshire Local Plan discusses the re-use of non-residential buildings. The supporting text states;

In accordance with the overall strategy, conversion of existing buildings to residential use is more appropriate within our service centres and villages with services and facilities.

5.6 In view of the above your officers consider that the principle of conversion of the existing buildings to residential is acceptable in this location.

In addition given that the application site is located within residential dwellings, your officers are of the opinion that residential use is more appropriate than other commercial uses. This has been demonstrated from the applicant in that the permitted use ceased after various issues including complaints from the close proximity of neighbouring properties.

Policy H2 of the adopted Local Plan requests that demonstration that the building is not capable of re-use for business, recreational or community uses and so forth before residential use is considered within small villages and the open countryside. Given that Standlake is a Village your officers consider that the proposed conversion to residential is acceptable.

Siting, Design and Form

5.7 The existing three linked agricultural buildings are of traditional construction with materials including brick, natural stone and timber clad and tiled roof. Your officers consider that the type and construction of these buildings are able to be converted into one dwelling without their original character and appearance being compromised. The proposed new openings are limited in number, and are considered to be sympathetic to the former agricultural character, and is in line with guidance set out in the West Oxfordshire Design Guide. The removal of permitted development rights has been suggested for extensions and so forth, to enable the former agricultural character of the barn to be retained.

Highways

5.8 Oxfordshire County Council has no objection to the proposal subject to condition. As such your officers consider that the proposal does not result in highway safety issues.

Residential Amenities

5.9 Your officers have had full regards to the objections received, and the Parish Council response. In terms of civil issues relating to access, your officers have recommended a note to be included if consent is given, to advise the applicant that planning permission does not override the land rights and so forth of neighbouring properties.

In terms of overlooking issues, your officers consider that no undue level of overlooking will result to existing residential properties. A condition has been included for a small bedroom window to the gable end to be obscurely glazed. Comments relating to the car port have been noted and a condition has been included, also in line with OCC Highways, for parking to remain as shown.

However at the time of writing, your officers are seeking confirmation regarding where the private amenity space is to be provided for the proposed conversion. It appears that the private garden area will be located to the front of the application site, which is very prominent within the street scene. Conditions have been included for the removal of permitted development rights for buildings and structures, and also for details of the boundary treatments. This is to ensure that the existing open nature of the site can be retained. A full verbal update will be given at the meeting on the positioning of the private amenity area.

5.10 Your officers are also awaiting for further information regarding the drainage in accordance with the consultation response. A full update will be given at the meeting.

Ecology

5.11 At the time of writing your officers are anticipating the receipt of further ecological surveys. As such a full update on this matter will be given at the meeting.

Conclusion

5.12 Your officers have fully assessed the proposal and are of the opinion that the principle of such development accords with Policies OS2 and H2 of the adopted West Oxfordshire Local Plan, in terms of the location of development. The applicant has given reasons as to why the building cannot be used for alternative purposes. The proposed physical works to the existing building are considered to be sympathetic to the historic character of the former agricultural use.

5.13 However a full verbal update will be given in terms of the outstanding matters which include ecology, drainage and the location of the private garden area.

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. 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 buildings, hardstandings, structures or means of enclosure shall be erected in the garden other than as expressly authorised by this permission.

REASON: Control is needed in order to safeguard the character and appearance of the area.

4. The dwelling shall not 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.

5. 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.

6. Notwithstanding details contained in the application, detailed specifications and drawings of all new and replacement external windows, roof lights 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.

7. 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.

8. 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 extensions, dormer windows, roof lights, windows or porches shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to retain the former agricultural character and appearance of the building.

9. The carport(s) shall not be altered or enclosed and 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 and protecting residential amenities of neighbouring properties.

10. Before first occupation of the building hereby permitted the window to the North East gable end serving a bedroom shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the adjacent property.

11. 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.

INFORMATIVES :-

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.

Please note that this planning permission does not override the civil rights or land ownership rights of neighbouring properties.

Notes to applicant

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.

Please note that this planning permission does not override the civil rights or land ownership rights of neighbouring properties.

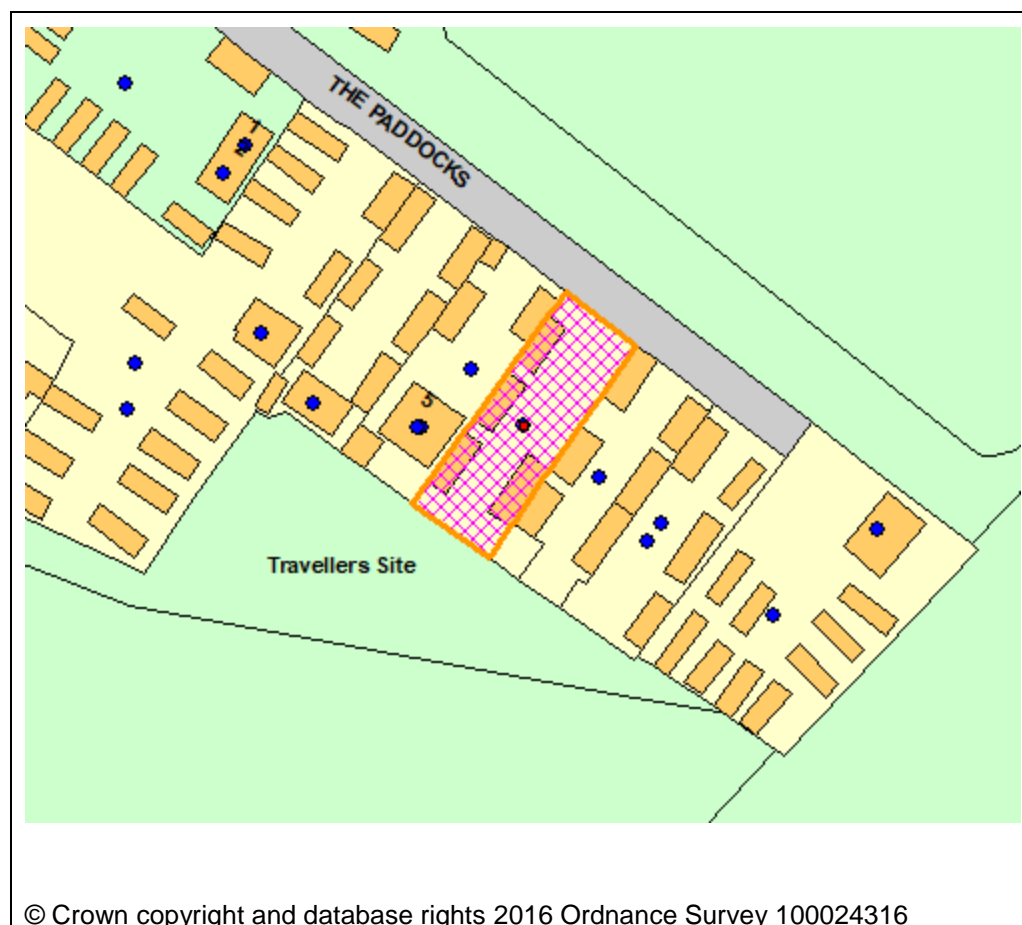
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 29th September 2021

Application Number	21/01992/FUL
Site Address	6 The Paddocks Weald Street Weald Bampton Oxfordshire OX18 2HL
Date	29th September 2021
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431055 E 202331 N
Committee Date	11th October 2021

Location Map



Application Details:

Erection of ancillary dayroom.

Applicant Details:

Mr F Doran
6 The Paddocks
Weald Street
Weald
Bampton
Oxfordshire
OX18 2HL

I CONSULTATIONS

Parish	OBJECTION for reasons that this is an over-development of the site. We do not
Council	consider this to be a dayroom ancillary to a static and travelling caravan, and we consider that this is a unit of self-contained accommodation.

2 REPRESENTATIONS

2.1 No representations received

3 APPLICANT'S CASE**Appearance and Landscaping**

The in-principle acceptability of gypsy sites in rural or semi-rural locations has a number of inevitable consequences. Traveller sites have a number of characteristic features which, depending on the particular setting, can be atypical in the countryside, such as caravans; hardstandings; dayrooms; residential paraphernalia and lighting. As a result, some degree of visual impact must be accepted and, if an adequate supply of gypsy site is to be provided, some degree of visual harm must be acceptable.

The Paddocks is bounded to the north -west by Weald Street and contained within well-established hedgerow boundaries along its north eastern and south eastern boundaries. Plot 6 is located centrally within The Paddocks where the proposed dayroom would not be prominent or obtrusive in the wider landscape. Even if it could be seen it would only be seen within the context of an existing caravan site containing numerous caravans and ancillary domestic style buildings. The proposed development would not, as a result, cause any unacceptable harm to the character or appearance of the surrounding countryside.

Policy Considerations

Government guidance entitled 'Designing Gypsy and Traveller Sites- A Good Practice Guide' identifies design features which are considered essential when refurbishing an existing site and makes clear that it is essential for amenity buildings to be provided on each pitch, which must include as a minimum: hot and cold water supply; electricity supply; a separate toilet and hand basin; a bath/shower room; and a kitchen and dining room. These facilities are deemed to be essential whether or not Gypsies and Travellers are occupying static caravans even in the Green Belt. In addition it is recommended that such amenity buildings should have a sitting area, where the family can gather together and socialise, and should have a domestic appearance.

Most static caravans only contain limited kitchen, dining and bathroom facilities. Generally, they make no allowance for the need to accommodate freezers, washing machines and dryers. Gypsies and Travellers also tend to have a cultural aversion to using toilets located within their caravans. The proposed amenity building is adequate in size to accommodate all of the facilities recommended by the Governments design guidance. Although, now withdrawn, The Good Practice Guide remains the most up to date guidance available.

Local Plan Policy H7 contains the Council's locally specific criteria for consideration of proposals for new gypsy and traveller sites and, amongst other things, requires that the sites should be designed in accordance with Government Good Practice Guidance. Substantial weight should therefore be given to the design guidance and to the benefits of providing cooking, dining, laundry and bathroom facilities in a suitable permanent structure.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

EH9 Historic environment

EH10 Conservation Areas

H7NEW Travelling communities

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

5 PLANNING ASSESSMENT

5 Background Information

This application seeks planning permission for the erection of an ancillary dayroom/amenity building on Plot 6 The Paddocks. The proposed building is single storey and is of a domestic scale, design and appearance. The roof space which has restricted headroom will provide for domestic storage. The dayroom is to be located at the back of the plot in a similar location to dayrooms that have been approved on adjoining plots.

The Paddocks is located outside of the Conservation Area the boundary of which runs along Weald Street with the Conservation Area to the west.

This application was deferred consideration at the September meeting in order for a Members site visit to be undertaken prior to determination of the application.

