

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 10th January 2022**

### REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



WEST OXFORDSHIRE  
DISTRICT COUNCIL

**Purpose:**

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

**Recommendations:**

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

***List of Background Papers***

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

Please note that:

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

**Page**  
11 - 32

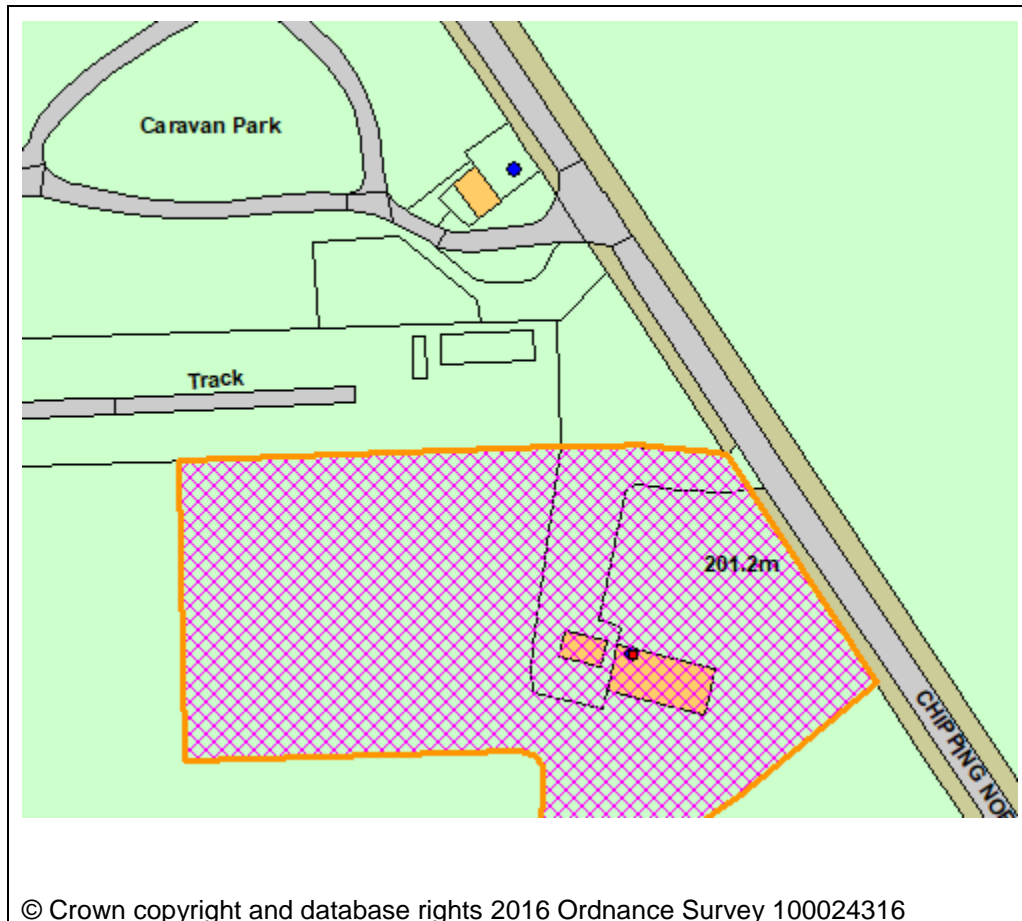
**Application Number**  
21/03159/FUL

**Address**  
Diddly Squat Farm Shop  
Chipping Norton Road  
Chadlington

**Officer**  
Joan Desmond

Application Number	21/03159/FUL
Site Address	Diddly Squat Farm Shop Chipping Norton Road Chadlington Oxfordshire OX7 3PE
Date	22nd December 2021
Officer	Joan Desmond
Officer Recommendations	Refuse
Parish	Chadlington Parish Council
Grid Reference	431623 E 224293 N
Committee Date	10th January 2022

### Location Map



### Application Details:

Conversion of existing building to create a cafe/restaurant together with associated landscaping works and provision of parking. Creation of a new access; realignment of the existing access and new storage compound.

**Applicant Details:**

Diddly Squat Farm Shop Site  
Chipping Norton Road  
Chadlington  
Oxon  
OX7 3PE

**I CONSULTATIONS**

Parish Council      This Planning Application has proved to be extremely divisive within the village of Chadlington. Comments on the application have been expressed at a Special Parish Council Meeting, made verbally, in writing to Councillors, and placed on the WODC Planning web site. There are many who hold very real concerns regarding this proposal and wish to object. However, there are also those who support this planning application. In view of the opposing issues and views expressed by parishioners, the Parish Council is obliged to represent the full extent of these to WODC in making Chadlington Parish Council's comment regarding this application. A summary of the appropriate issues raised by members of the public are outlined below. These have been split into the two groups; those objecting to the Planning Application and those in support of the Planning Application. We ask that these be given careful consideration by WODC in arriving at their decision on this application.

Chadlington Parish Council held a public meeting on 8 November 2021 to decide on whether to 'object' or 'neither object nor support' the proposed development, but the vote was inconclusive.

As this application has been so divisive and contentious we request that the decision is not delegated, but is referred to the Full Planning Committee for consideration.

**Those Objecting to the Planning Application**

The list below attempts to encapsulate the issues and concerns of those objecting to this planning application.. Many of these issues are also raised in comments made by individuals on the WODC website for this application and consequently are only summarised below.

1. This development will create further erosion of the tranquility and would have a significant environmental impact within the Cotswold AONB. In addition, it would significantly increase the numbers visiting the site, leading to more chaos and disruption.
2. This development is on a wholly unsuitable site for the proposed use. The intended development is outside the settlement in a highly visible upland location and is not 'commensurate with the scale of the settlement and character of the area'.
3. The development will introduce an incongruous urban use with car parking and external paraphernalia and will likely urbanise the open agricultural landscape in what is a vulnerable edge of AONB: an

objective of AONB is to achieve tranquility within the area - see Policy EH1 and para 8.3.

