

# WEST OXFORDSHIRE DISTRICT COUNCIL

## LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 7th November 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.

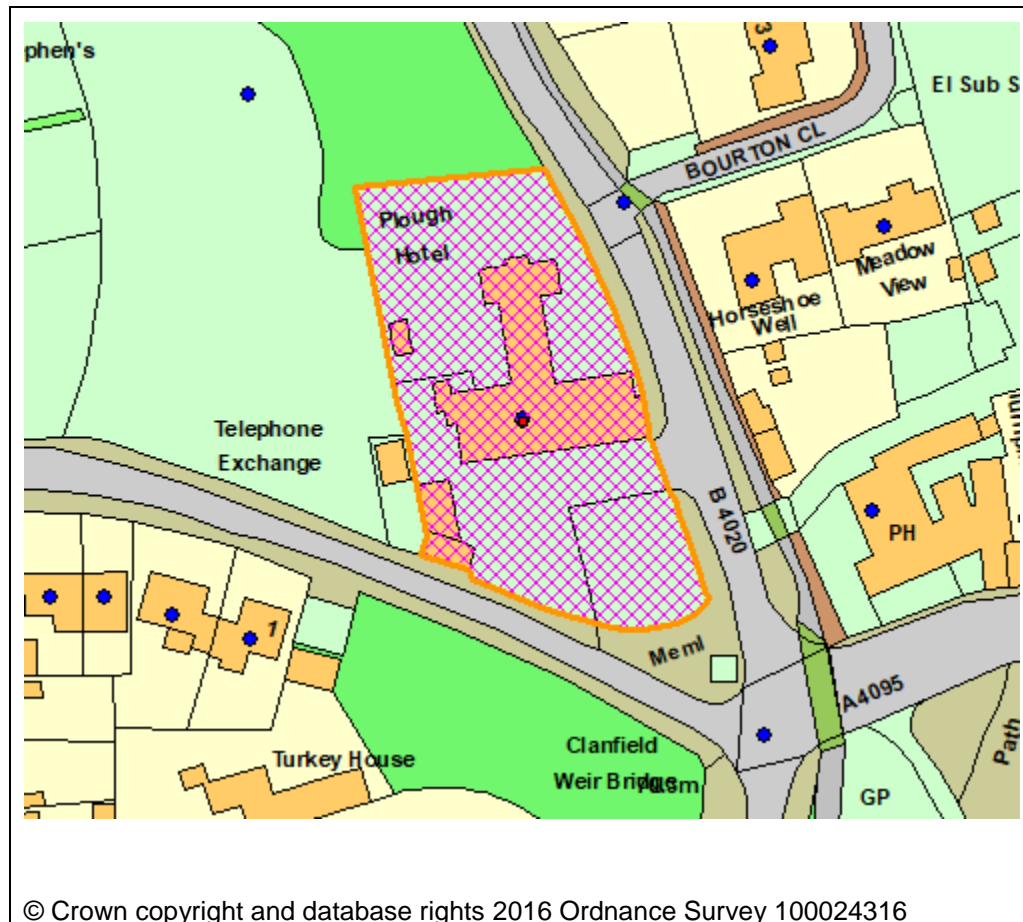
Please note that:

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)

<b>Page</b>	<b>Application Number</b>	<b>Address</b>	<b>Officer</b>
13 - 21	21/01213/FUL	Plough Inn Black Bourton Road	Elloise Street
22 - 27	22/02135/LBC	The Double Red Duke Black Bourton Road	Elloise Street
28 - 33	22/02136/ADV	The Double Red Duke Black Bourton Road	Elloise Street

Application Number	21/01213/FUL
Site Address	Plough Inn Black Bourton Road Clanfield Bampton Oxfordshire OX18 2RB
Date	26th October 2022
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Clanfield Parish Council
Grid Reference	428458 E 202072 N
Committee Date	7th November 2022

### Location Map



### Application Details:

Erection of timber shed to be used as an office, Indian sandstone pathway and vertical boarded bin store enclosure (part retrospective).

**Applicant Details:**  
Ms Georgie Pearman  
Plough Inn  
Black Bourton Road  
Clanfield  
Bampton  
Oxfordshire  
OX18 2RB

## **I CONSULTATIONS**

Conservation Officer

Generally all okay now

Parish Council

**CLANFIELD PARISH COUNCIL - OBJECTION/COMMENTS**  
CONCERNING Planning Application 21/01213/FUL Erection of  
timber shed and bin enclosure - Amended Plans.

Clanfield Parish Council wishes to **OBJECT** to this application and submits the following comments in justification of their position:

Comment re Design and Layout/ Neighbourliness

The Design and Access Statement states 'the proposal is sympathetic to the existing building and surroundings and provides an opportunity to improve the local amenity'. This is simply untrue.

The area under consideration for further development/ retrospective planning is visible at the front of the Grade 2 listed Double Red Duke, and during winter months when the trees lose leaf, it will also be directly visible and in close proximity to the Grade 1 listed 12th Century Church. The area should be tidied and made presentable to a standard befitting that of Grade 1 and 2 listed buildings, and in respect to the village on the whole which is clearly cared for and maintained with passion at a community level through the hard work of local volunteers - it should not be relandscaped to house more literal rubbish (which will no doubt continue to spill over in to the adjacent land). Should this application be approved, in the very least there should be sympathetically designed screening along the western boundary of the DRD (between itself and the church grounds), comprising materials suitable to the historic nature of both buildings with consideration to the immediate biodiversity (perhaps hazel hurdles or similar), and the current collapsing plank fence should be removed.