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 principle of allowing a dayroom facility on the plot in order to serve the occupiers of the caravans is in accordance with policy H7 of the adopted West Oxfordshire Local Plan and former Government guidance contained in 'Designing Gypsy and Traveller Sites'.

Siting, Design and Form

The siting and design of the amenity building is similar in terms of location and scale to that approved on adjoining plots. In terms of materials the use of artificial stone for the walls is considered acceptable

however, a condition has been attached to ensure that the use of red roofing materials is precluded in the interests of the visual character and appearance of the area.

Residential Amenities

The siting of an amenity block within the plot will improve the residential amenity of the occupiers of the caravans on the land in terms of potential health and hygiene benefits.

Impact on the setting of the Conservation Area

The Council must have regard to S72 of the Planning(Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of the Conservation Area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to the consideration of the application. By virtue of the fact that the proposed development will be located within an existing well screened enclosed site ,Officers consider that the proposal will have no material harm on the character and appearance of the area and that the setting of the Conservation Area will be preserved.

Other Matters

The Parish Council has raised objections to the development on the grounds that it represents an overdevelopment of the site and that the facilities provided within the building are greater than those associated with a dayroom ancillary to a static caravan.

In respect of the case for overdevelopment an informative is recommended that makes it clear that the approval of the dayroom does not authorise /regularise more caravans on the site in breach of the extant planning permissions for the plot and site licence requirements. The application has been determined as required on its planning merits.

Regarding the observation that the that the development is a unit of self-contained unit of accommodation as opposed to a dayroom, Members will note that the facilities contained within the building are in accordance with the Governments guidance in 'Designing Gypsy and Traveller Sites- A Good Practice Guide'. Further, a planning condition is recommended limiting the use of the building to an ancillary dayroom only for use by occupiers of the static caravans on the plot.

Conclusion

In light of the above assessment, the application is considered compliant with policies, H7, OS2 and EH10 of the adopted Local Plan.

6 CONDITIONS

- I. 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 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. Notwithstanding the application details the roof of the building 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. That the dayroom facility hereby approved shall be used for ancillary occupation by the occupants of the static caravans on the plot only and for no other purpose.

Reason: To provide for the health and hygiene needs of the occupants of the static caravans on the plot.

INFORMATIVES :-

You are advised that the granting of this planning permission does not authorise/regularise more caravans /mobile homes on the plot in breach of the extant planning permissions or site licence requirements.

Notes to applicant

You are advised that the granting of this planning permission does not authorise/regularise more caravans /mobile homes on the plot in breach of the extant planning permissions or site licence requirements.

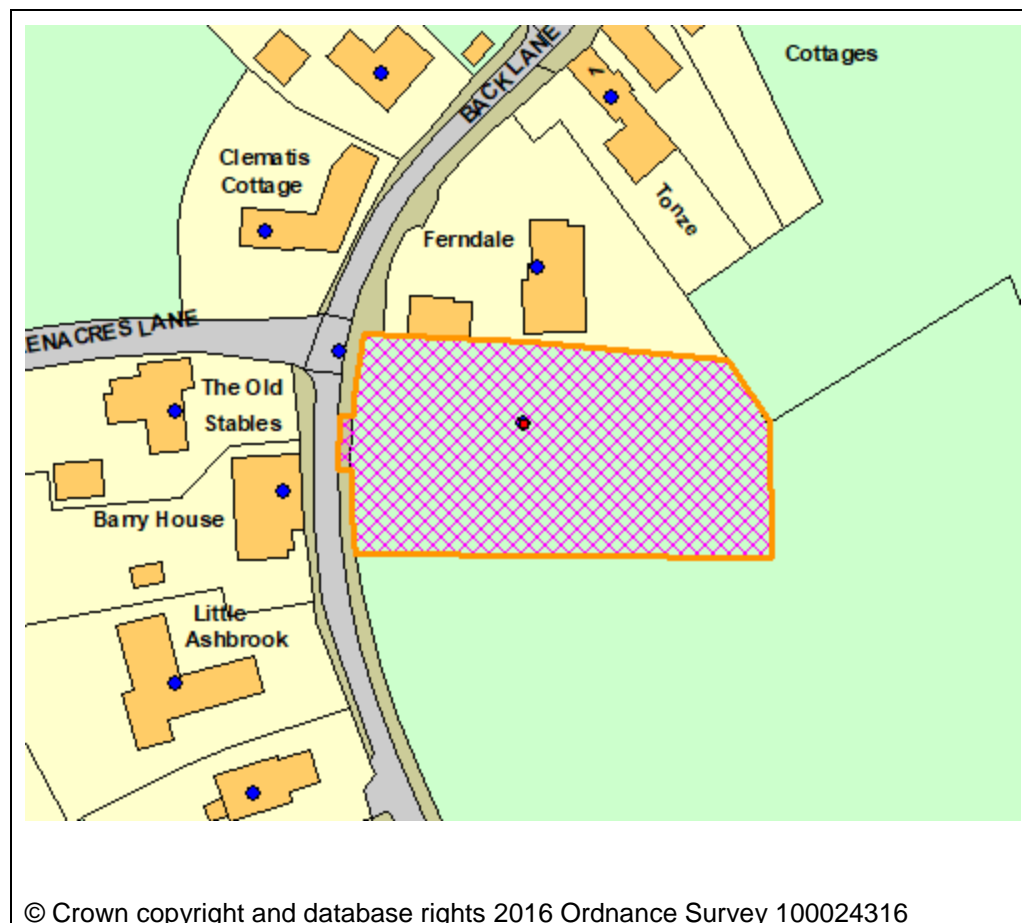
Contact Officer: Kim Smith

Telephone Number: 01993 861676

Date: 29th September 2021

Application Number	21/02099/FUL
Site Address	Land South Of Ferndale Back Lane Aston Bampton Oxfordshire
Date	29th September 2021
Officer	Esther Hill
Officer Recommendations	Refuse
Parish	Aston, Cote, Shifford And Chimney Parish Council
Grid Reference	433877 E 203193 N
Committee Date	11th October 2021

Location Map



Application Details:

Erection of a detached dwelling and carport/garage and workshop with home office above and associated works

Applicant Details:

Mr And Mrs Wain
89 Mirfield Road
Witney
OX28 5BH

I CONSULTATIONS

Thames Water No Comment Received.

WODC Env Health – I have No Objection in principle.
Lowlands

WODC Drainage Engineers No objection subject to conditions and informative

Conservation Officer The proposal is for the erection of a detached dwelling and
carport/garage and workshop with home office above.

In their Design & Access Statement the applicant has stated that the village has a somewhat "dispersed pattern of development". However, our design guidance Section 5: Settlement type - describes Aston as a nucleated and linear settlement not dispersed; with regard to Back Lane, the existing morphology is largely linear. The proposed application site is an open undeveloped field / green space that has remained undeveloped since at least 1821 (see OS maps above). The open space is considered to make an important contribution to the rural character, setting, views and overall appearance of Aston Conservation Area.

The applicant states that the proposed application will 'round-off' the settlement edge, however, it does not form a logical complement to the existing settlement pattern, and does not maintain the integrity and character of the conservation area. The proposed dwelling is not considered to represent a logical addition to the settlement, and is considered to be contrary to our LP policies EH9, EH10 and EH13:

With regard to Policy EH9 and EH10:

- The scale and proportions of the proposed dwelling sited in this undeveloped land will have an extremely prominent and dominant impact at this location, further eroding the open space and rural character of the settlement. The form, scale, massing, density, height, layout, use, alignment and external appearance of the development is not considered to conserve or enhance the special historic or architectural interest, character and appearance of the Conservation Area.
- The views and setting of all of the heritage assets have not been sufficiently considered in the application for example the setting and views in to and out from the grade II Church of St James. Notwithstanding, due to the scale and proportions of the proposed

dwelling as well as its siting, I consider the development does not conserve or enhance the heritage assets, including their setting and views.

- The proposals are not sympathetic to the original curtilage and pattern of development and to this important green space, and the overall historic street pattern and therefore does not make a positive contribution to the character in the Conservation Area.

And, with regard to Policy EH9 and EH13:

- It does not conserve or enhance the historic landscape character. It does not pay particular attention to the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape characteristics affected, nor, the degree to which the form and layout of the development will respect and build on the pre-existing historic character, and the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings.

The loss of / erosion of the open character of this undeveloped land on the interior of the village through the development of the new house and associated works (including hardstanding) would have an adverse urbanising impact on the rural character and appearance of all the heritage assets including setting and views.

Therefore, in conclusion, the current proposal fails to respect the character and appearance of the conservation area including the historic landscape and settlement character, and the setting and views. And, as the proposal would neither conserve nor enhance the character and appearance of the heritage assets it conflicts with our policies EH9, EH10, EH13 and OS4, NPPF Section 16 and our Design Guidance, therefore, I raise an objection to this proposal and recommend refusal.

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, subject to the following conditions:

- G28 parking as plan
- G11 access specification
- G25 drive etc. specification

OCC Archaeological
Services
Parish Council

No objection subject to conditions.

The Parish Council considered the application, reference 21/02099/FUL, at its meeting on 1st July 2021 and though there is no objection to the application would like to raise following concerns for your consideration:

- a) This application is for a green field agricultural site within the

- conservation area.
- b) The archaeological nature of the site should be investigated before any building is permitted. There is record of archaeological discoveries in the area and as this is an undeveloped piece of land the Parish Council believes it should be properly surveyed.
 - c) The access of Back Lane, a single-track road, and parking during any development would need to be carefully managed.
 - d) Connection to the sewage and foul water system which is already overloaded with a proven record of surge charge of foul and clean water is an issue that the Parish Council is raising on all planning applications where connection to the system is part of the application.

Therefore, if the planning authority is minded to grant permission for this application the Parish Council would request the following conditions be applied:

1. That there be an archaeological study carried out before any development is permitted.
2. That the building is not connected to the existing sewage and foul water system but has a septic tank or equivalent option.
3. That there be a traffic management plan and on street parking for contractors and other site users/visitors is prohibited. Access to site traffic to be specified and not through the village of Aston past the school.

Biodiversity Officer

Additional details and surveys are required before a positive determination of the application.

Newt Officer

No Comment Received.

WODC Env Health -
Lowlands

No objection subject to conditions.