4. The construction of an agricultural building should not be used as a device to obtain a café in an agricultural building in an unsustainable location outside a village, especially if it is in a highly visible upland location in the AONB attracting large numbers of car visitors. A café would never have been granted planning permission if it had it been applied for at the outset.
5. This development will be seen from the other side of the valley, not just the 2km considered in the Landscape & Visual Impact Assessment submitted on behalf of the applicant.
6. There is likely to be considerable light pollution emanating from the considerable area of westward facing picture windows proposed, which will also reflect sunlight. In addition, the Thames Valley Police submission makes several suggestions regarding the levels of external lighting that would be needed to address safety concerns this would further add to this light pollution.
7. The activity created by car parking and movement, especially after dark with lights on buildings, access ways, car parks and headlights of cars manoeuvring in the car park and on the access road will be particularly intrusive in the landscape, this being within an area where Policy EH 2 is to maintain and improve "Tranquillity and Dark Skies" in Special Landscape Policy Areas
8. A permanent car park for up to 70 cars is proposed, but this is unlikely to be sufficient to cope with the numbers required for the shop and a restaurant. OCC Highways have counted up to 400 cars on site for the Farm Shop alone. The Planning Statement says that 'numbers of visitors to the site will be limited to a certain extent by the parking available', but does not explain how.
9. An overflow car park is indicated on the plans, which would further damage the beauty of the AONB and this should not be permitted. Visitor numbers should be limited in order that the car park space is not exceeded and a booking system should be made a requirement. No field is suitable as a car park for more than temporary, or intermittent, use, neither of which are the case here.
10. There is currently a considerable problem with mud carried onto the Chipping Norton road by vehicles leaving the site in bad weather and the possibility exists that this could continue. The proposed hard core surfacing of the car park is unlikely to overcome this problem.
11. There is already a problem with traffic to and from this site causing congestion and this will be made worse and further erode what is supposed to be a tranquil area of AONB.
12. The OCC response to the development objects to the application due to a lack of detail on the proposed access arrangement for the site and the need for a Transport Statement.
13. Visitor numbers were woefully underestimated in the past and the prospect of a large restaurant can only make matters worse.
14. No provision for waste, waste water and foul drainage has been made in this application. Two public toilets, accessed from within the café, will be woefully inadequate.

15. Concerns regarding the contravention of Planning Policies OS2, E2, E3, EH1, EH2 and the NPPF have been raised.

#### Those In Support of the Planning Application

The list below attempts to encapsulate the views of those made in support of this application.

1. The site is in an ideal location and provides a venue for local people to take advantage of the landscape and enjoy time with family and friends.
2. The site is well away from the village and will have little impact on the residents.
3. There would be increased local employment.
4. The business of three of the local shops and pub have improved as a result of the visitors to the Farm Shop.
5. This development supports farm diversity where sustainable employment and farm security are achieved.
6. Some parishioners were in favour of the development, but did not give a reason for this.

Cotswolds  
Conservation  
Board

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape. The Board recommends that in fulfilling this duty the LPA should (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account relevant Board publications.

A key consideration should be the potential impact of the light that would be emitted through the extensive area of glazing on the south elevation of the café / restaurant during non-daylight hours. This lighting would introduce a lit element into what would otherwise be a relatively dark night-time landscape. This lighting / lit element would potentially be seen from the south side of the Evenlode Valley (for example, by people using the B4437) and beyond. The Cotswolds AONB Landscape Strategy & Guidelines for LCT 9 (Section 9.2) identifies the Introduction of lit elements to characteristically dark landscapes as a potential (adverse) implication for isolated development such as this. The guidelines seek to conserve areas of dark skies, with these dark skies being one of the special qualities of the Cotswolds National Landscape. This is particularly important in an area with relatively low levels of light pollution such as this. As such, the introduction of lit elements would not be compatible with this guidance or, by extension, with the policies of the Cotswolds AONB Management Plan, for example, Policies CE5 (Dark Skies) and CE10 (Development & Transport Principles).

Without prejudice, if the local authority is minded to grant planning permission, we recommend that planning conditions should be imposed which seek to mitigate this adverse impact. For example, the planning conditions should:

- require the roller shutters on the south-facing glazing to be closed during hours of darkness;

- require external lighting to be avoided / minimised, particularly on the south side of the café / restaurant; and set a curfew by which time all lighting on the site should be turned off (for example, 11pm to 7am).

The severe traffic congestion that has occurred during the opening hours of the adjacent Diddly Squat farm shop has been well publicised. This level of traffic is not appropriate in an Area of Outstanding Natural Beauty (AONB), such as the Cotswolds National Landscape, especially given that one of the special qualities of the area is its relative tranquility. The provision of an on-site café / restaurant could potentially exacerbate this issue by providing an additional reason for people to visit the site.

Without prejudice, if the local authority is minded to grant planning permissions, we recommend that planning conditions should be imposed which seek to mitigate this adverse impact. For example, the café / restaurant should only be open to customers who have pre-booked (prior to arriving at the site).

Thames Valley  
Police-Crime  
Prevention  
Design Advisor

I have reviewed the submitted documents and crime statistics for the local area. Whilst I do not wish to object to the proposals, I have some concerns where detail is lacking in the application, and ask that further information is provided prior to permission being granted. It is to be expected that this site may well generate significant interest, and due to its isolated rural location I have concerns that it may be vulnerable to crime and antisocial behaviour. With this in mind I make the following comments to support the applicant in creating a development which is as safe and secure as possible.

Currently I do not feel this application adequately considers the potential for crime and disorder, and I recommend that the applicants provide a Crime Prevention and Security Statement which shall have regard to the relevant guidance. This statement should be submitted to the local planning authority and approved in writing prior to permission being granted.

Ecologist

General comments

This site has previous planning consent for the construction of a lambing shed, farm shop and associated car parking and landscaping. Previous comments focused on the biodiversity enhancements that would be provided, including new native hedgerow planting and integrated bird and bat boxes, and the need for a sensitive lighting design strategy.

As long as the existing hedgerows and linear woodland belts are retained, I confirm that no updated biodiversity assessment is required.

The existing buildings (recently built following previous planning approvals) are new, modern agricultural buildings with minimal potential for roosting bats or nesting birds. The conversion of the existing lambing shed for use as a café is therefore unlikely to result in biodiversity harm.

The extension of the car park from 10 to 70 spaces would result in the loss of additional area of arable habitat, but this has minimal biodiversity value (assumed in the absence of a biodiversity report) and the proposed landscaping scheme offers an opportunity for enhancement that would benefit biodiversity.