In specific regard to the proposed 'shed', the application states 'the shed has nominal impact on the heritage area'. In it's current proposed form this is not true, especially in regard to the proposed roofing material being of blue slate. Blue slate is not a locally common roofing material and it certainly does not gel with the original cardinal slate roof of the Grade 2 listed Elizabethan Double Red Duke - if this

application should be passed it should stipulate that roofing materials should endeavour to match that of the original building, and should not be slate/ felt or any other material.

#### Comment re Highways

The application form submitted indicates that this development has increased car parking capacity from 10 spaces to 12. This is not true, in fact car parking capacity was significantly reduced when West Oxfordshire Planning Department approved the change of use and conversion of outbuildings to guest bedrooms. This has led to a distressing and unsafe situation on the roads around the Double Red Duke (The Plough) - as WODC, The Police, District Councillors, County Councillors, and MP Courts have themselves been notified of directly as well as witnessed during the various meetings they have attended with the Parish Council.

The hotel now has 19 bedrooms and provides no car parking spaces for its staff, and an unsuitably low number for its guests. As a result, both staff and clients use the village roads to park, in most cases park with little consideration for residents or the safety of other road users. It is of the Parish Councils view that this development should be refused as the space would be better used as additional parking capacity as that is required more urgently.

In conclusion, please refuse this application in its current form

## **2 REPRESENTATIONS**

2.1 There have been 8 comments of objection from 3rd party consultees to which their comments have been summarised as per below:

- Development degrades the Grade II listed building
- Incongruous addition
- Insufficient parking and would block access which could be used for additional parking
- Current timber fencing is very rough and does not go
- Concerns with inaccurate car parking provision
- Development can be seen from Grade I listed church
- Rear of the site could be used for parking

## **3 APPLICANT'S CASE**

3.1 The Design and Access Statement is concluded as follows with the full statement on the Council's website:

The proposal has considered its surroundings and believe the impact on the heritage area is nominal.

The proposal is sympathetic to the existing building and its surroundings and will provide an opportunity to improve the local amenity.

The proposal will also restore an important historical building and provide a sustainable business and employment for the local area.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

EH11 Listed Buildings

EH9 Historic environment

NPPF 2021

DESGUI West Oxfordshire Design Guide

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

#### **5 PLANNING ASSESSMENT**

##### **Background information**

5.1 The application seeks full planning permission for the erection of timber shed to be used as an office, indian sandstone pathway and vertical boarded bin store enclosure (part retrospective) at Double Red Duke, Black Bourton Road, Clanfield, Bampton.

5.2 Members will recall that this application was deferred at the October committee to enable a formal Members' site visit to take place. The application is brought before Members of the Lowlands Area Sub Planning Committee as the Parish Council have objected to the proposed works.

5.3 The application site relates to a Grade II Listed building currently being used as a public house and guest accommodation within the residential area of Clanfield.

5.4 The main considerations of this application are the impact of the proposed development on the listed building along with the visual amenity and the impact on the proposed development on the residential amenity.

##### **5.5 Relevant planning history**

- 20/01003/FUL - Erection of single storey rear extensions. - Approved
- 20/01004/LBC - Erection of single storey rear extensions. - Approved
- 20/01809/FUL - Replace existing outbuildings with 6 bedroomed unit for use ancillary to the public house. Associated landscaping works. (Amended Plans) - Approved
- 20/01810/LBC - Replace existing outbuildings with 6 bedroom unit for use ancillary to the public house. (Amended Plans) - Approved
- 20/02937/S73 - Variation of condition 3 (materials) and removal of condition 4 (window, door and cladding details) of planning permission 20/01003/FUL and Listed Building consent 20/01004/LBC - Approved
- 20/03005/ADV - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - Refused
- 20/03006/LBC - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - Refused

- 21/00698/FUL - Paving to front area, with landscaping and lighting to carpark and pathways - Approved
- 21/01305/LBC - Exterior alterations to include paving to front area, with landscaping and lighting to carpark and pathways and the addition of a new gate access - Approved
- 21/02568/S73 - Variation of condition 2 of planning permission 20/01809/FUL to allow use of attic space over bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of additional first floor and ground floor windows, inclusion of M and E riser rear cupboard (Retrospective). - Approved
- 21/02569/LBC - Variation of condition 2 of listed building consent 20/01810/LBC to allow use of attic space over bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of additional first floor and ground floor windows, inclusion of M and E riser rear cupboard (Retrospective). - Approved
- 22/01332/FUL - Construction of external bar. (Retrospective). - Refused

There have been two recent appeals on this site as detailed below:

- APP/D3125/Z/21/3274959 - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - 20/03005/ADV
- APP/D3125/Y/21/3274941 - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - 20/03006/LBC

The two appeal decisions are linked to each other and the inspector made a split decision on the application in which the hanging sign was refused advertisement consent and listed building consent but the menu case and name sign were allowed.

5.6 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
- Design
- Impact on the listed building
- Impact on visual amenity of the street scene
- Residential Amenity

## **Principle**

5.7 Local Plan Policy E1 states within existing employment sites "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."

5.8 It is important to consider that whilst the established use of this business is a public house and guest accommodation and this would normally fall within Local Plan Policy E4 Sustainable Tourism this proposal is for elements in which the general public would not use but benefit from the screening and is for the use of the employees.

5.9 Your Officers consider that the erection of timber shed to be used as an office, Indian sandstone pathway and vertical boarded bin store enclosure does fall within the bounds of the policy in which it would improve the effectiveness of employment due to having a specific office for employees as well as a formal area for the bins for effective disposal of any waste from the restaurant.