2 REPRESENTATIONS

2.1 Two objection comments have been received, in summary the objections relate to:

- Adverse impacts on the character of the area and Conservation Area
- Sustainable development
- No justified need for the development
- Neighbouring amenity
- Vehicular Access
- Lack of biodiversity enhancements
- Scale and design
- Loss of a view
- Drainage and sewerage
- Principle

3 APPLICANT'S CASE

The applicant is applying to erect a large, eco-friendly, carbon neutral, family home that will accommodate four generations of the Wain/Hardwick/Rowles family. The group have very close family ties with the Baughan family of Aston - the Baughans have owned and lived at Kingsway Farm since the early 1920s. Two of the Wain's daughters already live in the village and their third daughter, the Hardwick's currently have young members of the family attending school and clubs within the village.

The group obviously wish to live in the village, both to retain these historic family ties and to enable the provision of support to members within the larger family unit.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH10 Conservation Areas

EH15 Scheduled ancient monuments

T4NEW Parking provision

NPPF 2021

DESGUI West Oxfordshire Design Guide

OS4NEW High quality design

H2NEW Delivery of new homes

EH3 Biodiversity and Geodiversity

EH9 Historic environment

EH10 Conservation Areas

EH2 Landscape character

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks planning permission for the erection of a detached dwelling and a carport/garage and workshop with home office above and associated works.

5.2 Members will recall that this application was deferred from September's committee to enable a formal Members' site visit.

5.3 The application site relates to agricultural land south of Ferndale, Back Lane, Aston. The site is within a semi-rural location located beyond the main built up limits of Aston. The site falls within the Aston Conservation Area.

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

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

Principle
Siting, Design and Scale
Impact on Conservation Area
Highways
Residential Amenity

Principle

5.6 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. Policy H2 allows in principle for new dwellings in villages, where this constitutes infilling or a rounding off of the existing settlement area. Your officers consider that this proposal is neither infilling nor rounding off.

Policy H2 is also permissive in principle of new dwellings on undeveloped sites within villages. On greenfield sites such as this adjoining the settlement area it is permissive only where this is necessary to meet an identified need and where the development is considered to be compliant with the general provisions of Policy OS2. In all instances it is expected that the development should form a logical complement to the existing pattern of development in terms of its siting.

5.7 Whilst there is built form adjacent to the proposed dwelling, your officers consider that the siting of the development would neither round off the settlement edge nor would it form a logical complement to the existing pattern of development owing to the positioning of the existing built form and the somewhat dispersed pattern of development within this part of the village. In this sense the proposals would constitute a backland form of development beyond the natural built form of the village.

5.8 The applicant identifies a need for a specific family to remain within the village. Notwithstanding the period of time that the family has resided in the locality, Government advice is that a decision "to grant planning permission solely on grounds of an individual's personal circumstances will scarcely ever be justified in the case of permission for the erection of a permanent building....". Given that the proposed dwelling does not deliver affordable housing or other public benefits, it would result in the delivery of an additional market house which is not needed to meet the council's 5 year housing land supply. Consequently your officers consider that the proposed development would fail to comply with the provisions of Policies OS2 and H2 of the Adopted Local Plan and the personal circumstances would be insufficient to warrant setting these policies aside.

5.9 In addition as stated within policy H2 the development also has to comply with the general principles of policy OS2 which states that all development should;

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality,
- Form a logical complement to the existing scale and pattern of development and/or the character of the area
- Avoid the coalescence and loss of identity of separate settlements,
- 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.
- Conserve and enhance the natural, historic and built environment.

5.10 The proposed development will involve the loss of an area of open space which your officers consider contributes significantly to the character and appearance of the immediate street scene and the Aston Conservation Area. Your officers do not consider that the proposed dwelling will complement

the existing scale and pattern of development and/or the character of the area or enhance or conserve the Conservation Area. Your officers are therefore of the opinion that the principle of the proposal does not comply with the general principles set out in Policies OS2 and any other relevant policies in this plan. The details of the proposal are assessed against the general principles of Policy OS2, as outlined above and considered in more detail in the relevant sections below:

Siting, Design and Form

5.11 Proposed is a two storey 6-bedroom detached property, with a detached carport / garage and workshop. The proposed dwelling and garage are to be set back from the road within a spacious plot.

5.12 In terms of scale, the proposed dwelling has a sizable footprint, with a large garage in addition. The dwelling has a total length of 23m and is 8.8m tall. Given the openness of the site and the scale of the proposed, your officers have concerns that the proposed will appear prominent within the street scene and does not conserve the significant openness of the Conservation Area or the semi-rural context which contributes to the character of the village. In terms of design, there seems to be many elements to the proposed dwelling, which are not cohesive and do not logically complement each other.

5.13 As such your officers consider that the proposal does not comply with the principles of Policy OS4, in that the new development does not respect the historic, architectural and landscape character of the locality.

Impact on the Conservation Area

5.14 In terms of the impact on the Conservation Area, local authorities have a legal duty to preserve or enhance and must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further to this the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.

5.15 The character of the immediate area is semi-rural and the site forms part of a wider open field. The Conservation Area boundary for Aston extends beyond the settlement limits and includes open fields and areas of countryside beyond the built up area specifically because of the importance of these open spaces and their contribution to the rural character of this particular part of the settlement.

5.16 The sites contribution to the Conservation Area is taken from its open, undeveloped and rural character, which would be eroded by the addition of the dwelling and associated works, particularly as the siting would be largely uncomplimentary to the existing pattern of development. Given the siting and scale of the proposed dwelling it would be highly visible within the street scene and as such your officers consider it would have an adverse urbanising impact on the rural character of this part of the settlement and the local landscape character. The WODC Listed Building and Conservation Officer has objected to this application because it fails to enhance or preserve the Aston Conservation Area.

5.17 Members of the Lowlands Planning Sub Committee previously refused an application at a site only 75m west of this application site, it was for a new dwelling and associated works at Land South of Elmside (19/03403/FUL). The decision was later appealed and dismissed. Within the Inspectors report they state: The local open rural form of the appeal site makes a positive contribution to the overall character and appearance of the heritage asset. The loss of the open character of the land on the fringe of the village through the development of the new house would be harmful to this heritage asset. As the proposal would neither preserve nor enhance the character or the appearance of the conservation area

the statutory test is not met and the proposal would conflict with Policy EH10. In terms of the guidance set out in paragraph 196 of the NPPF it would constitute 'less than substantial harm'. Nevertheless, the guidance in paragraph 193 also stresses that great weight should be given to the conservation of the heritage asset irrespective of the level of harm.

Highways

5.18 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.

Residential Amenities

5.19 In regards to the impact on neighbouring amenity, this has been carefully assessed. Given the siting of the proposed dwelling and proposed garage, the separation distance between the proposed and neighbouring properties and the siting of the proposed openings, your officers are of the opinion that the proposed would not give rise to levels of harm in terms of neighbouring amenity issues, such as, overlooking, loss of light, loss of privacy or overbearing, that would warrant the refusal of this application.

Other Matters

5.20 Whist Officers note the measures proposed in terms of sustainability. The benefits gained from the renewable energy are not considered to outweigh the harm that this development would have on the character and appearance of the street scene and Aston Conservation Area.

5.21 Two objection comments have been received, in summary the objections relate to: Adverse impacts on the character of the area and Conservation Area, Sustainable development, No justified need for the development, Neighbouring amenity, Vehicular Access, Lack of biodiversity enhancements, Scale and design, Loss of a view, Drainage and sewerage, Principle.

5.22 Whilst the Parish Council have not objected to this application this was subject to conditions being applied to the consent. The proposed conditions were for an archaeological study of the site, that the building is not connected to the existing sewage and that there be a traffic management plan. The Parish Council have also raised concerns with the site being a green field agricultural site within the conservation area, the archaeological nature of the site, highways management and the proposed sewage and foul water system.

5.23 The OCC Archaeological Officer has provided comments requesting that conditions are applied to the consent given the site may be of archaeological interest.

5.24 The WODC Contamination Officer and the WODC Drainage Officer have not object to this application subject to conditions. The WODC Pollutions Officer did not object to this application.

5.25 Before the WODC Biodiversity Officer can submit their final comments on the proposal they requested that a Preliminary Ecological Appraisal and a habitat suitability index (HSI) of all ponds within 500m of the site boundary is submitted, in accordance with policy EH3 of the West Oxfordshire Local Plan 2031. The WODC Biodiversity Officer has requested that this additional information be provided prior to a positive determination of this application.

Conclusion

5.26 For the reasons outlined the siting of the proposed dwelling would fail to respect the settlement character and would harm the character of the Conservation Area. Consequently the proposal would result in 'less than substantial' harm to the character of the Conservation Area and when assessed in relation to the balancing exercise required under Paragraph 134 of the NPPF, your officers consider that the level of harm would fail to be outweighed by the limited public benefits of the proposed development.

5.27 Your officers additionally consider that the proposed development would fail to comply with the provisions of Policies OS2, OS4, H2, EH2, EH3, EH10, EH15 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016. In light of the above the application is recommended for refusal.

6 REASON FOR REFUSAL

- I. By reason of its siting, the development as proposed would fail to complement the existing pattern of development and the character of the area, including the settlement character. The siting of the proposed development would have an adverse urbanising impact on the rural character of the area, which would fail to preserve or enhance the character of the Conservation Area and would result in less than substantial harm, which would fail to be outweighed by the public benefits of the proposed development. Consequently the proposal would fail to comply with the provisions of the adopted West Oxfordshire Local Plan Policies OS2, OS4, H2, EH2, EH3, EH10, EH15, EH13 and T4.