Only the Landscape and Visual Impact Assessment report specifically mentions biodiversity with regard to Local Plan Policy EH3. This report describes the site as follows (section 4.3): "Within the site there are grassed areas divided by newly planted hedges, hardcore access track, parking and path areas, surrounded by arable fields to the south and west. There is a small pond to the south of the farm shop. A hedgerow with intermittent hedgerow trees runs south southwest, away from the site, and divides the arable fields to the south. To the east, the site boundary adjacent to Chipping Norton Road is a low stone wall with a section of newly planted hedge within the site and occasional hawthorn and bramble. To the north, the boundary with Chipping Norton Camping and Caravanning Club site consists of a tall dense hedgerow backed by mixed broadleaved and occasional conifer trees."

Section 5.3.2 of the LVIA refers to the proposed landscape mitigation planting as follows: "The landscape mitigation planting proposed along the site boundaries will connect the existing hedgerows and treebelt providing a corridor for wildlife along new areas of native hedgerow. The hedgerow shrubs and trees will also provide some screening to mitigate potential visual impacts associated with the development. Landscape mitigation proposals are shown in Figure 2 Site Layout and Landscape Proposals drawing number P885-L-01A. The planting areas referenced in brackets in the following descriptions are shown on the Planting Proposals Plan drawing number P885-L-02. Planting specifications and species mixes are listed in Appendix B."

Flower-rich grassed areas using a mix of wildflowers and grasses would also be established along the base of the hedgerows around the car park and along the eastern boundary (section 5.3.3 of the LVIA), a flower-rich field margin would be created to form a buffer between the farm shop café and the arable crop in the remainder of the field to the south, and a wetland and pond edge mix would also be introduced to the margins of the existing (newly created) pond south of the farm shop to enhance its biodiversity value.

I therefore confirm that I have no biodiversity objection to the proposed development, which will provide some biodiversity enhancements in association with the proposed site layout shown in Figure 2 of the LVIA report, the landscape proposals (P885-L-01C) and the planting proposals (P885-L-02A) drawings. The implementation of the landscaping proposed should be secured as a condition of planning consent, if minded to approve the application.

I recommend that the proposals should be expanded to incorporate species-specific measures such as bird and bat boxes, which are not currently shown on the landscaping drawings. Bird and bat boxes installed externally onto the buildings would be required, as the construction materials of these buildings are not suitable for integrated boxes. Details could be submitted as a condition of planning consent.



I also recommend that a Biodiversity Management Plan should be submitted for approval to secure the appropriate maintenance of the habitats within the site, particularly the hedgerows, wildflower meadow areas and pond, as a condition of planning consent.

Parish Council            No Comment Received.

Ecologist                 No Comment Received.

Major Planning Applications Team            14.12.21  
Transport - No objection subject to highway condition relating to the provision of access and parking facilities.

Thames Valley Police-Crime Prevention Design Advisor            I have reviewed the additional information provided, and am pleased to see that improvements have been made to the design in terms of access, cycle parking and bin stores. I have still been unable to identify any external provisions for lighting, without which I am unfortunately unable to support the application. Lighting should not only be provided for wayfinding, but also help to prevent the site attracting those intent on vehicle related crime. Staff and customers should be able to move safely between the shop/restaurant and parking facilities with the ability to clearly survey the area ahead. The positioning of the two disabled spaces within the main car park adds importance when considering the terrain and lighting for safe movement. The lighting scheme should complement the CCTV scheme proposed, and to support this aim an operational requirement assessment should be completed to identify the positioning of the cameras as well as the lighting lux level required for good image capture. I am pleased to see the access arrangements to the site appear to have been improved. In order to protect the site and reduce the risk of unauthorised access outside of opening hours, I recommend the gates to the site are relocated from the car park entrance to the proposed entrance and exit points, in line with the existing stone wall boundary. Additionally, there is still insufficient detail within this application relating to building security, as mentioned previously.

Major Planning Applications Team            7.10.21  
OCC Transport - Recommendation:  
Objection for the following reasons:

- The application lacks details on the proposed access arrangement for the site and car park from Chipping Norton Road.
- Given the unique circumstances of this application and the popularity of the site, I consider that a Transport Statement should be submitted in support of the application to set out how car parking demand will be managed and how any local traffic impacts arising from the development are to be mitigated.

LLFA - Recommend drainage conditions.

Archaeology - Recommend conditions.

WODC Drainage Engineers No objection subject to drainage condition.

WODC Env Health - Uplands No objection subject to noise, odour and land contamination conditions. Mr ERS Pollution Consultation Thank you for consulting our team, this is a combined response in relation to air quality, noise and contaminated land.

#### Air Quality and Noise

A site visit has not been undertaken. The application may be acceptable in principle subject to two conditions:

I. Equipment shall be installed to suppress and disperse fumes and/or smell produced by cooking and food preparation and noise from the equipment, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

II. The use hereby permitted shall not be commenced until the equipment detailed in the application particulars to discharge odours and fumes and suppress noise from the cooking process, shall have been installed and be in full working order to the satisfaction of the Local Planning Authority

#### Contaminated Land

Review of the records we hold indicate that the land to the north west of the site has previous been used as a quarry and may contain filled ground, in addition there is an area of military land adjacent to the north west corner of the site. Please consider adding the following condition to any grant of permission.

1. No development shall take place until a desk study and if required a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins
2. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved

timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

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

WODC Business  
Development

I have reviewed the planning statement and the business plan submitted with the application. I have also had the benefit of reviewing further confidential farm business information submitted by the applicant which included actual figures showing past performance and budgets showing future profitability incorporating the planned diversification. My comments below are from the business and economic development perspective.

The current Basic Payment Scheme (BPS) of farm subsidies is being phased out to be replaced by a new Environmental Land Management Scheme (ELMS). There is a delay between the phasing out of BPS and the start of ELMS which is a cause for concern for all farmers and it is extremely unlikely that subsidy payments from ELMS, when it does start, will match those of the BPS. All farm businesses should be looking at how they can maximise their income, both from their own produce and any other available assets, to mitigate this subsidy reduction.

The sheep enterprise was introduced to make use of permanent grazing land and also to improve the sustainability of the farm by creating a break in the continuous arable rotation and increasing the soil fertility. The application for the lambing shed was accompanied by a business plan setting out a valid case for the enterprise.