5.10 The principle of the public house has already been set in previous applications and with this being a supplementary scheme to the wider development. Your officers have considered that the development is compliant with the principle of existing employment use. There will however need to be further assessment with regards to the impact on the listed building, and the design and siting along with residential and visual amenity.

## **Design & Siting**

5.11 Proposed is the erection of a timber shed to be used as an office, indian sandstone pathway and vertical boarded bin store enclosure. It is important to understand that this is a part retrospective application in which the Indian sandstone pathway and the office are already in place. The bin store enclosure is also in place with waney edged boarding and the office has also not been finished as it is due to be covered with vertical cladding.

5.12 The bin store enclosure, the office and Indian sandstone is located to the west of the host building of the Double Red Duke. The bin enclosure accommodates enough space for 13 bins and is to the north of the converted building which is being used for bedrooms. The bin enclosure is to be constructed from untreated (90mm x 40mm) vertical Siberian Larch profiled batten cladding to match the existing annexe and is to be 1.8m the whole length until reaching the office. The bin store is to have one concealed set of double doors.

5.13 The office is sited on the existing concrete slab which previously sited 2 redundant gas tanks. It is 2.4m in width and 3.5m in length and is also to be covered with the vertical Siberian larch profiled batten cladding and is to be 2m in height and is to have blue slate for the roof. The shed is to have a set of double doors concealed in the cladding and two small windows facing North into the existing open space of the Double Red Duke.

5.14 The area from the new annexe to the shed which approximates 15m by 4m has been landscaped with Indian sandstone.

5.15 Officers have considered that the bin enclosure is sited in the most logical positing within the site due to being opposite the kitchen. The office could be sited within the main building, however your Officers consider that whilst this location is not the preference, the applicants have designed the scheme in a way in which it is disguised well and is to continue on with the vertical larch cladding and not stand out and be incongruous. While the scheme as a whole would be better suited to be constructed from natural materials rather than the vertical cladding. Officers have deemed that the vertical cladding is a logical addition due to the cladding on the outbuilding. Paragraph 11(c) of the NPPF is clear that the LPA should be 'approving development proposals that accord with an up-to-date development plan without delay'. As the proposed scheme is considered to accord with the development plan, while improvements could be made, the LPA could not insist upon it.

5.16 Officers consider that the scale and design complies with Policy OS4 of the West Oxfordshire Local Plan 2031 which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible, enhance the character and quality of the soundings. Section 12(130 b) of the NPPF also states that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping to which the proposed complies with.



### **Impact on the visual amenity of the streetscene**

5.17 The office building is not visible from the streetscene and therefore does not give rise to any adverse impacts in regards to visual amenity. The vertical cladding for the enclosed bin store and the Indian sandstone landscaping is visible from the streetscene, however your officers consider the impacts to the visual amenity to be minimal and acceptable and in keeping with the wider streetscene. It is important to consider that the bin enclosure is adjoining the recently completed annexe in which is covered with vertical Siberian Larch profiled batten cladding, therefore with the current bin enclosure being covered with waney edge boarding your officers have considered that the newly proposed vertical cladding is a logical complement and addition compared to the unapproved waney edge boarding.

### **Impact on the Listed Building**

5.18 It is important to consider that the proposed development is adjacent to the Grade II listed building of the Double Red Duke, formerly known as the Plough. 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 planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses. Policy EH11 also states "Proposals for additions or alterations to, or change of use of, a Listed Building or for development within the curtilage of, or affecting the setting of, a Listed Building, will be permitted where it can be shown to: conserve or enhance the special architectural or historic interest of the buildings fabric, detailed features, appearance or character and setting as well as respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context. It is also important for your Officers to take regard to the section 7 of the West Oxfordshire Design Guide which also emphasises that the character, fabric and history of the building should be understood as fully as possible.

5.19 With regard to the impact on the listed building, the erection of timber shed to be used as an office, indian sandstone pathway and vertical boarded bin store enclosure is not considered to obscure the historical architecture of the existing listed building. The location of the bin store and office is located to the west of the main listed building in which the most historical element is to the front elevation and the element adjacent to the bin store and office is of a C20 nature and is opposite a previously approved waney edge cladding. In light of this, your Officers have considered that due to the siting of the bin store that this would not be obscuring any special or historical feature of the listed building. Officers note that whilst the vertical larch cladding would not be the main material of choice. At this moment as this is a part retrospective application currently in place is a waney edged horizontal cladding. Therefore your Officers have considered that as the bin store is adjacent to the recently converted annexe with vertical larch cladding that to keep consistency with the buildings it was appropriate to continue the vertical larch throughout. The proposed development would respect and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would conform to policy EH11 of the Local Plan.

### **Residential amenity**

5.20 Given the nature of the erection of timber shed to be used as an office, indian sandstone pathway and vertical boarded bin store enclosure your officers are of the opinion that the proposed would not give rise to any adverse impacts in regards to neighbouring amenity issues such as overbearing, overlooking, and loss of light or privacy. The timber shed for the Office is sited a suitable distance away

from any bedrooms for the guest house and also away from any neighbouring properties in which there are no concerns with overlooking or loss of privacy. The bin enclosure has also been considered to be an appropriate height at around 1.8m which is standard fence height and does not give rise to any loss of light to neighbouring properties.

5.21 Additionally, no objections have been received from neighbours with no neighbouring amenity concerns of the proposed additions.

### **Other Matters**

5.22 Your Officers would like to note that the waney edged boarding shown on elevations A and elevations C have already been approved within application 20/02937/S73 and are therefore not a consideration during this application.