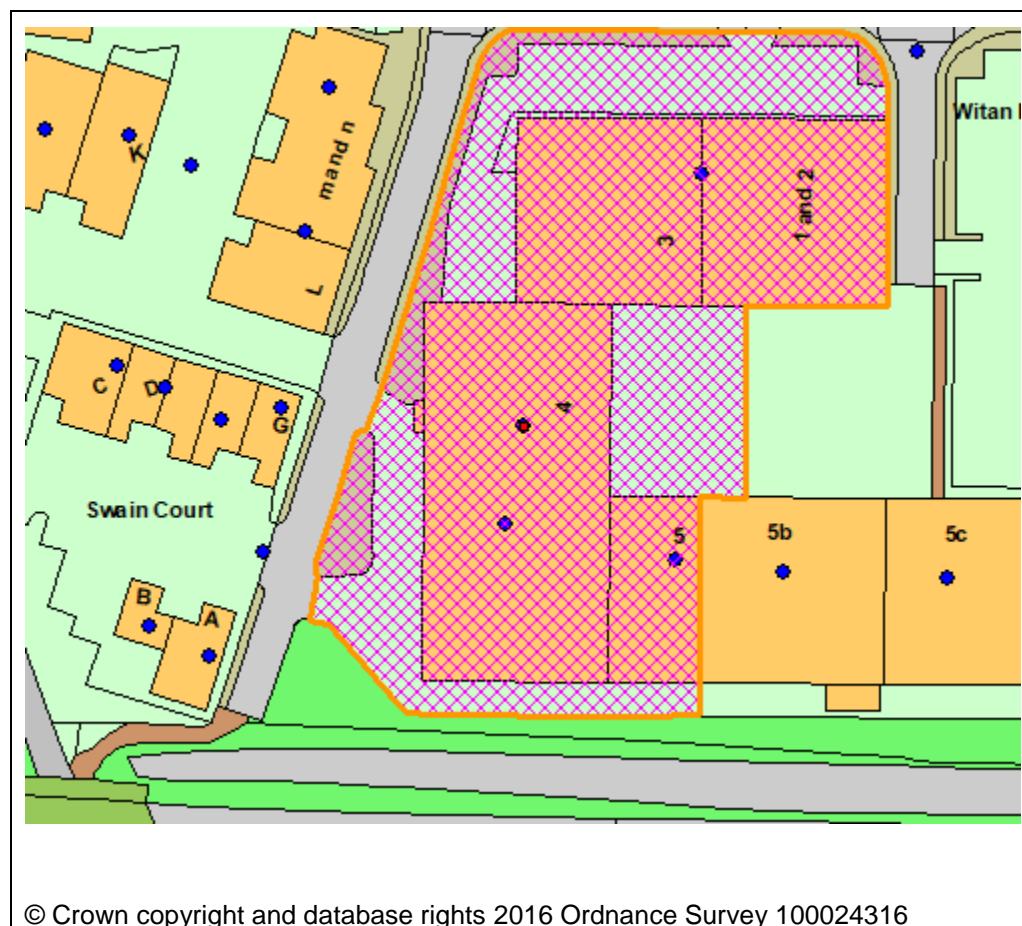
Contact Officer: Esther Hill

Telephone Number: 01993 861690

Date: 29th September 2021

Application Number	21/02210/FUL
Site Address	Unit 1-5 Avenue Two Witney Oxfordshire OX28 4YQ
Date	29th September 2021
Officer	Miranda Clark
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	435545 E 208715 N
Committee Date	11th October 2021

Location Map



Application Details:

Demolition of existing Unit 4 and change of use from general industrial use (Class B2) to builders merchant (sui generis) for the display, sale and storage of building, timber and plumbing supplies, storage and distribution of kitchen joinery products, plant and tool hire, including outside display and storage

including storage racking; formation of external materials storage and loading area, access and servicing arrangements, car parking, landscaping and associated works. (AMENDED DESCRIPTION)

Applicant Details:

Mr Gary Lees
33 Cavendish Square
London
W1G 0PW

I CONSULTATIONS

Parish Council Witney Town Council object to this application. The South West corner of the site is adjacent to the main pedestrian access to Witney Lake and Country Park. This important recreational facility is in constant use and the perimeter of this site neighbours the access point to the Public Footpath right of way for families, children and dog-walkers and is also a pedestrian route for school children. The 'IN' and 'OUT' as marked on the vehicle splays on drawing '14920 - 110K - PROPOSED SITE PLAN - A1' indicate that HGVs would cross the pavement at the 'IN' gates and that vehicles exiting at the 'OUT' gates have extremely limited space to join the highway safely. This highway danger is compounded by Avenue Two being regularly used for roadside parking, which would further limit maneuverability for large vehicles. Members request that these points are reviewed by the Highways Authority as well as the careful consideration of the Planning Officer. Based on the proposed layout, Witney Town Council would request that prior to occupation, the applicant submit further plans to be approved by the relevant authority, to improve the access to and allowing safe routes for all to access Witney Lake & Country Park.

Additionally, members noted that the highway adjacent to the site is a frequently used cycle route which links into the cycle network for Witney. Allowing HGVs to access the site on the quiet road on the Western boundary would pose a danger for cyclists using this route.

Witney Town Council does agree in principle to the redevelopment of this site and would rather welcome an application with a revised layout that includes the vehicular access being moved to the North of the site where it would be less of a safety risk for our residents using this important recreational space.

Further comments;

The Transport Design Technical Note fails to recognise that Avenue Two is not a dead end for pedestrians and cyclists. It is a public right of way and the main access point to the Lake & Country Park.

To ensure safe cycle and pedestrian access to the Country Park, Lake and ongoing footpaths and cycle routes, the vehicular movements within the site need to be redesigned to exploit and optimize entry and exit for HGV and customer vehicles to the section of Avenue Two that runs East to West, on the Northern boundary of the development site.

This map shows that a marked cycle route links Ducklington to the Southern end of Avenue Two and is marked again at the Northern end of Avenue Two. The North

section is wider, with more robust infrastructure, making the presence of HGVs turning into the northern side of the application site more acceptable in relation to cycling and walking. It is wholly inappropriate to introduce HGVs to the narrow unmarked linking Southern stretch of Avenue Two that currently has only traffic for commerce and light industry, not HGVs. Planning priorities should be seeking to reduce motor vehicle traffic on that stretch and to enhance the active travel link.

The suggestion that parking restrictions be introduced to facilitate the HGV access penalises Witney residents who are currently able to park for access to the country park and lake. There is no alternative parking for such recreational use, particularly for residents of limited mobility.

WODC Env
Health -
Lowlands Knowing of the site, I am able confidently to declare a 'No Objection in principle' position to this change of use application.

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

INFORMATIVE

Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

Biodiversity Officer No objections - conditions and informatives to be added

WODC Drainage
Engineers Further information required

2 REPRESENTATIONS

2.1 No comments received

3 APPLICANT'S CASE

3.1 A planning statement has been submitted with the application. It has been summarised as; The site is located on Witan Park, Avenue Two, an industrial area of Witney, south of Station Lane and the town centre and north of the A40. The property comprises an existing B2 industrial unit, which is currently vacant, but was last occupied by the 'Fabulous Bakin' Boys' bakery.

The vacant brownfield site extends to 0.75 hectares. The current structures on Site comprise 6 warehouse units (measuring 5.4 metres to eaves) and associated car parking. Existing floor space on site (within the red line) totals 4911.50 square metres of which the majority is B2 industrial use. Access is via two entrances into the site.

The Applicant has been approached by Travis Perkins, who wish to take on the use of the site. As there are no permitted development rights to change from Class B2 to a builders merchant (which is a sui-generis use) this application has been prepared for its change of use, and for associated alterations, including the demolition of Unit 4, to create a new enlarged external storage area and service yard. A requirement of Travis Perkins operations is that externally stored materials will be stored up to 5.5m. This is proposed in areas not directly adjacent to the public domain.

Consent granted in 2019, under 19/02154/FUL, involved the partial demolition of Unit 4 to improve vehicular egress and servicing. This was considered acceptable in order to facilitate easier movements for larger vehicles. This application involves the demolition of a larger part of the building, comprising all of Unit 4, in order to provide more useable external space for servicing and storage in connection with the proposed builders' merchant.

Travis Perkins is a UK market supplier that offers high quality products and expert services to predominantly trade customers and is therefore a leading supplier to the building and construction industry. Their use is the wholesale supply of building materials and tool hire products to the trade, in addition to the external storage and display of goods. As a result, the typical Travis Perkins layout and display areas are geared towards trade professionals, who form the main customer base.

The proposed Travis Perkins branch in Witney will create 15-22 jobs which will be predominantly for local people and are in addition to jobs created as part of the construction and fit out of the units.

At the centre of this proposal lies the ability to maintain employment land and enhance and improve a currently vacant site, which is not contributing to the local economy at present. The principle of development is considered acceptable given it is an employment generating use which shares similar characteristics to Class B8, and located within an employment area. The proposal accords with Policy E1 of the Local Plan in this regard.

In terms of operation, Travis Perkins will trade between 06:00 - 18:00 Monday to Friday, 07:00 -12:00 Saturday and closed on Sunday. This is in line with their wider portfolio but given the industrial nature of the site and wider area there are no sensitive neighbours and therefore it is not anticipated the need to control the proposed hours of operation.

A Phase 1 habitat survey covering the whole Survey Area was conducted by BSG Ecologists in February 2021. Appropriate enhancements, as detailed fully in the Survey, comprise the planting of additional trees, additional shrub planting, the creation of two log piles and the installation of two bat and two bird boxes within the plantation woodland.

The proposal includes an element of demolition and resurfacing to form an external storage yard. It is proposed that the existing surface water drainage features are utilised but also extended as per the submitted Drainage Plan.

Foul sewerage is proposed as existing.

An existing pumping station is located within Unit 4. It is proposed this remains in situ as is a requirement of the covenant stipulated by Thames Water.

3.1.2 A further response has been received to the Town Council's objection. It has been summarised as;

Avenue Two is not a Public Right of Way (PROW) in itself but access to the PROW (further south of Avenue Two) will be retained via the footway on the western side of Avenue Two. In addition, crossing facilities will be provided across Avenue Two to enhance this access. Therefore, sustainable access (i.e. for pedestrian trips) is both retained and enhanced.

No objection was provided by the town council in relation to the previous proposals as set out in application 19/02154 (that has also received planning approval), which also included access linking with the western side of the site. It is noted that the revised proposals include a reduced floor area from this application as well as when compared with the existing building footprint. Thus the overall traffic impact on Avenue Two would be reduced.

Access is already obtained for various units from both sides of Avenue Two and parking restrictions would enable access to be protected for existing users as well as for the proposals. This would therefore further enhance safety and wellbeing for existing users of the pedestrian network.

Notwithstanding this, in consideration of the Town Council comment, parking restrictions can be timed to coincide with working hours only and avoid weekend periods when use of the Country Park would likely be higher. In addition, there are other areas within Avenue Two without parking restriction that can be used in business hours.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

T4NEW Parking provision

EH3 Biodiversity and Geodiversity

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

5 PLANNING ASSESSMENT

5 Background Information

5.1 The application site is located at Witan Park, Avenue Two, an industrial area of Witney, south of Station Lane and the town centre and north of the A40 The application site comprises of various buildings which were previously accommodated The Fabulous Bakin Boys. It is currently vacant.

The most recent planning history includes;

19/03448/FUL - Proposed change of use from general industrial (Class B2) to storage and distribution (Class B8) - Approved

19/03449/FUL - Formation of new doors - Approved

19/02154/FUL - Remove part of Unit 4 external alterations and formation of new vehicular access (egress only) - Approved

19/01520/FUL - External alterations to two elevations to include new doors and windows - Approved

The applicant has been refurbishing and altering industrial premises at Witan Park, Witney, in line with these planning approvals which involved permissions for external alterations and some demolition work to part of Unit 4, and for a new vehicular egress. The overall aims of those permissions were to improve access and egress, servicing, manoeuvring and the overall appearance of the units, in order to increase

the appeal of the units to potential tenants, and some of the development has commenced in line with those approved designs.