In reviewing the flock's actual performance it became clear that to make a significant contribution to the business, a larger flock was required to cover the labour costs. Merging flocks with another local farmer benefits both farming businesses through economies of scale and shared fixed costs. It is a sensible option for both businesses but does make the lambing barn at Diddly Squat redundant for its original purpose.

Diddly Squat Farm's approach to mitigating the reduction in subsidy income is to maximise the value of the farm produce before it leaves the business. This is

a standard and sensible approach to improving farm business profitability. The farm cropping plan has been adapted to maximise the opportunities for this with varieties chosen for suitability for milling, baking, brewing, pressing etc. Local processors are used where possible to help support a local 'circular' economy.

The farm shop has proven to be a successful outlet for produce grown on the farm. There are obviously exceptional circumstances in terms of customer numbers due to the success of the applicant's associated television series but even discounting that, the farm shop outlet was a sensible and successful business decision to increase the margins of the existing farm enterprises.

The cooking and serving of food using farm produce is the final opportunity to add value and increase enterprise margins. The opening of a café / restaurant, in this case using a building that the applicant has demonstrated is no longer needed for its original purpose, facilitates a practical way to achieve this.

In addition to supporting the long term viability of the farm business, the shop and proposed café/restaurant have wider benefits in the local rural economy. The business uses a large number of local producers to supplement the stock and local processors to turn core farm produce into saleable food. The farm shop has created 10 full time equivalent jobs which provide flexible part-time employment to over 25 local people. The café/restaurant is forecast to double this, again on a flexible basis. In addition, there is anecdotal evidence of other local businesses benefitting from the farm's customers while they are in the area.

In summary, the café/restaurant is a sensible 'next step' in farm diversification to sustain the business by increasing income and mitigating against falling subsidies. At the same time there are benefits to the local economy through the use of local producers and processors along with attracting visitors who spend money with other local businesses in the area.

I support this application from the economic development perspective for the reasons set out above.

## **2 REPRESENTATIONS**

2.1 53 letters of objection have been received, including representations from Solicitor's Leigh Day, a Planning Consultant and a Transport Planning Consultant which are summarised below. A full copy of the representations received can be viewed on the website.

- Highway safety concerns due to increased traffic and congestion and risk to pedestrian safety
- Harmful to Cotswolds AONB
- Damage to wildlife and local ecology
- The 'lambing shed/barn' has not been used for Agricultural purposes, it the year it was built had sheep in it for a very short time only, and this proposal contravenes change of use for an agricultural building as set out in government guidelines that states the length of time they have been used as such.

- To the extent that the proposed development would allow the applicant to continue with uses of the farm which are not in accordance with the government's new subsidy scheme, that would frustrate the environmental benefits of the scheme, which would be a material planning consideration weighing against the grant of planning permission.
- A restaurant / café of 50 covers cannot possibly be intended to support the viable use of the farm. What is proposed is instead to create a freestanding restaurant which happens to be located on an (arable) farm.
- It is apparent that the "agricultural" building which the applicant constructed last year has never been intended to support the wider farming operations of "Diddly Squat Farm". Its purpose was as a filming location, and now a restaurant.
- The claim that the proposal will include only 50 covers is implausible. The applicant has made a separate application for Building Regulations approval for a café seating 150 covers. We do not know why the applicant has indicated a different number of covers in the planning statement, but it may be that the intention is to underplay the impacts of the proposed development.
- The proposals are not consistent with the scale of the farming operation. It will not be possible for a farm the size of Diddly Squat to support a restaurant / café of that proposed, even if limited to 50 covers only.
- The scale of the proposed restaurant / café is inappropriate in the rural location of the application site. It will generate a significant amount of traffic, both from customers and from servicing vehicles, which will entail an unacceptable level of noise and pollution, again even if limited to 50 covers only.
- The scale of the proposed car park is on its own inappropriate in a rural location in the AONB. The cars in the car park will have a detrimental
- effect on the landscape and scenic beauty of the AONB
- It would be entirely appropriate in circumstances such as these for the council to conclude that the proposals amount to "major development",
- In light of the significant impacts which the development will entail. That would imply that planning permission should be refused, given that
- None of the exceptional circumstances in NPPF 177 is applicable.
- Notwithstanding the above, even if the council concludes that the development is not "major development" for these purposes, great weight must be given to the harm which the development would entail to the landscape and scenic beauty of the AONB, in accordance with NPPF 176.
- Conditions recommended if permission is granted.
- Ruinous to rural peace and quiet of the area
- If granted it will set a dangerous precedent and trample over the policies designed to support genuine agricultural activities as well as the policies put in place to preserve the AONB and the nature and character of the Cotswolds.
- Noise, light, air and environmental pollution (fumes and litter)
- Conflict with planning policy
- Inadequate parking provision
- The atmosphere and tranquillity of the village is being ruined
- Will damage local businesses
- I understand the point about creating jobs but a search of the internet shows more than twenty unfulfilled local vacancies so this is not relevant.
- And cafes it will damage these businesses.
- Business Plan inadequate

- Proposals demonstrably fail to meet the necessary Policy requirements at T1 and T3 of the adopted local plan and of NPPF Paragraph 85, 110 and 111. The application should therefore be refused.
- Adjoining caravan site now blighted
- Mud on road causing skid hazard
- If WODC proceeds without sufficient evidence reserve the right to bring a claim for a judicial review of any decisions made.
- Bare minimum of facilities being provided (toilet facilities)
- It is a shameful manipulation and exploitation of peoples' differing needs which has already brought splitting and disturbance to the mental health in the village. Not everything is about enjoyment making money and eating. Space and beauty is also a legitimate vital component to peace of mind and mental health.
- Query benefits to local economy and competition to local businesses
- Query sustainability of the Business Model
- Traffic count in Transport Statement is unrepresentative
- New car park will do little to alleviate traffic