5.23 Clanfield Parish Council have objected to the proposed scheme for two reasons, one being the design and layout/neighbourliness and the other with regards to highways. The Parish have detailed their concerns with regards to the development not being sympathetic to the existing buildings and surroundings and that the proposed can be seen from the front of the Double Red Duke and from the Grade I listed church. Officers have already expressed their views within the section regarding the impact on the listed building. Whilst your Officers sympathise with their concerns it has been considered that as the siting of the bin store is in a location in which is to minimise the impact on the listed building whilst still serving a purpose. The parish also detailed concerns with the views from the Grade I listed church and the potential of a screening fence, however your officers visited on site and deemed even during the winter months that there will be minimal views of the proposed scheme. Their concerns with regards to rubbish spilling onto adjacent land is not a planning matter during this application and would be subject to further enforcement action as there are current enforcement cases still open.

5.24 The Parish also have concerns with the proposed shed detail with regards to the roofing material as they believe the blue slate is not a locally common roofing material, however your Officers note that the newly converted outbuildings have also been roofed with the blue slate and therefore is going to have consistency between the two buildings and whilst not the material of preference is still appropriate in this location.

5.25 Your Officers understand the Parish concerns with regards to the parking provision and that they state that proposed development has increased car parking capacity, however this has not been submitted during any element of this planning application. Regardless of this, your Officers understand their concerns but the wider scheme of development has already been approved and in place with the parking provision as is. Officers sympathise with the highway concerns however not a main consideration for this application is nor can be deemed an appropriate reason to warrant a refusal for the application. It is also important to consider their comment that the space would be better used as additional parking capacity. However when onsite your case officer has understood that there would not be sufficient space to park cars in this location if the bin store and office was removed and the access to the space would not be appropriate for vehicles.

5.26 Due to this application being a part-retrospective application Officers have deemed a condition for the waney edged boarded elements to be removed within 6 months of the decision date and the vertical larch cladding to be completed by 12 months to meet the 6 tests for conditions.

## **Conclusion**

5.27 In light of the above assessment, the application is recommended for approval as your officers consider it complies with the provisions of policies OS2, OS4, EH9, EH11 of the adopted West Oxfordshire Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2021.

## **6 CONDITIONS**

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

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

2. The unauthorised waney edged boarding on the eastern elevation of the bin store shall be removed in its entirety within 6 months of the decision date of this notice.

REASON: To safeguard the character and appearance of the area and to regularise the unauthorised works in a timely manner.

3. A sample of the vertical larch cladding to be used on elevations A, B and C shown on plan number 120-G21 Rev F shall be submitted to the Local Planning Authority for approval within 12 months of the date of the decision. The development shall be constructed in the approved materials and retained as such thereafter.

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

4. The materials as approved by condition 3 shall be fully installed on elevations A, B and C shown on plan 120-G27 Rev F (office and bin store elevations) within 18 months of the date of this decision.

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, to safeguard the character and appearance of the area and to regularise the unauthorised works in a timely manner.

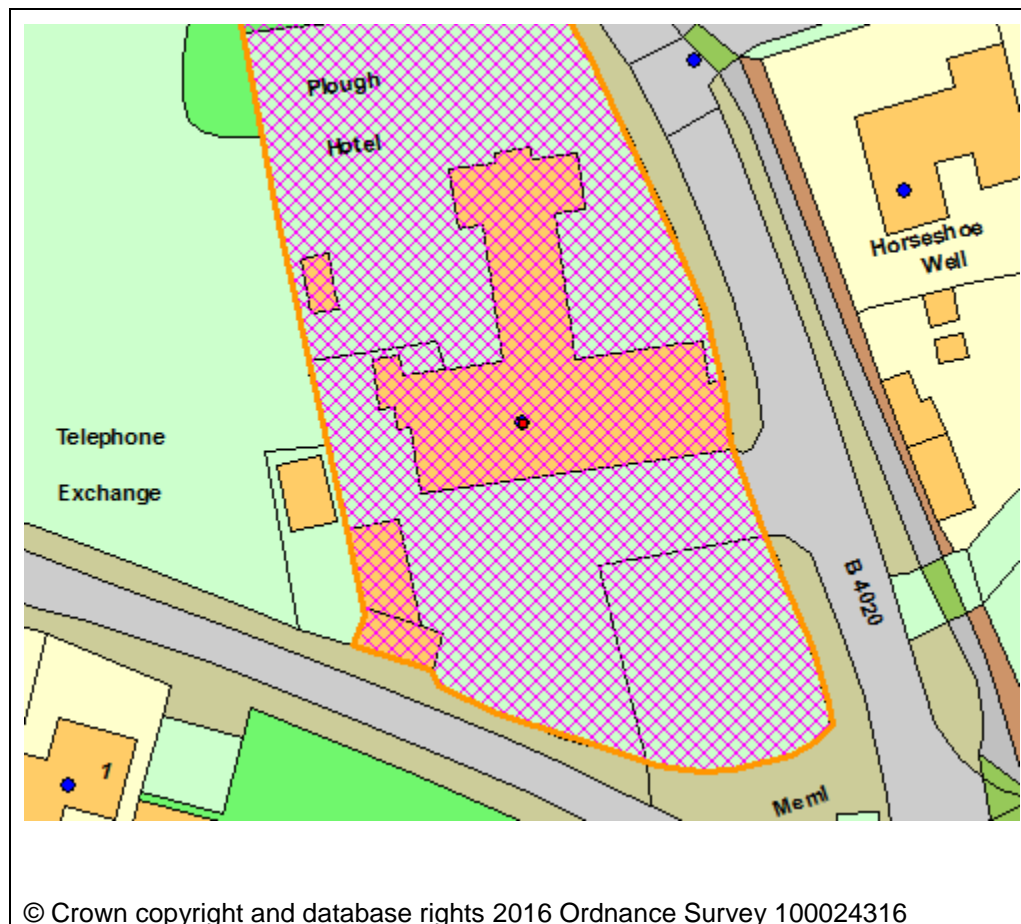
**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 26th October 2022