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

5.2 Your officers consider that Policy EI (Land for Employment) is the most relevant policy of the adopted West Oxfordshire Local Plan when assessing the proposal. Policy EI, when considering existing employment sites states;

Proposals to improve the effectiveness of employment operations on existing employment sites will be supported where commensurate with the scale of the town or village and the character of the area. This may include redevelopment, replacement buildings or the expansion of existing employment uses.

5.2.1 This proposal includes the demolition of the existing unit which is required to suit the requirements of the proposed occupier. Given the proposed scale of the proposed replacement building your officers are of the opinion that the proposal will improve the effectiveness on the existing employment site, and will still remain commensurate with the scale of the town.

5.2.2 In addition the proposal seeks a change of use of the application site from Use Class B2 (General Industrial) to a Builders Merchants. Your officers consider that the proposed use is an employment generating use which shares similar characteristics to those of uses within Use Class B2. In addition the application site will bring back into use a currently vacant site which is in a sustainable location.

Siting, Design and Form

5.3 The current proposal includes the demolition of Unit 4 to create a new enlarged external storage area and service yard. A requirement of Travis Perkins operations is that externally stored materials will be stored up to 5.5m. This is proposed in areas not directly adjacent to the public domain. Proposed fencing is also required in terms of security of the application site.

Units 1, 2, 3a, 3b and 5 will be retained. The refurbished warehouse building will have a simple finish with steel cladding that is consistent with the Applicant's corporate livery (green and yellow). Your officers consider that given that the location of the application site is within an existing employment site, there will not be a detrimental impact to the visual appearance of the locality.

Highways

5.4 Witney Town Council have maintained their objection to the proposal due to the public right of way and the main access to the Lake and Country Park and the safety of cyclists and pedestrians using the Country Park. The applicant has responded further to this objection and can be viewed under The Applicant's Case section of this report.

It is also important to note that OCC Highways has not objected to the proposal.

Your officers have referred to the public Witney lakes flyer which does not show that the public footpath starts from the application site. Given that OCC Highways has no objection and other permissions have been previously granted, your officers do not consider the proposal to be refusable.

Residential Amenities

5.5 Given that the application site is not adjacent to residential properties, your officers consider that the proposal will not result in an adverse impact in this regard.

Ecology

5.6 Your Ecology officer has made recommendations for conditions to be attached to the consent if approved. These conditions have been included within your officer's recommendation.

Drainage

5.7 Your Drainage Engineer has requested additional information. It is expected that a full response to this matter will be verbally reported at the Committee meeting by your officers.

Conclusion

5.7 Your officers have taken into full consideration of the relevant policies of the adopted West Oxfordshire Local Plan as part of the assessment of the proposal. Given that the application site is an existing vacant site within a well-established and sustainable industrial estate, with accessible transport routes, the proposed use as a builders merchant would be a good re-use of the site. The demolition of a unit, with the refurbishment of others would improve the visual appearance of the site. Whilst there would be outdoor storage of materials, your officers do not consider that in this location it would adversely affect the overall character of the industrial estate.

The occupancy of the existing site would also provide employment opportunities.

Whilst a full assessment of the Town Council's objection has been carried out, without an objection from OCC Highways, your officers consider that the accesses and use is acceptable in this location. However, a full verbal update will be given at the meeting regarding drainage issues.

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 development shall be completed in strict accordance with the following documents:

Section 4 of the Ecological Appraisal, dated 24th June 2021 and prepared by BSG Ecology, 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/wjthlruj/precautionary-method-of-working-forreptiles.pdf> .

5. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the bats, birds, amphibians, reptiles, badgers and hedgehogs 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.

Before the erection of 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.

6. 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.

7. Before the erection of 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 bat boxes and bird nest boxes within the woodland, the installation of hedgehog gaps/holes within any new fences/walls, the planting of native, locally characteristic shrubs and trees and the creation of log piles. The scheme shall include, but not limited to, the following details:

- Description, design or specification of the type of features or measures to be undertaken;
- Materials and construction to ensure long lifespan of the feature/measure;
- A drawing(s) showing the location and, where appropriate, the elevation of the features or measures to be installed or undertaken;
- Confirmation of when the features or measures will be installed within the construction or operational phases of the development permitted; and
- 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.

8. 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.

9. 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.

INFORMATIVES :-

- Please note if works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council
- 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.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

There is a low risk that great crested newts (GCN) may be present at the application site. WestOxfordshire District Council considers it would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within a red impact zone as per the modelled district licence map, which indicates that there is highly suitable habitat for GCN within the area

surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence. Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped. Any building materials such as bricks, stone etc. should be stored on pallets to discourage GCN from using them as shelter. Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

Notes to applicant

1 Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

2 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.

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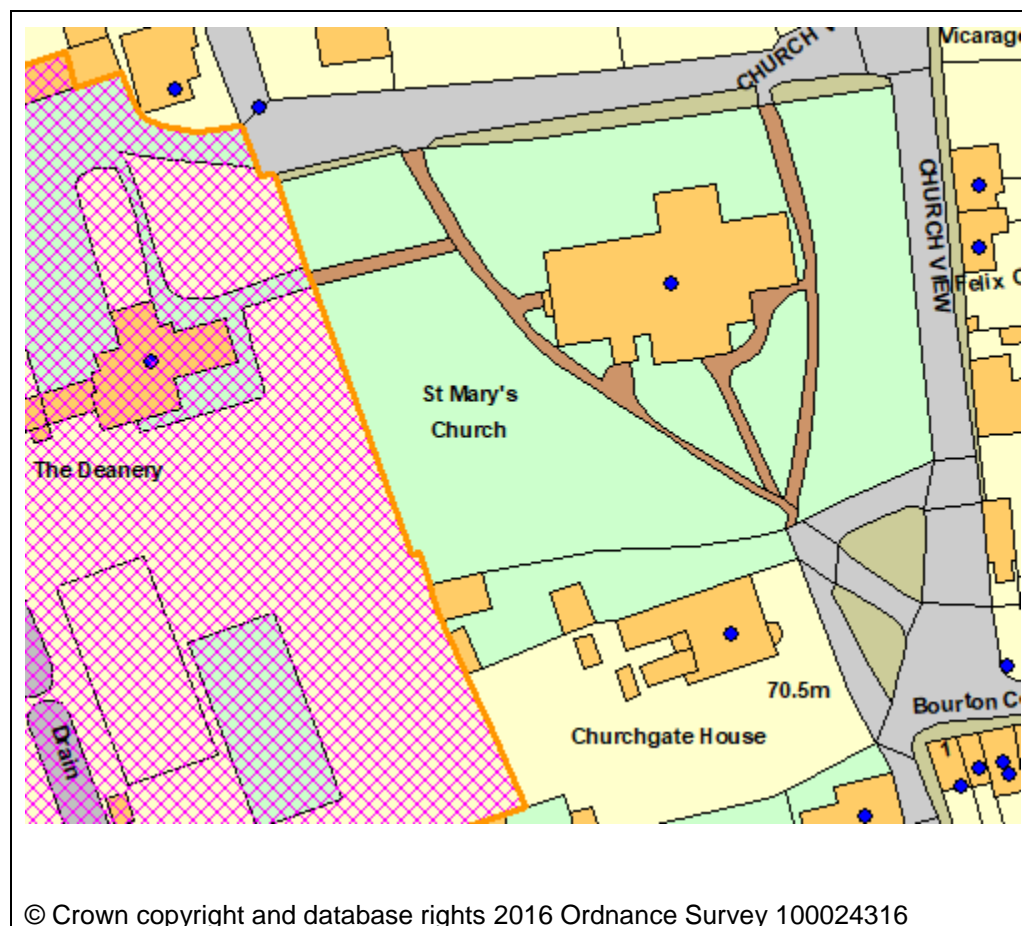
Contact Officer: Miranda Clark

Telephone Number: 01993 861660

Date: 29th September 2021

Application Number	21/02321/HHD
Site Address	The Deanery Church Close Bampton Oxfordshire OX18 2LL
Date	29th September 2021
Officer	Kelly Murray
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431176 E 203311 N
Committee Date	11th October 2021

Location Map



Application Details:

Replacement of existing vehicular and pedestrian entrance gates (Retrospective).

Applicant Details:

Mr And Mrs Armitage
The Deanery
Church Close
Bampton
Oxon
OX18 2LL

1 CONSULTATIONS

OCC Highways	No objection.
Parish Council	Parish Council objects on the basis the gates are not appropriate in the historic centre of Bampton next to a grade II* listed building and the grade I church.

2 REPRESENTATIONS

2.1 There have been 6 objections and 4 representations supporting this application. The objections can be summarised as follows:-

- The gates are not in keeping or character with the listed building or the local area;
- They are inappropriate due to the prominent position and the context within mostly 18th century houses and an historic stone church;
- The gates are an "eyesore", the design and material are more appropriate to an industrial setting. Replacement should be of the same traditional style;
- Due to the height and the fact they open onto the highway, there is no visibility which poses a danger to pedestrians;
- They are made of a non-vernacular material which are incongruous within the street scene.

The comments in support can be summarised as follows:-

- The need for increased privacy is understood given the applicants have young children;
- The colour of the gates blends in with the trees;
- The gates are in character with the stone and steel windows of the Deanery
- The gates blend in with the dressed stone and the ageing process will improve them over time;
- There is no set style or mandated colour convention in the Conservation Area. These will retain an aged look for longer than oak would;
- The gates match the materials and character of the house well, improve the look and makes the house look occupied again.

3 APPLICANT'S CASE

3.1 The replacement gates are of appropriate design for the setting within the curtilage listed wall surrounding the grade II* listed Deanery. The appearance (colour) of the replacement gates whilst currently conspicuous and incongruous will age over time and the appearance will soon become more subdued and harmonious. Consequently the impact of the proposed development on the special architectural and historic character of the curtilage listed wall, the setting of the main listed building and the character and appearance of the Bampton Conservation Area should be considered acceptable.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EH10 Conservation Areas

EH11 Listed Buildings

EH9 Historic environment

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

5 PLANNING ASSESSMENT

Background Information

This is a retrospective application for planning permission for the replacement of vehicular and pedestrian gates set within a 2.2 metre high boundary wall at the Deanery, Church Close in Bampton. The Deanery is a grade II* listed building located in the Bampton Conservation Area and the wall in question is considered to be curtilage-listed. A separate application for listed building consent is being considered.

There are other listed buildings within proximity of the development: some 40 metres to the east, facing the Deanery, lies the grade I listed St Mary's Church; at a similar distance to the north there is a grade II listed Cobb House and to the south there is grade II listed Churchgate House.