## 2.2 12 Letters of support are summarised as follows:

- Whilst the potential of building such grounds in an ecologically rich area poses potential risks to local wildlife, the building of sufficient parking for the numerous customers has far more benefits as the ecology may improve. The current parking lot is unobtrusive and subtle, with minimum impact on the environment. To continue in this style would be optimal.
- Suggest that the car park is restricted to 20 cars (which any normal farm shop would be happy with) and the applicant charged with the cost of dealing with the traffic chaos that will ensue.
- Will have little impact on the residents.
- Given sensitive architectural and landscaping provision it may well become an asset to the Cotswold Area of Outstanding Natural Beauty.
- Many residents positively look forward to the addition of a restaurant to the local amenities. This has been expressed at recent village meetings and should be taken into account when the application is being considered.
- Work in two of the local shops in Chadlington and our business has improved, because of the visitors to the shop. Will also be good for the jobs it will bring to the area.
- Would welcome it as an improvement to services available in the area.
- Support farm diversity where sustainable employment and farm security are achieved
- Chadlington is a working village and new initiatives should be encouraged.
- It raises the profile of the village.
- Provision of a venue for both visitors and local people.
- Given the remoteness of location and there being a set number of covers a restaurant can manage at any point in time, all objections regarding increased traffic are a fallacy. With use of on line reservations, a change of use to a restaurant will regularise visitors and be a positive to those concerned a chance of use will increase disruption. This is a positive change bringing additional employment to the area, along with knock on positive economic stimulus to the town of Chipping Norton.
- The separate access and exit routes onto the highway will very much improve the existing layout and the hardcore surface to the parking area will enable visitors to park in the carpark even in the bad weather. That along with the landscaping and planting will make this an even more beautiful spot to visit.

- Parking problems on road and on the verges would be negated given these applications proposals to improve the entry and exit from the site and providing a hardcore parking area so visitors will not get stuck in the bad weather

### 2.3 CPRE West Oxfordshire objects on the following grounds:

#### Landscape and Dark Skies

The site of the lambing shed is on prominent high ground and despite its detrimental impact to the open countryside of West Oxfordshire and the Cotswolds AONB, it was permitted in 2020 under Policy E2 in support of a viable farm business and remained compatible with the farm's operation and countryside location. However, any change in use to a restaurant/café would be a major incursion within this protected area and spoil the rural nature of the Upper Evenlode Valley.

West Oxfordshire District Local Plan states that "great weight will be given to the conservation of the area's landscape and scenic beauty [and] special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley Project, the Windrush in Witney Project Area and the Wychwood Project Area." This site is within the Wychwood Project Area and very close to the Conservation Target Area which includes Chadlington. The building is in such a prominent site the Landscape and Visual Impact Statement acknowledges that it will initially be high visibility until at least 15 years when the trees and hedging have matured. The Bury Hill footpath across the fields would have strong visibility of the site. Even after years have elapsed the restaurant's impact on the landscape remains subjective and we assess it would still be detrimental to the surrounding countryside, possibly long after the initial fervour of the TV programme has elapsed.

While we appreciate the application stated that 'no additional external lighting is proposed in the design. This will avoid issues due to light spill and mitigate the effect of sky glow on dark skies (LVIA p.24) we are concerned that for reasons of security there will, in the end, have to be lighting as recommended by Thames Valley Police and for insurance purposes. Any lighting would spill out for miles and spoil the setting of the Evenlode valley at night. While not mandated to do so, the LVIA has not assessed the impact from further afield, particularly from the Burford - Charlbury B4437 road, a beautiful stretch of road contouring the valley and with direct view of the site, albeit 3km away. The accumulative effect of large new isolated houses and recent developments in The Wychwoods have already had a detrimental impact to the valley, particularly at night. Another prominently positioned building is not desirable and would add to the problem of light pollution.

#### Tranquillity

Peace and tranquillity of this protected area is paramount and increased and unsustainable use of cars, noise and pollution has not been adequately addressed in the application. Added to this is the fact that the site is on an unclassified rural road ending at a narrow junction onto the A361. Highways should be consulted on the viability and safety of the ingress and egress for a considerable amount of increased traffic.

In conclusion, we assess this high-profile application to be a direct challenge to the peace, tranquillity and peaceful rural landscape of West Oxfordshire and the Cotswolds AONB. Annually tourists already flock to this area in high numbers which supports our small villages and their amenities, and we urge WODC to refuse the change of use.

- 2.4 Counsel Opinion has also been sought from a neighbouring resident which summarises that 'I am of the opinion that at present the Council does not have sufficient information lawfully to determine the Application. A decision to approve the Application on the basis of the submitted documentation would be vulnerable to a claim for judicial review.'

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

- 3.1 The application has been supported with a Planning Statement that concludes:

The application proposes the re-use of an under-utilised lambing shed to diversify further the farming business and complement the farming business and existing farm shop, by providing a new outlet for farm produce in the form of a café / restaurant. In doing so the proposal also seeks to improve the parking provision at the site, to formalise the temporary parking that occurs on the adjacent field and ensure there is in future no parking on the adjacent public highway and that the safety of users of the highway is secured. The proposals are accompanied by a Farm Business Plan which demonstrates that the proposals would be farm diversification and that they would support the core farming business, which is faced with a significant drop in income up to 2028. The proposals are also supported by a Landscape and Visual Impact Assessment which carefully considers the impact of the proposals on the natural and scenic beauty of the area and which proposes appropriate mitigating planting. The proposals support an existing rural business which in itself is important in maintaining the inherent character and scenic beauty of the landscape.

National and Local Planning Policies support the re-use of under-utilised rural buildings for new employment generating uses which support existing land based rural businesses. These proposals accord with the provisions of the Development Plan and National Planning Policy. They would not cause harm to any interest of acknowledged importance.

### **4 PLANNING POLICIES**

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

E2NEW Supporting the rural economy

E3NEW Reuse of non residential buildings

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH1 Cotswolds AONB

EH2 Landscape character

EH3 Biodiversity and Geodiversity

BC1NEW Burford-Charlbury sub-area

NPPF 2021

DESGUI West Oxfordshire Design Guide

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

### **5 PLANNING ASSESSMENT**

- 5.1 This application seeks to convert an existing building (lambing shed) to create a cafe/restaurant together with the creation of a new access; re-configuration of existing access; new storage



compound; associated landscaping works and provision of parking. External alterations include the insertion of new glazed screens in the open field side elevation (in three bays - the fourth being enclosed with timber) which will be behind roller shutters and to insert a new pedestrian door to the roadside, a glazed panel behind timber doors. The existing Yorkshire boarded walls are to be replaced with composite metal panels and covered with hit and miss timber cladding which will be extended towards the ground. The eastern elevation would have a new louvre inserted to provide extraction from the kitchen area. Internally staff and visitor welfare facilities will also be provided to replace the existing portable facilities at the site, together with a new kitchen and servery area and an internal seating area. The layout indicates 50 covers. The plans also annotate a new extendable electric awning. The existing parking provision at the site is proposed to become part of the new access arrangements with 2 disabled spaces provided to the front of the farm shop and parking provision extended by the formalisation of the existing temporary parking area provided in the adjacent field to the west. The extended car park would provide capacity for 60-70 cars. The Transport Statement (TS) advises that the restaurant / café would be open 7 days a week for breakfast, lunch and dinner, with the anticipated opening times being between 08:00 - 15:00 and 17:00 - 22:00.