Application Number	22/02135/LBC
Site Address	The Double Red Duke Black Bourton Road Clanfield Oxfordshire OX18 2RB
Date	26th October 2022
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Clanfield Parish Council
Grid Reference	428458 E 202072 N
Committee Date	7th November 2022

### Location Map



### Application Details:

External alterations to erect a double sided hanging sign with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail

**Applicant Details:**

Mrs Georgina Pearman  
Plough Inn Black Bourton Road  
Oxfordshire  
Clanfield  
OX18 2RB  
United Kingdom

**I CONSULTATIONS**

Conservation Officer

A traditional painted board hanging sign would have been preferable, but I don't think that there are any huge objections to this latest, more muted proposal.

I also think that the wall sign and menu board, flanking the entrance, and both of modest dimensions, will make no great impact.

Parish Council

Application No. 22/02135/LBC Signage

This proposed hanging sign is the same design as the one which has been refused by WODC and the Inspector.

The bright red colour and design of the hanging sign goes against the planning policies that protect Grade 2 Listed Elizabethan buildings from inappropriate development. The lighting makes the sign look garish. A more subtle sign that blends with the Cotswold stone might be acceptable. The application does not show the proposed menu notice or the small cut panel with painted detail. If these are red then they are also inappropriate and should be refused.

**2 REPRESENTATIONS**

2.1 There have been two third party objection comments detailed below:

- Sign is the same as previously refused
- Sign does not respect the Grade 2 Listed Building
- Inappropriate design and colour
- Same as the previously refused
- Unbefitting & Gaudy

**3 APPLICANTS CASE**

3.1 A design and access statement has been submitted as part of this application and can viewed in full on our website. The statement has been summarised below:

For the reasons set out in the body of the heritage statement it has been considered that the proposed alterations are compatible with the 'special interest' and character of The Plough. Importantly the building will be provided with a sustainable use that is consistent with its character and fabric as a Grade

II listed building. It will provide a high quality boutique hotel which will benefit the building, and surrounding areas generally.

## **4 PLANNING POLICIES**

NPPF 2021

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

## **5 PLANNING ASSESSMENT**

### **Background Information**

5.1 The application seeks Listed Building Consent for works to include the installation of a double-sided hanging with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail at Double Red Duke, Black Bourton Road, Clanfield.

5.2 The application is brought before Members of the Lowlands Area Sub-Planning Committee as the Parish Council has objected to the proposed works.

5.3 The application site relates to a Grade II listed building that is currently being used as a bed and breakfast and restaurant within the main area of Clanfield.

### **5.4 Relevant planning history**

- 20/01003/FUL - Erection of single-storey rear extensions. - Approved
- 20/01004/LBC - Erection of single-storey rear extensions. - Approved
- 20/01809/FUL - Replace existing outbuildings with 6 bedroomed unit for use ancillary to the public house. Associated landscaping works. (Amended Plans) - Approved
- 20/01810/LBC - Replace existing outbuildings with 6 bedroom unit for use ancillary to the public house. (Amended Plans) - Approved
- 20/02937/S73 - Variation of condition 3 (materials) and removal of condition 4 (window, door, and cladding details) of planning permission 20/01003/FUL and Listed Building consent 20/01004/LBC - Approved
- 20/03005/ADV - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - Refused
- 20/03006/LBC - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - Refused
- 21/00698/FUL - Paving to front area, with landscaping and lighting to carpark and pathways - Approved
- 21/01305/LBC - Exterior alterations to include paving to front area, with landscaping and lighting to carpark and pathways and the addition of new gate access - Approved
- 21/02568/S73 - Variation of condition 2 of planning permission 20/01809/FUL to allow the use of attic space over bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of additional first floor and ground floor windows, the inclusion of M and E riser rear cupboard (Retrospective). - Approved
- 21/02569/LBC - Variation of condition 2 of listed building consent 20/01810/LBC to allow the use of attic space over bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of additional first floor and ground floor windows, the inclusion of M and E riser rear cupboard (Retrospective). - Approved

- 22/01332/FUL - Construction of external bar. (Retrospective). - Refused

There have been two recent appeals on this site as detailed below:

- APP/D3125/Z/21/3274959 - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - 20/03005/ADV
- APP/D3125/Y/21/3274941 - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - 20/03006/LBC

The two appeal decisions are linked to each other and the inspector made a split decision on the application in which the hanging sign was refused advertisement consent and listed building consent but the menu case and name sign were allowed.

### **Design and Impact on Heritage Asset**

5.5 Proposed is the installation of a double-sided hanging sign with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail.

5.6 Within appeal reference: APP/D3125/H/21/ 3274941 was for the previous permission 20/03006/LBC which was refused and then a split decision was made. The internally illuminated menu case and small cut panel with painted detail were allowed through the appeal and advertisement consent was provided for this element. The hanging sign was refused and dismissed at appeal due to the colour and the impact on the listed building. Whilst the menu case and small cut panel have been included in this application, there are no further additions or changes from the previously approved.