The previous timber gates were apparently installed in the 1990s although the LPA has no record of planning or listed building consent having been granted. The applicants state that replacements were necessary as they were worn. Only the gates and posts, not the fittings, have been replaced.

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 the impact of the replacement gates on the listed Deanery and on the character and appearance of the Conservation Area.

Siting, Design and Form

The replacement gates in terms of design are of a traditional swept form and are of similar proportions and height to their predecessors, specifically, the vehicular gates are of the same width but at the lowest point of the swept top they are 100mm higher; the pedestrian gates are of the same width but are 400 mm higher. Apart from the difference in the height of the pedestrian gate, the main differences from their predecessors are first the material, in that timber has been replaced with steel and the gates now have solid infill panels.

Impact on the Deanery

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Council's Conservation Architect has expressed the following view:-

- The previous gates were of no special interest - innocuous rather than joyful or lovely.
- The new gates make no significant impact on the Grade II* house, although they arguably make an impact on the CA.
- The new gates are of traditional shape, although they are not made in a traditional material. Corten steel has been beloved of certain architects for around the last 30 years - it is a special alloy that corrodes up to a certain point and then stabilises, needing no paint or other treatment, and needing no maintenance. Also used by some sculptors - and famously by Antony Gormley, for his Angel of the North. In my view the gates are a refreshing and more contemporary feature - although being of traditional shape, they are arguably not too distracting. So, I would be inclined to go along with them.

It is not considered that the replacement gates have any particular impact on the curtilage-listed boundary wall. In terms of the Deanery itself, this is set back 25-30 metres from the driveway, to the south-west and behind the wall into which the gates are set. This being the case, prior to the installation of these gates there was already restricted visibility of the house from Church Close. Views of the house from within the private gardens encompass the more modern buildings closer to the public highway and the western additions to the building. The gates are of traditional form and made of a slightly unusual material but could easily be mistaken for timber unless observed within close proximity. As it is, they are at some distance from the house and are viewed in the context of several modern buildings. On balance, the gates are not considered to have a detrimental impact on the character or setting of the Deanery.

Impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in the exercise of its planning functions, an LPA must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this case, Officers consider any perceived incongruity in the appearance of the gates is observable only in close proximity and is not evident in longer views within the Conservation Area. Moreover, any such incongruity will be of temporary duration when the colour of the gates darkens with age. On balance, therefore, the gates have a neutral impact and the character and appearance of the Conservation Area is preserved.

Highways

One of the representations from the public mentions danger to the highway caused by the gates opening outwards. This is a quiet part of Bampton and there is relatively little traffic, moreover County Highways have been consulted and have not raised an objection.

Conclusion

The gates are of traditional form despite being made of a slightly unusual material for the manufacture of domestic gates. Although the gates at present appear slightly more prominent than their predecessors, this is mainly when viewed in close proximity and this is due to the colour of the corten. It is likely that any new timber gates would also be more prominent than the predecessor and in both cases, left to weather, the gates would in time lose their temporary conspicuousness. Although corten has its detractors, it is a quality material widely used by artists and sculptors to create works of art in the public realm. Whilst in this case the rusty colour is noticeable, Officers are of the view that on balance this does not negatively impact on the character of the grade II* listed Deanery, its setting nor on the character and appearance of the Conservation Area. Accordingly this application is recommended for approval.

6 CONDITIONS

- I. 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.

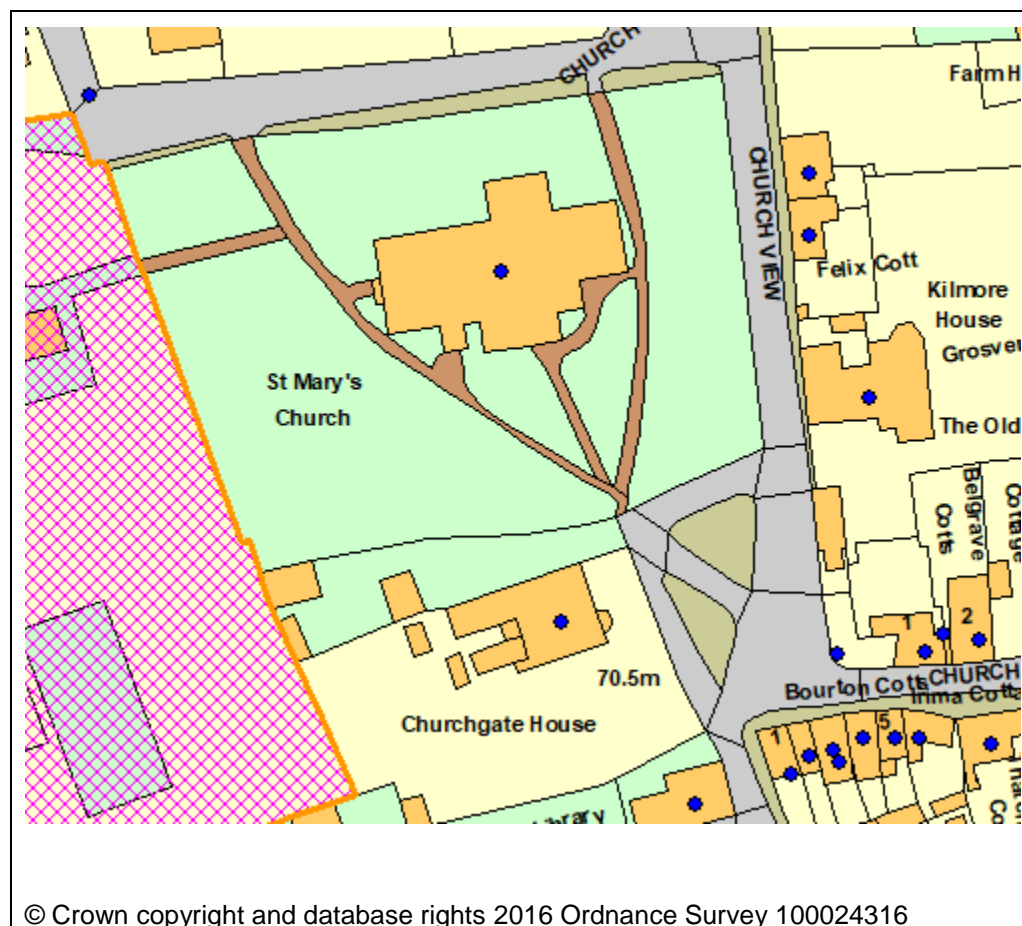
Contact Officer: Kelly Murray

Telephone Number: 01993 861674

Date: 29th September 2021

Application Number	21/02322/LBC
Site Address	The Deanery Church Close Bampton Oxfordshire OX18 2LL
Date	29th September 2021
Officer	Kelly Murray
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431176 E 203311 N
Committee Date	11th October 2021

Location Map



Application Details:

Replacement of existing vehicular and pedestrian entrance gates (Retrospective).

Applicant Details:

Mr And Mrs Armitage
The Deanery
Church Close
Bampton
Oxon
OX18 2LL

1 CONSULTATIONS

Conservation Officer	No Comment Received.
Parish Council	The Parish Council objects on the basis that the gates are not considered appropriate in the historic centre of Bampton near the grade I listed church and for the grade II* listed Deanery.
Historic England	No Comment Received.

2 REPRESENTATIONS

2.1 There have been 6 objections and 4 representations supporting this application. The objections can be summarised as follows:-

- The gates are not in keeping or character with the listed building or the local area;
- They are inappropriate due to the prominent position and the context within mostly 18th century houses and an historic stone church;
- The gates are an "eyesore", the design and material is more appropriate to an industrial setting. Replacement should be of the same traditional style;
- Due to the height and the fact they open onto the highway, there is no visibility which poses a danger to pedestrians;
- They are made of a non-vernacular material which is incongruous within the street scene.

The comments in support can be summarised as follows:-

- The need for increased privacy is understood given the applicants have young children;
- The colour of the gates blends in with the trees;
- The gates are in character with the stone and steel windows of the Deanery
- The gates blend in with the dressed stone and the ageing process will improve them over time;
- There is no set style or mandated colour convention in the Conservation Area. These will retain an aged look for longer than oak would;
- The gates match the materials and character of the house well, improve the look and make the house look occupied again.

3 APPLICANT'S CASE

3.1 The replacement gates are of appropriate design for the setting within the curtilage listed wall surrounding the grade II* listed Deanery. The appearance (colour) of the replacement gates whilst currently conspicuous and incongruous will age over time and the appearance will soon become more subdued and harmonious. Consequently the impact of the proposed development on the special

architectural and historic character of the curtilage listed wall, the setting of the main listed building and the character and appearance of the Bampton Conservation Area should be considered acceptable.

4 PLANNING POLICIES

OS4NEW High quality design

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

OS2NEW Locating development in the right places

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

5 PLANNING ASSESSMENT

Background Information

This is an application for listed building consent for the replacement of vehicular and pedestrian gates set within a 2.2 metre high boundary wall at the grade II * listed Deanery, Church Close in Bampton, in the heart of the Conservation Area. The wall in question is considered to be curtilage-listed by virtue of section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The gates have already been installed and a separate application for retrospective planning permission is also being considered. The previous timber gates were apparently installed in the 1990s although the LPA has no record of planning or listed building consent having been granted. The applicants state that replacements were necessary as they were worn. The application states that only the gates (and not the fittings) have been replaced.

There are other listed buildings within proximity of the development: some 40 metres to the east, facing the gates, lies the grade I listed St Mary's Church, whose grade II listed wall bounds the west side of the churchyard. At a similar distance to the north east there is grade II listed Cobb House and to the south there is grade II listed Churchgate House.

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 the impact of the replacement gates on the character and setting of the listed Deanery, on the setting of the other designated heritage assets and on the character and appearance of the Conservation Area.

Siting, Design and Form

The replacement gates in terms of design are of a traditional swept form and are of similar proportions and height to their predecessors, specifically, the vehicular gates are of the same width but at the lowest point of the swept top they are 100 mm higher; the pedestrian gates are of the same width but are 400 mm higher. The main differences from the previous gates are primarily the material, in that timber has been replaced with steel and the substitution of solid infill panels.

Impact on the listed building

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides 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".

The Council's Conservation Architect has expressed the following view:-

- The previous gates were of no special interest - innocuous rather than joyful or lovely.
- The new gates make no significant impact on the Grade II* house, although they arguably make an impact on the CA.
- The new gates are of traditional shape, although they are not made in a traditional material. Corten steel has been beloved of certain architects for around the last 30 years - it is a special alloy that corrodes up to a certain point and then stabilises, needing no paint or other treatment, and needing no maintenance. Also used by some sculptors - and famously by Antony Gormley, for his Angel of the North. In my view the gates are a refreshing and more contemporary feature - although being of traditional shape, they are arguably not too distracting. So, I would be inclined to go along with them.