- 5.2 The site comprises part of Diddly Squat Farm (0.8ha). On the site there are two buildings including the lambing shed and farm shop. Diddly Squat Farm comprises approximately 400 ha of agricultural land to the north west of Chadlington.
- 5.3 The site lies within the Cotswolds AONB and Wychwood Project Area. Chipping Norton Road is located to the north-east of the site and provides vehicular access into the field via a new access. The Chipping Norton Camping and Caravanning Club site is located to the north-west with the A361 Burford Road beyond that, while the surrounding land comprises agricultural fields that fall within the applicant's ownership.
- 5.4 Local Member Cllr Dean Temple has requested that the application is reported to Committee as it raises contentious issues.

### **Planning Background**

- 5.5 Diddly Squat Farm has been a working farm for over 10 years, predominantly growing wheat, oilseed rape and barley for wholesale via grain merchants to domestic mills, feed processors, oil crushers as well as export markets. Cattle are to be added to the farming system. The Planning Statement advises that the meat will be sold through the farm shop and café.
- 5.6 Planning permission was originally granted for the lambing shed and farm shop in November 2019 (Ref: 19/02110/FUL) and revised applications were permitted in February 2020 (19/03516/FUL) and November 2020 (20/01457/FUL). The latter application included provision of 10 parking spaces on the site.
- 5.7 Planning permission was granted to vary condition 7 (to widen the goods that can be retailed on site to within a 16 mile radius) attached to 20/01457/FUL in March 2021 (20/03444/S73).
- 5.8 An application to remove condition 2 of Planning Permission 20/01457/FUL to allow the roof material of the new farm shop to be retained as metal sheeting was refused permission in March 2021 (21/00269/S73).

- 5.9 An application for external alterations to the lambing shed to provide new rear access door and replace existing fabric roller shutters and gates with new solid roller shutter doors. Alterations to timber cladding to close gaps (21/01567/FUL) is still pending a decision.
- 5.10 Enforcement investigations are on-going on the site in respect of various alleged breaches including non-compliance with Condition 7 attached to 20/03444/S73 and non-compliance with Condition 2 attached to 20/01457/FUL.
- 5.11 Taking into account the planning history of the site, other material considerations and the presentations of interested parties your Officers are of the opinion that the key considerations of this application are:
- Principle
  - Impact on the Cotswolds AONB
  - Highway Issues

### **Principle**

- 5.12 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.
- 5.13 Within open countryside, Policy OS2 states that proposals for non-residential development will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area. It goes on to state that non-residential development that is regarded as appropriate will include:
- Re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting, with preference given to employment, tourism and community uses;
  - Proposals to support the effectiveness of existing businesses and sustainable tourism;
  - Development which will make a positive contribution to farm and country estate diversification; and
  - Telecommunications development sited and designed to minimise impact upon the environment
- 5.14 Policy OS2 also 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, be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities and conserve and enhance the natural, historic and built environment.
- 5.15 Policy E2 of the adopted Local Plan seeks to support the rural economy. It states, inter alia, that: *Development proposals which are necessary for agricultural production or which make a positive contribution to farm or country estate diversification will be supported where they:*

- are supported by or operate as part of and will continue to add value to a viable core farm/estate business; and
- remain compatible and consistent in scale with the farm/estate operation and a countryside location; and
- Re-use existing buildings where feasible in accordance with Policy E3.
- Any new building(s) must be suitably located for the scale and type of the proposed use and have regard to the level of accessibility to settlements, facilities and services and impact on the character and amenity of the area.

*Farm shops will be permitted where there they form part of a diversification scheme to sell produce from the farm or farms in the immediate vicinity and do not demonstrably undermine the viability and vitality of shopping provision in existing villages.*

5.16 The NPPF also identifies the importance of sustainable growth and expansion of all types of business in rural areas including the diversification of agricultural and other land based rural businesses.

5.17 Policy E3 states that the re-use of non-traditional buildings, including modern farm buildings, where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme under Policy E2, will be supported provided:

- The general character and form of the building(s) are not harmful to the surroundings; and
- The scale and type of use is suitable to its location and will not result in excessive alteration(s) or extension(s) to the host building.

5.18 The Supporting Planning Statement states that the essence of the application is to allow the further diversification of the farm business, in concert with the successful farm shop, to offer an outlet to sell farm produce direct to the customer in a form where greater value has been added to the product, by its processing, cooking and sale for consumption on the premises.

5.19 The lambing shed was only recently erected in 2020 on the basis that it was required following the purchase of a new sheep flock to diversify the farming business. It is now claimed that the financial viability of the sheep flock has proved difficult due to the size of the flock and cost of labour involved. Expanding the flock is not an option due to grass quality. The flock has now been merged with another local producer. The building has been used, without planning permission, as a café with outdoor seating area used in association with the farm shop and more recently a bar area has been installed in the building. A catering kiosk is located behind the farm shop and portable toilets have been installed to the side of the building and the adjoining field is being used for parking purposes.

5.20 Whilst the Planning Statement refers to the layout plan which indicates 50 covers, a license application submitted and granted in March 2021 stated that the licensed premises (farm shop, café and function areas) had a maximum capacity of up to 150 people. The agent has stated that the parking area is being used under 'permitted development rights' that allows the temporary use of land for up to 56 days in a calendar year.

5.21 Whilst it is claimed that the new use would allow for the further diversification of the farm business, in concert with the successful farm shop, complaints have been received alleging that the goods being sold from the farm shop are not limited to goods and produce grown, reared or produced on the holding or from local producers, in conflict with Condition 7 attached to the farm

shop permission. As detailed above, in the Planning Background section, this matter is being investigated and a Planning Contravention Notice has recently been served. The lambing shed is also a much larger building which would significantly increase the scale and nature of the farm shop/café business use. Local Plan policies seek to ensure that rural businesses, in the open countryside, are compatible and consistent in scale with the farm operation and countryside location. In this instance it is Officer opinion that the proposed increased scale and nature of the business proposed would not be of a scale that is consistent with the existing farming operation or its sensitive open countryside location.