5.7 The proposed hanging sign is to be sited on the Eastern elevation of the Grade II listed building and is to be fixed to the building using 3 bolts. The sign is to be 850mm in width and 1200mm in height and to be 3m above ground. The sign is to have the pictorial on both sides with one side of the image having a differing facial expression. The sign is to be RAL 3003 as the background with all other elements in black. The proposed materials for the sign are to be a fret-cut aluminium sign with painted and vinyl detail. The sign is to be illuminated with linolites externally with a slimline detail and a new bracket for the hanging element.

5.8 Within appeal APP/D3125/Y/21/3274941 & APP/D3125/H/21/3274959 the inspector states: "The differing approach to the imagery on either side of the proposed hanging sign and its general form and proportions, including the proposed bracket and method of illumination, are all acceptable. Furthermore, the height and siting of the hanging sign on the eastern gable of the property is also acceptable, particularly as it is in the same place as the hanging sign it replaced" In light of the appeal decision, Officers have considered that the proposed signage is in line with the Inspectors comments and is therefore considered acceptable in this regard.

5.9 Officers are required to take account of section 16(2) 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, its setting and any features of special architectural or historic interest which it possesses.

5.10 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 200). Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use.

5.11 With regard to the impact on the listed building, the installation of a double-sided hanging with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail is not considered to obscure the historical architecture of the existing listed building. Therefore the proposed is considered to integrate successfully along with the character and appearance of the listed building. Following consultation with the LPA's Conservation and Design Officer, this view is shared in that the newly proposed sign is now not considered to obscure the building.

5.12 The proposed addition is of a modest scale and has been redesigned in a way that it would not have a negative and overbearing impact on the listed building. The colouring being used is now muted and not garish, overbearing, or visually prominent. Whilst the heritage statement is very minimal, this is commensurate with the scale of development. Officers have considered that the new advertisement signs are minimal and are logical for the setting of the listed building. Officers are satisfied that the works proposed will preserve the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF

5.13 It is also important to note that within appeal APP/D3125/Y/21/3274941 & APP/D3125/H/21/3274959 the inspector states "However, I am satisfied that the extent of vibrant colour visible on the hanging sign does not harmfully detract from the settings of the Church of St Stephen and the Clanfield Tavern Public House, which are preserved" Therefore Officers have considered that as the newly proposed hanging sign is a more muted colour that there will still be no harmful detract from the adjacent listed buildings.

### **Other Matters**

5.14 There have been two third-party consultees objecting to the scheme. Both have commented on the visual aspect of the scheme. One other comment detailed that the hanging sign is the same as the refused sign and does not respect the Grade II listed building. Officers have considered that the comments from the appeal have been taken into consideration and that there has been a redesign in the colour as this was the main concern for the proposed scheme and has now been considered acceptable. There was also a comment with regard to the menu sign and name sign which have already been approved within the appeal reference: APP/D3125/H/21/3274941. Officers also note that there is a comment with regards to the sign being in an inappropriate position and would detract from the heritage value of the Grade II listed building. However, Officers have considered that the sign is in a



logical place and appropriate in this location and would not harm the listed building and that the colour of the sign is also sympathetic to the building.

### **Recommendation**

5.15 The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, and to the desirability of preserving or enhancing the character or appearance of the area.

5.16 Taking into account the above matters the works proposed will preserve the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF.

### **6 CONDITIONS**

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. 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.

3. All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.

REASON: To preserve the architectural integrity of the Listed Building.

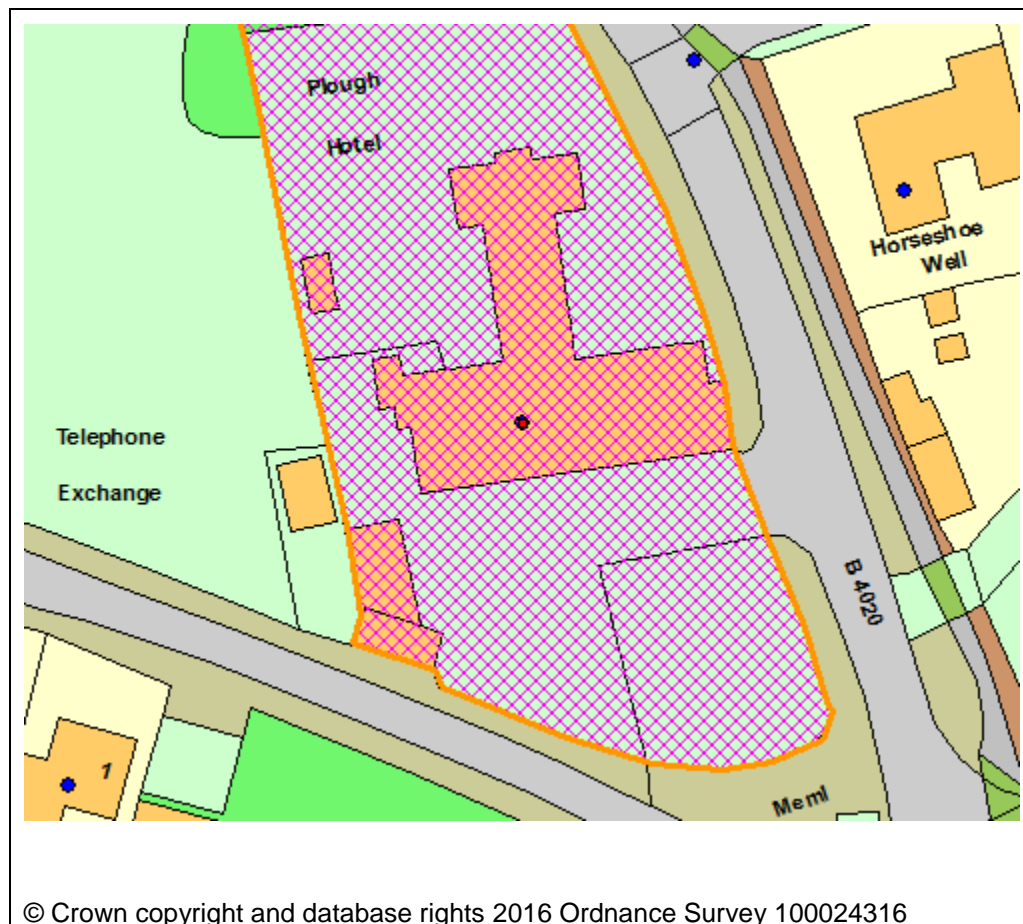
**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 26th October 2022