In its guidance note "The Setting of Heritage Assets" published in 2017 (second edition) Historic England provides for a staged approach on taking decisions on setting. Having identified which heritage assets and their settings are affected, it is necessary to assess the degree to which the settings make a contribution to the significance of the heritage assets or allow the significance to be appreciated. The third step is to assess the effects of the development on that significance - whether beneficial or harmful or on the ability to appreciate it. This staged assessment is echoed in the NPPF.

The design and access statement submitted with the application identifies the Deanery, Cobb House, St Mary's church and its listed wall as being affected by the development. The Deanery itself is set back 25-30 metres from the driveway, to the south-west and behind the boundary wall into which the gates are set. This being the case, prior to the installation of these gates there was already restricted visibility of the house from Church Close. Views of the house from within the private gardens encompass the more modern buildings closer to the public highway and the western additions to the building.

St Mary's Church is the central feature of an open and attractive square bounded on three sides by quiet streets set back from the main road running through Bampton. When approaching from Broad Street, Church View opens onto the square, giving views of the northern and eastern flanks of the church and of Church Close beyond. At this point the gates are visible at the far end of Church close, the form of the gates being evident, rather than the material from which they are constructed. It is only as one approaches the southern end of the church and the entrance to Cobb House that it becomes obvious that the gates are made of metal rather than with timber and the rusty colour becomes clearly discernible.

The gates although of a modern material retain a traditional design. Officers consider the main issue is whether the appearance of the less traditional material adversely affects the ability to appreciate the surrounding heritage assets. In this regard, Officers note that it is only when observed up close that it can be seen the gates are not made of timber and this is mainly due to the unexpected colour of the material. It is further noted that corten has a recognised progression of ageing during which the colour darkens becoming more subdued and consistent with the appearance of aged wrought iron. It is considered that since the slightly incongruous "orangey" appearance of the gates is only temporary and will lessen in time, on balance, any impact on the setting of the Deanery is neutral.

Impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in the exercise of its planning functions, an LPA must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this case, Officers consider any incongruity in the

appearance of the gates is observable only in close proximity and is not evident in longer views within the Conservation Area. Moreover, any such incongruity will be of temporary duration so that on balance, the gates have a neutral impact. On this basis, the character and appearance of the Conservation Area is preserved.

Conclusion

The gates are of traditional form despite being made of a relatively unusual material for the manufacture of domestic gates. Nevertheless, Officers are of the view that on balance the gates do not negatively impact on the character or appearance of the grade II* listed Deanery, its setting nor on the character and appearance of the Conservation Area. Accordingly this application is recommended for approval.

6 CONDITIONS

- I. 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.

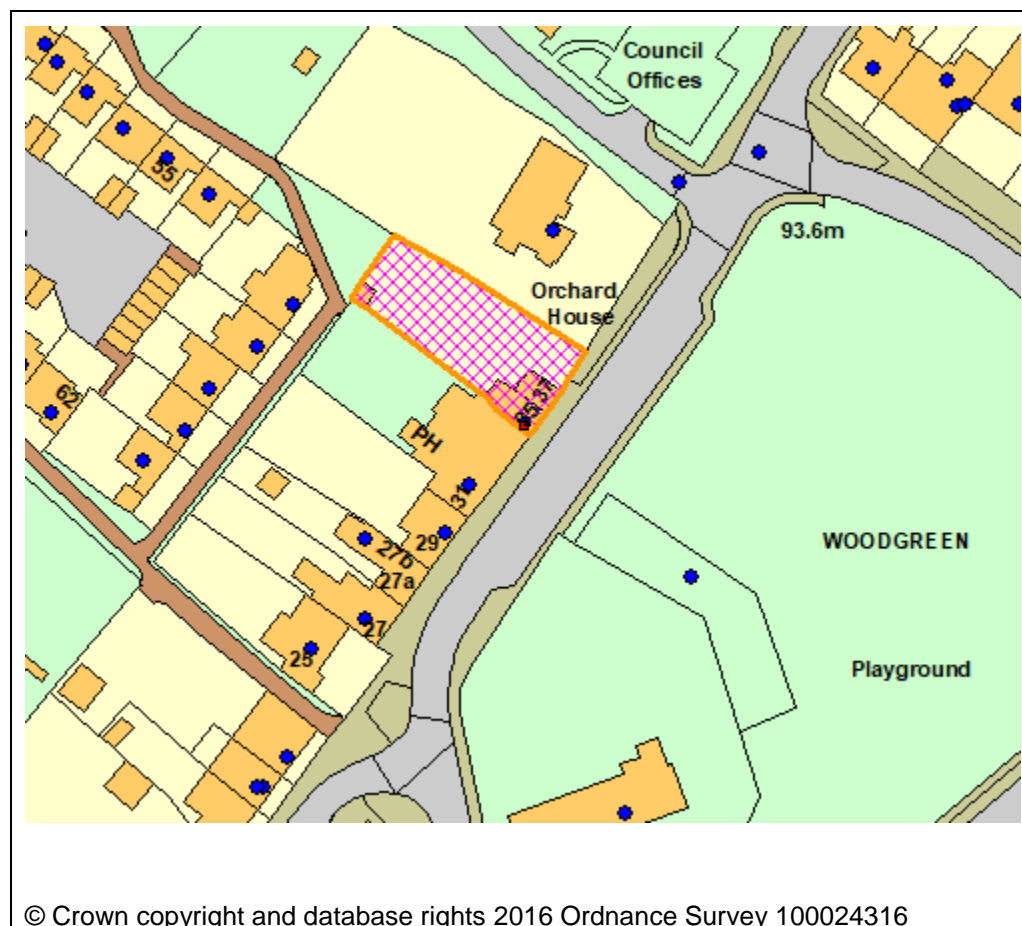
Contact Officer: Kelly Murray

Telephone Number: 01993 861674

Date: 29th September 2021

Application Number	21/02718/HHD
Site Address	35 - 37 Woodgreen Witney Oxfordshire OX28 1DG
Date	29th September 2021
Officer	Hannah Kenyon
Officer Recommendations	Refuse
Parish	Witney Parish Council
Grid Reference	436007 E 210572 N
Committee Date	11th October 2021

Location Map



Application Details:

Single storey rear extension

Applicant Details:

Mr & Mrs Brooker
35 - 37 Woodgreen
Witney
Oxfordshire
OX28 1DG

I CONSULTATIONS

Parish Council Witney Town Council welcomes this new proposal and has no objections. Members note the loss of permeable drainage and would ask that mitigating measures are considered to help decrease the possibility of surface water flooding in this area, in accordance with policy EH7 of the West Oxfordshire Local Plan 2031.

Conservation Officer There are no discernible or substantive evidence of any public benefits relating to this current proposal to outweigh the less than substantial harm caused by this larger-scale extension.

The current proposal fails to respond sympathetically or meaningfully to this Listed Building, it is of an inappropriate scale, obscures and significantly alters the (plan) form and character of the original property; the proposal will compromise the building original character and design. The extension / accumulation of extensions will not remain clearly secondary and subservient to the original property, and through its scale and massing, will result in the primacy of the original property being eroded or lost altogether. The extension / accumulation of extensions nearly doubles the existing footprint, and is not secondary in terms of footprint and volume.

The continued viable use of the property for residential purposes was never dependent on any extension, the building has an ongoing residential use that would not cease in its absence - so its optimum viable use was and is not at risk.

Given the above and in the absence of any significant public benefit, I conclude that the current proposal would fail to preserve the special historic, architectural and evidential interest of the listed building. It is contrary to legislation and policies EH9, EH10, EH11, EH12, and OS4. Also, WODC Design Guidance Sections 7 and 14, and NPPF Section 16 and Witney and Cogges Conservation Area Appraisal.

2 REPRESENTATIONS

2.1 No third party representations have been received.

3 APPLICANT'S CASE

3.1 The conclusion of the Heritage, Design and Access Statement is as follows:

In conclusion the proposed extension is to the rear of the property. The reasons for listing of the property and the important views within the conservation area are all due to the front of the house. As established in appendix A below the proposed extensions although larger than the extension approved it still will not be visible from the important views within the conservation areas. The extension is in line with the council's policies as it is

appropriately designed and subservient to the existing property and so not adversely affecting the listed building and its reasons for being listed.

4 PLANNING POLICIES

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH12 Traditional Buildings

NPPF 2021

DESGUI West Oxfordshire Design Guide

EH9 Historic environment

EH10 Conservation areas

EH11 Listed buildings

EH12 Traditional buildings

OS4 High quality design

WODC Design Guidance Sections 7 and 14

NPPF 2021 Section 16

Witney and Cogges Conservation Area Appraisal

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

5 PLANNING ASSESSMENT

Background information

5.1 The application is to be heard before the Lowlands Planning Sub-Committee because officers are minded to refuse the application; however, Councillor Prosser has requested that it is considered at Committee. As Councillor Prosser stated in an email dated 9th September 2021:

I support the application as I believe it is in line with the relevant policies within the West Oxfordshire Local Plan 203, including policies OS4, EH9 and EH11

5.2 The proposal seeks consent for a single storey rear extension. Part of the proposed extension will be heavily glazed and have a flat roof. The proposed utility room will be more solid in appearance.

5.3 The application site relates to 35-37 Woodgreen, Witney. It is Listed Building within the Witney and Cogges Conservation Area.

5.4 Relevant planning history:

- Listed Building Consent Ref. No: 21/01613/LBC - Single storey rear extension - Approved 15th July 2021.
- Planning application Ref. No: 21/01612/HHD - Single storey rear extension - Approved 15th July 2021.
- Planning application Ref. No: W2003/1469 - External alterations to replace existing willow gates with two metre high wooden gates to front access - Approved 8th September 2003.
- Planning application Ref No. W2003/1468 - Alterations to replace existing willow gates with two metre high wooden gates to front access - Approved 8th September 2003.
- Prior approval Ref. No: W97/0769 - Erection of equipment cabinets - Prior Approval Approved 12th June 1997.
- Planning application Ref. No: W94/0039 - Part demolition of boundary wall fronting new yatt road - Withdrawn.

- Planning application Ref. No: W94/0038 - Part demolition of boundary wall fronting new yatt road - approved 28th March 1994.
- Planning application Ref. No: W94/0037 - Erection of timber 5 bar gate - Approved 28th March 1994.
- Planning Application Ref. No: W93/1496 - Demolition of existing chimney & buildings to rear of dwelling & erection of single storey rear extension to form kitchen internal & external alterations - Approved 14th January 1994.
- Planning application Ref. No: W93/1298 - External alterations to include reroofing & replacement gutters formation of two roof lights on rear elevation - Approved 24th November 1993.