- 5.22 Both Counsel's Opinion and Leigh Day (Solicitors) have raised concerns relating to inadequacies of the Business Plan submitted. Following the submission of additional information, the Council's Business Development Officer (BDO) has assessed the business case submitted and supports the application from the economic development perspective (see detailed comments above in the consultations section). In summary the BDO considers that the café/restaurant is a sensible 'next step' in farm diversification to sustain the business by increasing income and mitigating against falling subsidies. At the same time there are benefits to the local economy through the use of local producers and processors along with attracting visitors who spend money with other local businesses in the area.
- 5.23 In conclusion, whilst the support of rural enterprise is recognised, in both national and Local Plan policy, it is considered that the proposed development given its inherently unsustainable nature in this remote sensitive rural location renders a proposed development of this scale unacceptable, contrary to the aforementioned policies.

### **Impact on the Cotswolds AONB**

- 5.24 The site lies within the Cotswolds AONB, a nationally important designation, where great weight should be given to conserving and enhancing landscape and scenic beauty. This duty is reflected in policy EH1 of the Local Plan and the NPPF which require great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. This duty is also embodied in the Countryside and Rights of Way Act 2000. The Cotswolds Conservation Board's Management Plan and guidance documents are also material considerations in decision making relevant to the AONB. The site also lies within the Wychwood Project Area, where Policy EH2 gives special protection to the landscape and biodiversity of the area.
- 5.25 The proposed works, as detailed above, will change the simple agricultural appearance and character of the lambing shed that is clad with Yorkshire boarding on three sides with the south elevation open (as permitted). The building would have a more industrial appearance introducing roller shutter doors and extract system. The restaurant/café area indicates up to 50 covers. The existing parking provision at the site is proposed to be extended by the formalisation of the existing temporary parking area provided in the adjacent field to the west. The extended car park would provide capacity for 60-70 cars. The plans however, also indicate a potential overflow car park facility on land to the west. A planting plan indicates additional planting including a new woodland belt to the north and new tree and hedgerow planting around the proposed new car park.
- 5.26 The existing farm shop, lambing shed and car park are located at the top of a south-facing slope with open views to the south and views to the north east and east filtered through boundary vegetation. Distant views can also be gained from the A361. The majority of visual receptors with views towards the site are located to the northeast and east where there are short to medium distance views from roads, properties and recreational users (public rights of way). From the south

and west there are intermittent, medium to long distance views towards the site from roads. The site is currently seen as low-level agricultural buildings viewed within the context of a wider wooded and agricultural landscape of predominantly arable fields.

- 5.27 A revised Landscape and Visual Impact Assessment concludes that, in terms of landscape character, the proposals make use of an existing agricultural building and are well designed to retain the traditional building materials, changes are low key and in keeping with similar structures within the landscape. The landscape proposals use native species hedgerows and woodland planting in keeping with existing landscape elements and provide some connectivity with surrounding landscape features. Significance of change would therefore be no perceived impact. It advises that a short section (approximately 9m) of roadside drystone wall, a feature characteristic of the Cotswolds AONB landscape, and a section of newly planted hedgerow of approximately 6m length would need to be removed to accommodate the proposed new site access.

In terms of visual effects, it concludes that the visual impact of the proposed scheme during construction and year 1 after construction, would be limited to users of the roads in close proximity to the site (low to negligible); with short to middle distance views from a few properties, roads and recreational amenities/ public rights of way to the north and east (negligible to none) and long distance views from a road to the south (negligible). The significance of visual impact in year 15 after construction, taking into account the establishment and growth of new hedgerow and tree and shrub planting, has also been assessed. For users of the Chipping Norton Road, the visual impact would be classed as low beneficial and for the Camping and Caravanning Club site to the north and properties, a road and a public right of way to the northeast and east the visual impact would be classed as none to negligible beneficial due to proposed hedgerow and tree planting screening views of the existing lambing shed and proposed parking area. From roads to the west and south the visual impacts 15 years after construction would be reduced to none.

- 5.28 The Counsel Opinion received has identified inadequacies of the LVIA including that it does not appear to consider, properly or at all, the impact of vehicle movements and parked vehicles on the character of the AONB; that its findings fail properly to take account of the landscape impact of transforming a significant area of arable land (almost exactly 2 square kilometres) into hardstanding for a carpark and that no consideration is given to the impact of the vehicle movements resulting from the Development on the tranquillity of the AONB.
- 5.29 CPRE West Oxfordshire has objected to the application on the grounds that any change in use to a restaurant/café would be a major incursion within this protected area and spoil the rural nature of the Upper Evenlode Valley. The building is highly visible and there is strong visibility of the site from the Bury Hill footpath across the fields. Even after years have elapsed the restaurant's impact on the landscape remains subjective and CPRE assess that it would still be detrimental to the surrounding countryside, possibly long after the initial fervour of the TV programme has elapsed. CPRE also express concerns that for reasons of security there will, in the end, have to be lighting as recommended by Thames Valley Police and for insurance purposes. Any lighting would spill out for miles and spoil the setting of the Evenlode valley at night. While not mandated to do so, the LVIA has not assessed the impact from further afield, particularly from the Burford - Charlbury B4437 road, a beautiful stretch of road contouring the valley and with direct view of the site, albeit 3km away. The accumulative effect of large new isolated houses and recent developments in The Wychwoods have already had a detrimental impact to the valley, particularly at night. Another prominently positioned building is not desirable and would add to the problem of light pollution. Peace and tranquillity of this protected area is paramount and increased and unsustainable use of cars, noise and pollution has not been adequately addressed in the application.