Application Number	22/02136/ADV
Site Address	The Double Red Duke Black Bourton Road Clanfield Oxfordshire OX18 2RB
Date	26th October 2022
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Clanfield Parish Council
Grid Reference	428458 E 202072 N
Committee Date	7th November 2022

### Location Map



### Application Details:

Erection of a double sided hanging with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail

**Applicant Details:**

Mrs Georgina Pearman  
Black Bourton Road  
Oxfordshire  
Clanfield  
OX18 2RB  
United Kingdom

**1 CONSULTATIONS**

Conservation Officer	<p>A traditional painted board hanging sign would have been preferable, but I don't think that there are any huge objections to this latest, more muted proposal.</p> <p>I also think that the wall sign and menu board, flanking the entrance, and both of modest dimensions, will make no great impact.</p>
OCC Highways	<p>The proposal, if permitted, will not have a significant detrimental impact ( in terms of highway safety and convenience ) on the adjacent highway network</p> <p>Recommendation:</p> <p>Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission</p>
Parish Council	No Comment Received.

**2 REPRESENTATIONS**

2.1 There have been two third party objection comments detailed below:

- Sign is the same as previously refused
- Sign does not respect the Grade 2 Listed Building
- Inappropriate design and colour
- Same as the previously refused
- Unbefitting & Gaudy

**3 APPLICANTS CASE**

3.1 A design and access statement has been submitted as part of this application and can viewed in full on our website. The statement has been summarised below:

For the reasons set out in the body of the heritage statement it has been considered that the proposed alterations are compatible with the 'special interest' and character of The Plough. Importantly the building will be provided with a sustainable use that is consistent with its character and fabric as a Grade

II listed building. It will provide a high quality boutique hotel which will benefit the building, and surrounding areas generally.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

EH11 Listed Buildings

T4NEW Parking provision

NPPF 2021

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

#### **PLANNING ASSESSMENT**

##### **Background Information**

5.1 The application seeks advertisement consent for works to include the installation of a double-sided hanging with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail at Double Red Duke, Black Bourton Road, Clanfield.

5.2 The application is brought before Members of the Lowlands Area Sub-Planning Committee as the Parish Council has objected to the associated listed building consent and for consistency of decision making, this application is also brought before members.

5.3 The application site relates to Grade II listed building which is currently being used as a bed and breakfast and restaurant within the main area of Clanfield.

##### **5.4 Relevant planning history**

- 20/01003/FUL - Erection of single storey rear extensions. - Approved
- 20/01004/LBC - Erection of single storey rear extensions. - Approved
- 20/01809/FUL - Replace existing outbuildings with 6 bedroomed unit for use ancillary to the public house. Associated landscaping works. (Amended Plans) - Approved
- 20/01810/LBC - Replace existing outbuildings with 6 bedroom unit for use ancillary to the public house. (Amended Plans) - Approved
- 20/02937/S73 - Variation of condition 3 (materials) and removal of condition 4 (window, door and cladding details) of planning permission 20/01003/FUL and Listed Building consent 20/01004/LBC - Approved
- 20/03005/ADV - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - Refused
- 20/03006/LBC - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - Refused
- 21/00698/FUL - Paving to front area, with landscaping and lighting to carpark and pathways - Approved
- 21/01305/LBC - Exterior alterations to include paving to front area, with landscaping and lighting to carpark and pathways and the addition of a new gate access - Approved
- 21/02568/S73 - Variation of condition 2 of planning permission 20/01809/FUL to allow use of attic space over bedroom 1 to accommodate separate bath and shower room,

- new stairs, insertion of additional first floor and ground floor windows, the inclusion of M and E riser rear cupboard (Retrospective). - Approved
- 21/02569/LBC - Variation of condition 2 of listed building consent 20/01810/LBC to allow use of attic space over bedroom 1 to accommodate separate bath and shower room, new stairs, insertion of additional first floor and ground floor windows, the inclusion of M and E riser rear cupboard (Retrospective). - Approved
  - 22/01332/FUL - Construction of external bar. (Retrospective). - Refused

There have been two recent appeals on this site as detailed below:

- APP/D3125/Z/21/3274959 - Installation of replacement hanging sign externally illuminated together with an internally illuminated menu case affixed to the main entrance. (Part Retrospective) - 20/03005/ADV
- APP/D3125/Y/21/3274941 - External alterations to install replacement externally illuminated hanging sign and an internally illuminated menu case together with a non-illuminated name sign both affixed to the main entrance. (Part Retrospective) - 20/03006/LBC

The two appeal decisions are linked to each other and the inspector made a split decision on the application in which the hanging sign was refused advertisement consent and listed building consent but the menu case and name sign were allowed.

5.5 The basis of the application falls under The Town and Country Planning (Control of Advertisements)(England) Part 1 Regulation 3 which states: A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account A) the provisions of the development plan, so far they are material and b) any other relevant factors, therefore, the main considerations of this application are the impact of the proposed development on public amenity and impact on highway safety only.