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

- Principle
- Impact on the Listed Building and the Conservation Area
- Neighbouring amenity

Principle

5.6 This application seeks permission for the erection of a single storey, rear extension within the residential curtilage of an existing dwelling. The principle of development is therefore acceptable subject to design, amenity and heritage impact being carefully considered against the West Oxfordshire Local Plan; the relevant paragraphs of the NPPF; West Oxfordshire Design Guide; and the Witney and Cogges Conservation Area Appraisal.

Impact on the Listed Building and Conservation Area

5.7 As the site is within the curtilage of a listed building, Officers are required to take account of section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant 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. In this regard the overall scale and design of the proposed extension is considered to be unsympathetic to the character and appearance of the listed building. The extension approved in July was smaller in scale and subservient to the original building, minimising the impact on the heritage assets.

5.8 The current proposal is an inappropriately larger-scale extension that is not subservient and almost doubles the footprint (and alters its plan-form) of this listed building - the scale of this extension will have a deleterious impact on this listed building and is contrary to Local Plan policies. There is no clear and convincing justification that outweighs the harm of this expansive extension added to the diminutive cottage plan-form.

5.9 There are no discernible or substantive evidence of any public benefits relating to this current proposal to outweigh the less than substantial harm caused by this larger-scale extension.

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. In this regard the proposed

extension is largely screened from the wider conservation area and it is not considered that it would have a detrimental impact on its character or appearance.

Neighbour amenity

5.11 The proposed extension is single storey and therefore would not give rise to neighbouring residential amenity issues such as overlooking, loss of privacy, loss of light or the feeling of overbearing. The proposed roof light on the utility room might enable the residents to view the first floor of the neighbouring property at an angle; and for the neighbours to look down into the utility room; however this would not create a significant privacy issue.

5.12 No objections have been received from neighbours and or the Parish Council at the time of writing.

Conclusion

5.13 In light of the above assessment, the proposed development is contrary to West Oxfordshire Local Plan 2031 policies EH9, EH10, EH11, EH12, and OS4; NPPF 2021 Section 16; WODC Design Guidance Sections 7 and 14; and Witney and Cogges Conservation Area Appraisal.

6 REASON FOR REFUSAL

- I. By reason of its scale and massing, the proposed development will result in the primacy of the original property being eroded or lost altogether and would fail to preserve the special historic, architectural and evidential interest of the listed building. It is contrary to West Oxfordshire Local Plan policies EH9, EH10, EH11, EH12, and OS4; NPPF Section 16; West Oxfordshire Design Guide sections 7 and 14; NPPF Section 16; and Witney and Cogges Conservation Area Appraisal.

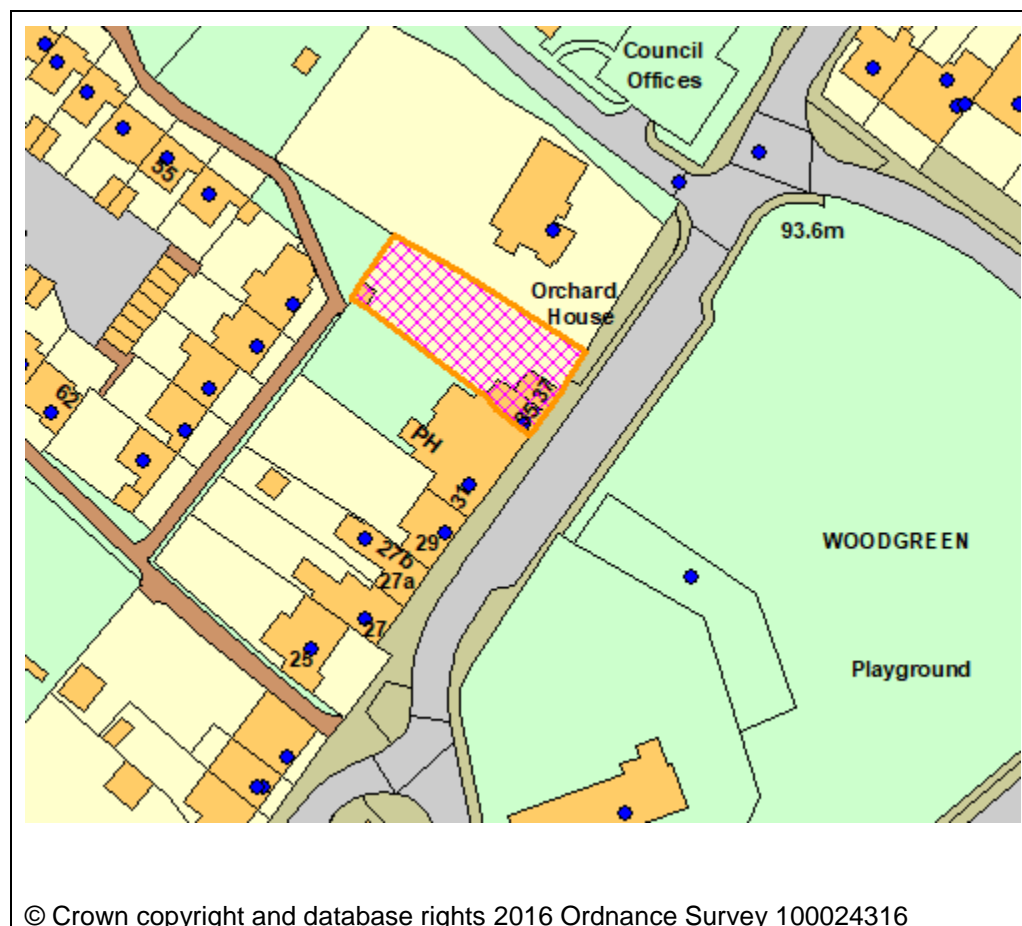
Contact Officer: Hannah Kenyon

Telephone Number: 01993 861407

Date: 29th September 2021

Application Number	21/02719/LBC
Site Address	35 - 37 Woodgreen Witney Oxfordshire OX28 1DG
Date	29th September 2021
Officer	Hannah Kenyon
Officer Recommendations	Refuse
Parish	Witney Parish Council
Grid Reference	436007 E 210572 N
Committee Date	11th October 2021

Location Map



Application Details:

Single storey rear extension

Applicant Details:

Mr & Mrs Brooker
35 - 37 Woodgreen
Witney
Oxfordshire
OX28 1DG

I CONSULTATIONS

Conservation Officer There are no discernible or substantive evidence of any public benefits relating to this current proposal to outweigh the less than substantial harm caused by this larger-scale extension.

The current proposal fails to respond sympathetically or meaningfully to this Listed Building, it is of an inappropriate scale, obscures and significantly alters the (plan) form and character of the original property; the proposal will compromise the building original character and design. The extension / accumulation of extensions will not remain clearly secondary and subservient to the original property, and through its scale and massing, will result in the primacy of the original property being eroded or lost altogether. The extension / accumulation of extensions nearly doubles the existing footprint, and is not secondary in terms of footprint and volume.

The continued viable use of the property for residential purposes was never dependent on any extension, the building has an ongoing residential use that would not cease in its absence - so its optimum viable use was and is not at risk.

Given the above and in the absence of any significant public benefit, I conclude that the current proposal would fail to preserve the special historic, architectural and evidential interest of the listed building. It is contrary to legislation and policies EH9, EH10, EH11, EH12, and OS4. Also, WODC Design Guidance Sections 7 and 14, and NPPF Section 16 and Witney and Cogges Conservation Area Appraisal.

Parish Council Mrs S Groth Witney Town Council welcomes this new proposal and has no objections. Members note the loss of permeable drainage and would ask that mitigating measures are considered to help decrease the possibility of surface water flooding in this area, in accordance with policy EH7 of the West Oxfordshire Local Plan 2031.

2 REPRESENTATIONS

2.1 No third party representations received

3 APPLICANT'S CASE

3.1 The conclusion of the Heritage, Design and Access Statement is as follows:

In conclusion the proposed extension is to the rear of the property. The reasons for listing of the property and the important views within the conservation area are all due to the front of the house. As established in appendix A below the proposed extensions although larger than the extension approved it still will not be visible from the

important views within the conservation areas. The extension is in line with the council's policies as it is appropriately designed and subservient to the existing property and so not adversely affecting the listed building and its reasons for being listed.

4 PLANNING POLICIES

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH10 Conservation Areas

NPPF 2021

DESGUI West Oxfordshire Design Guide

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

PLANNING ASSESSMENT

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- Impact on the Listed Building and the Conservation Area
- Neighbouring amenity

Principle

5.6 This application seeks permission for the erection of a single storey, rear extension within the residential curtilage of an existing dwelling. The principle of development is therefore acceptable subject to design, amenity and heritage impact being carefully considered against the West Oxfordshire Local Plan; the relevant paragraphs of the NPPF; West Oxfordshire Design Guide; and the Witney and Cogges Conservation Area Appraisal.

Impact on the Listed Building and Conservation Area

5.7 As the site is within the curtilage of a listed building, Officers are required to take account of section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant 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. In this regard the overall scale and design of the proposed extension is considered to be unsympathetic to the character and appearance of the listed building. The extension approved in July was smaller in scale and subservient to the original building, minimising the impact on the heritage assets.

5.8 The current proposal is an inappropriately larger-scale extension that is not subservient and almost doubles the footprint (and alters its plan-form) of this listed building - the scale of this extension will have a deleterious impact on this listed building and is contrary to Local Plan policies. There is no clear and convincing justification that outweighs the harm of this expansive extension added to the diminutive cottage plan-form.

5.9 There are no discernible or substantive evidence of any public benefits relating to this current proposal to outweigh the less than substantial harm caused by this larger-scale extension.

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. In this regard the proposed extension is largely screened from the wider conservation area and it is not considered that it would have a detrimental impact on its character or appearance.

Conclusion

5.11 In light of the above assessment, the proposed development is considered to be contrary to West Oxfordshire Local Plan 2031 policies EH9, EH10, EH11, EH12, and OS4; NPPF 2021 Section 16; WODC Design Guidance Sections 7 and 14; and Witney and Cogges Conservation Area Appraisal.

6 REASON FOR REFUSAL

- I. By reason of its scale and massing, the proposed development will result in the primacy of the original property being eroded or lost altogether and would fail to preserve the special historic, architectural and evidential interest of the listed building. It is contrary to West Oxfordshire Local Plan policies EH9, EH10, EH11, EH12, and OS4; NPPF Section 16; West Oxfordshire Design Guide sections 7 and 14; NPPF Section 16; and Witney and Cogges Conservation Area Appraisal.

Contact Officer: Hannah Kenyon

Telephone Number: 01993 861407

Date: 29th September 2021