- 5.30 The Cotswold Conservation Board has commented that a key consideration should be the potential impact of the light that would be emitted through the extensive area of glazing on the south elevation of the café / restaurant during non-daylight hours. This lighting would introduce a lit element into what would otherwise be a relatively dark night-time landscape. This lighting / lit element would potentially be seen from the south side of the Evenlode Valley (for example, by people using the B4437) and beyond. The Cotswolds AONB Landscape Strategy & Guidelines identifies the introduction of lit elements to characteristically dark landscapes as a potential (adverse) implication for isolated development such as this. The guidelines seek to conserve areas of dark skies, with these dark skies being one of the special qualities of the Cotswolds National Landscape. This is particularly important in an area with relatively low levels of light pollution such as this. As such, the introduction of lit elements would not be compatible with this guidance or, by extension, with the policies of the Cotswolds AONB Management Plan. The likely level of traffic is not appropriate in the AONB, especially given that one of the special qualities of the area is its relative tranquillity. The provision of an on-site café / restaurant could potentially exacerbate this issue by providing an additional reason for people to visit the site.
- 5.31 In addition to the concerns raised above, the external alterations to the building will change its typical agricultural appearance and give it a more commercial/industrial appearance. The extended 60-70 space car park with additional overspill facility will also have a significant harmful impact of the rural character and scenic beauty of the area. In addition, the new access will result in the loss of a section of Cotswold stone walling, a feature characteristic of the Cotswolds AONB landscape. In summary, it is Officer opinion that the proposed development by reason of its design, scale, siting and nature of the use within the Cotswolds Area of Outstanding Natural Beauty and Wychwood Project Area would have a visually intrusive and harmful impact on the rural character, scenic beauty and tranquillity of the area in conflict with Local Plan Policies OS2, EH1 and EH2 of the West Oxfordshire Local Plan 2031, advice in the NPPF and policies of the Cotswolds AONB Management Plan.

### **Highway Issues**

- 5.32 The existing farm shop and lambing shed are served by an access road off the Chipping Norton Road. Following concerns raised by County Highways the access arrangements for the proposed development have been revised and now propose a new access approximately 50m to the south of the existing access. The new access would provide all access into the site and the existing access would remain in place but would provide all egress from the site. The proposed egress access would be modified slightly within the public highway by improving the left turn out radii within highway verge, and the internal alignment being straightened up such that it is perpendicular to Chipping Norton Road.
- 5.33 OCC Transport originally objected to the application on the grounds that the application lacked details on the proposed access arrangement for the site and car park from Chipping Norton Road and that, given the unique circumstances of the application and the popularity of the site, a Transport Statement (TS) should be submitted setting out how car parking demand will be managed and how any local traffic impacts arising from the development are to be mitigated. The Counsel Opinion received also advises that it would be unlawful for the Council to determine the Application in the absence of a Transport Assessment and Travel Plan.
- 5.34 A TS has been submitted which concludes that:
- The site is accessible via sustainable modes such as bus services and cycling;

- Following a review of the most recently available Personal Injury Collision data, there is no evidence to suggest that a highway safety issue would require mitigating as part of the scheme;
- The proposed site layout and access arrangements have been revised in response to OCC's consultation response to the access arrangement, by introducing a new access point to the south such that an in and out arrangement would be in place.
- It is envisaged that the restaurant will allow for up to 50 covers per day. Split across the operational day the development proposals could generate, as a very worst-case up to 8 two-way vehicle trips during any hour of opening, although many of these will be undertaken as part of a visit to the farm shop already on the network. This may represent 96 new two-way trips over the day, or a 5% increase in vehicle movements on Chipping Norton Road.
- The revised site layout and access arrangements, including the formalised car parking area (and overspill parking area) are expected to considerably improve existing conditions for the farm shop in its own right, whilst suitably mitigating any perceived increase in worst-case new trips that may or may not be generated by the new café / restaurant. This is considered to align suitably with paragraphs 110 and 110 of the NPPF.

5.35 OCC Transport has commented that the addition of an in / out arrangement will improve the efficiency of the access arrangement, preventing blocking of the highway. The site access arm of the egress junction is to be straightened so that visibility will be improved and turning movements made easier. This would also improve the safety and efficiency of the access arrangement. It is considered that there is sufficient capacity within the site to accommodate parking demand with an overspill area made available for peak times. OCC Transport note that there is concern over mud being tracked onto the highway from the overspill parking area and this would also be a concern for OCC and as such the site operators should provide wheel washing facilities and also contact OCC with regard to making arrangements for clearing mud from the highway. The Highways Officer (HO) concludes that the application is unlikely to lead to a significant impact on traffic on the local highway network as the cafe is to be run on a basis where all visitors will be required to pre-book. HO also accept that the cafe is ancillary to the farm shop, whereby the majority of visitors to the cafe are likely to be those who would be visiting the farm in any event. The proposed access is an improvement on the current arrangement in safety and efficiency terms. As such, OCC Transport raise no objection to the application subject to a condition requiring the provision of access and parking facilities and advises that a S278 agreement will be required between the applicant and OCC in order to undertake the necessary works to the public highway.

### **Other matters**

5.36 No other technical objections have been raised to the application with conditions recommended to address potential contamination, drainage and ecology matters.

### **Conclusion**

5.37 Whilst the support for the development and diversification of agricultural and other land-based rural businesses and the potential economic benefits of the proposal are recognised, in light of the above, your Officers are of the opinion that the nature and the scale of the proposed development does not fall within the scope of a farm diversification scheme as set out in Policy E2. As a result and by reason of its, siting, design, scale and nature of the use, the proposed development would not be compatible or consistent with the existing farming operation or its sensitive open countryside location within the Cotswolds AONB. The development would be visually intrusive and harmful to the open rural character, scenic beauty and tranquillity of the area. As such, the

proposed development would conflict with Local Plan policies OS2, E2, E3, T1, EH1, EH2 and BCI of the West Oxfordshire Local Plan 2031 and advice in the NPPF and policies of the Cotswolds AONB Management Plan.

## **6 REASONS FOR REFUSAL**

1. By reason of its siting, design, scale and location, the proposed development would not be sustainable and would not be compatible or consistent in scale with the existing farming business or its open countryside location, in conflict with Local Plan Policies OS2, E2, E3, T1 and BCI of the West Oxfordshire Local Plan 2031 and advice in the NPPF; and
2. By reason of its design, scale, siting and nature of the use within the Cotswolds Area of Outstanding Natural Beauty, the proposed development would have a visually intrusive and harmful impact on the rural character, scenic beauty and tranquillity of the area in conflict with Local Plan Policies OS2, EH1 and EH2 of the West Oxfordshire Local Plan 2031, advice in the NPPF and policies of the Cotswolds AONB Management Plan.

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**Date:** 22nd December 2021