5.6 Proposed is the installation of a double-sided hanging sign with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail. It is important to note that appeal reference: APP/D3125/H/21/3274959 was for the previous permission 20/03005/ADV which was refused and then a split decision was made. The internally illuminated menu case and small cut panel with painted detail were allowed through the appeal and advertisement consent was provided for this element. The hanging sign was refused and dismissed at appeal due to the colour and the impact on the listed building.

5.7 Whilst the menu case and small cut panel have been included in this application, there are no further additions or changes from the previously approved. The proposed hanging sign is to be sited on the Eastern elevation of the Grade II listed building and is to be fixed to the building using 3 bolts. The sign is to be 850mm in width and 1200mm in height and to be 3m above ground. The sign is to have the pictorial on both sides with one side of the image having a differing facial expression. The sign is to be RAL 3003 as the background with all other elements in black. The proposed materials for the sign are to be a fret cut aluminium sign with painted and vinyl detail. The sign is to be illuminated with linolites externally with a slimline detail and a new bracket for the hanging element.

### **Impact on Public Amenity**

5.8 It is important to consider that Section 136 of the NPPF (2021) states: "The quality and character of places can suffer when advertisements are poorly sited and designed" Linking to this, Officers, therefore, consider Policy OS4 of the West Oxfordshire Local Plan 2031 which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local

distinctiveness and where possible, enhance the character and quality of the soundings. Section 12(130 b) of the NPPF also states that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping to which the proposed complies with. West Oxfordshire Design Guide Section 17 Shop Front Design states "shop signs should be well designed in their own right, and relate meaningfully to the design of the shop front as a whole, and to the elevation/ building more widely"

5.9 The installation of a double-sided hanging with linolites, along with the addition of an internally illuminated menu case and small cut panel with painted detail would be visible on the street scene, however, Officers have carefully considered that the signage is congruous with the local vicinity. The appeal stated in relation to the previous scheme "The colour scheme of the proposed signage is more garish, overbearing and visually prominent in contrast to the muted signage generally found on fascia boards and hanging signs within the village ". Following the comments of the appeal and consultation with the Conservation Officer before the application, the signage has now been redesigned such that the colour of the hanging sign is a much more muted red. Officers now consider that the proposed signage does not harm the visual amenity of the host building and the neighbouring properties.

5.10 Within appeal APP/D3125/Y/21/3274941 & APP/D3125/H/21/3274959 the inspector states: "The differing approach to the imagery on either side of the proposed hanging sign and its general form and proportions, including the proposed bracket and method of illumination, are all acceptable. Furthermore, the height and siting of the hanging sign on the eastern gable of the property is also acceptable, particularly as it is in the same place as the hanging sign it replaced". In light of the appeal decision, Officers have considered that the proposed signage is in line with the Inspectors comments and is therefore considered acceptable in this regard.

5.11 Policy EH11 states proposals for additions or alterations to, or change of use of a Listed Building will be permitted where it can be shown to: conserve or enhance the special architectural or historic interest of the buildings fabric, detailed features, appearance or character and setting. It is also important for Officers to take regard to section 7 of the West Oxfordshire Design Guide which also emphasises that the character, fabric and history of the building should be understood as fully as possible.

5.12 Within appeal APP/D3125/Y/21/3274941 & APP/D3125/H/21/3274959 the inspector states "However, I am satisfied that the extent of vibrant colour visible on the hanging sign does not harmfully detract from the settings of the Church of St Stephen and the Clanfield Tavern Public House, which are preserved". Therefore Officers have considered that as the newly proposed hanging sign is a more muted colour that there will still be no harmful detracting from the adjacent listed buildings.

5.13 Based on the policies made reference to above and given the nature of the replacement of existing signage, Officers are of the opinion that the proposal would not give rise to any adverse impacts regarding amenity. The proposed replacement signage is sympathetic to the listed building and not giving rise to any adverse effects on the visual amenity. Whilst there is one illuminated element for the hanging sign, this is a modest illuminated element which is being replaced on a like-for-like basis in which there are no concerns with light pollution. Officers have considered that the signs are relatively modest and sympathetic and would not give rise to any overbearing issues.

### **Impact on Highway Safety**

5.14 Officers consider that the proposed new signage is a logical modification to the site. It has been considered that the scale and the location of the signs would not distract highway users and nor would it comprise highway safety. This is reaffirmed by the specialist highway officers of OCC who raise no

objection to the scheme. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

### **Other Matters**

5.15 There have been two third-party consultees objecting to the scheme. Both have commented on the visual aspect of the scheme in which the signs are unbecoming and gaudy. The other comment detailed that the hanging sign is the same as the refused sign and does not respect the Grade II listed building. Officers have considered that the comments from the appeal have been taken into consideration and that there has been a redesign in the colour as this was the main concern for the proposed scheme and has now been considered acceptable. There was also a comment concerning the menu sign and name sign which these have already been approved within the appeal reference: APP/D3125/H/21/3274959.

### **Conclusion**

5.16 The proposed signs are acceptable in design terms, maintaining levels of amenity within the locality and will not generate any public safety concerns. The proposal accords with the provisions of the NPPF and Policies OS2, OS4 and T4 of the West Oxfordshire Local Plan 2031, and the Advertisements Consent regime.

## **6 CONDITIONS**

1. This consent shall operate for a period of five years from the date of this notice.

REASON: By virtue of the Advertisement regulations.

2. Express consent is granted subject to the standard conditions set out in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

REASON: To comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Advertisements must be maintained in a clean, tidy and safe condition and must not obscure road signs or railway.

**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 26th October 2022