

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 18th September 2023

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 Business Manager. 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.

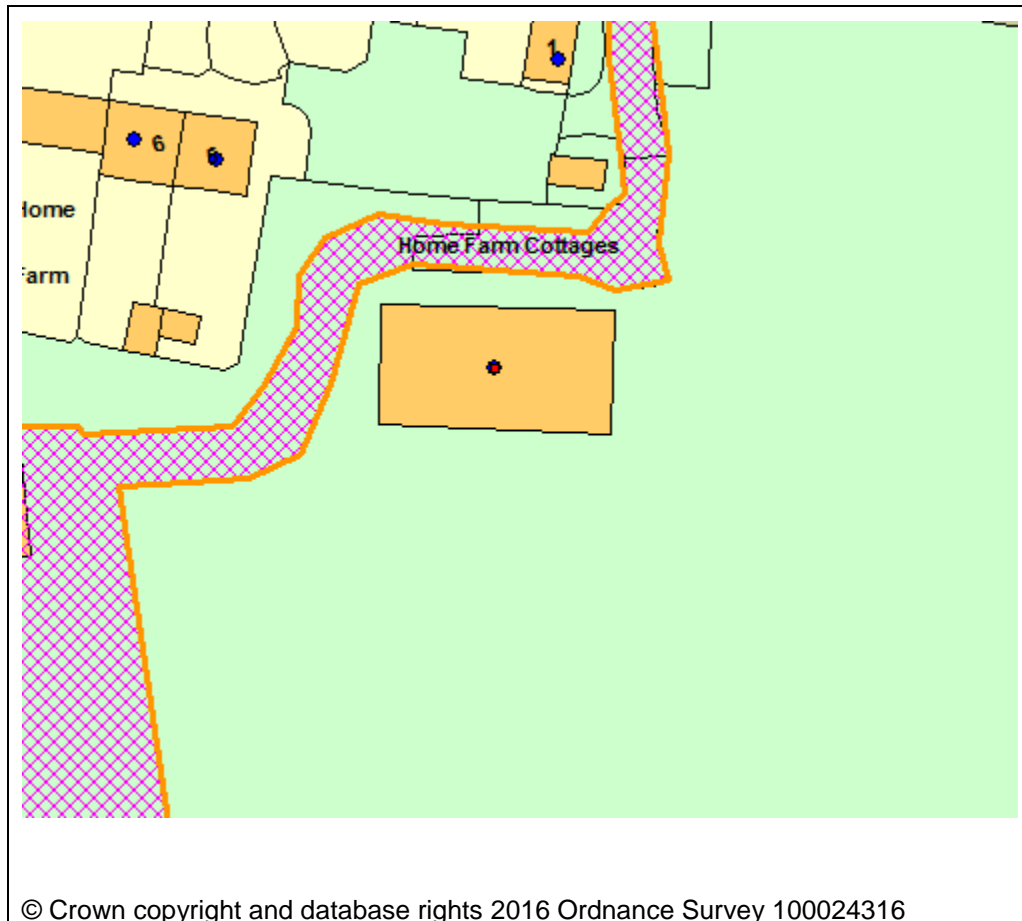
Please note that:

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

Item	Application Number	Address	Officer
9-17	23/01326/FUL	The Pump Depot Field Assarts Witney	Kelly Murray
18-23	23/01723/FUL	Burford House Hotel 99 High Street Burford	Kate Alder
24-28	23/01724/LBC	Burford House Hotel 99 High Street Burford	Kate Alder

Application Number	23/01326/FUL
Site Address	The Pump Depot Field Assarts Witney Oxfordshire OX29 9NQ
Date	6th September 2023
Officer	Kelly Murray
Officer Recommendations	Approve
Parish	Asthal Parish Council
Grid Reference	431658 E 213811 N
Committee Date	18th September 2023

Location Map



Application Details:

Temporary change of use and operational development in association with business and storage operations (Retrospective).

Applicant Details:

Mr Andrew Coles
Land And Barn South East Of Home Farm
Road Through Field Assarts
Field Assarts
Witney
Oxfordshire
OX29 9NQ

I CONSULTATIONS

Env Health - Uplands

No Comment Received.

OCC Highways

The application seeks a temporary use until the work on the adjacent building makes it available for use. The proposal will not result in an intensification of the permitted use of the site.

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network

Recommendation:

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

Parish Council

The Parish Council has given a detailed response to this application but wish to ensure clarity on key points.

1. The council understands that planning permission has already been given for both the cladding of the barn and the change of use of the barn from agricultural to business use, but the land remains agricultural.
2. The council objects to the siting of the temporary structures in their present position to the rear of residential properties. The invasion of privacy, noise and pollution is unacceptable to residents for 18 months.
3. Should permission be granted on an alternative site, all temporary structures, including hard standing and roadways, must be removed and the land restored to pastureland after the specified 18 months. It is expected that the company can then work exclusively from the barn. The site would then be more in keeping with the rural location.

4. Highways must be consulted about the regular access of large articulated vehicles which is currently causing a traffic hazard.
5. Provision for the removal of sewage and provision for safe storage of potential pollutants must be specified.

2 REPRESENTATIONS

2.1 82 letters of objection and comment have been received, including one letter from a group of residents.:

- Impact on local highways system - increased traffic and damage to roads and shared access
- Not in keeping with the rural character of Field Assarts
- Inappropriate site for industrial operations, no need demonstrated
- Undesirable precedent for further development across the wider land
- Harm to views within the AONB and from 'The Ridings' and 'Minster Ridings'
- Too close to residential homes
- Disruption from industrial machinery and idling vehicles including vibrations, noise and fumes
- Privacy from the proximity to residential gardens
- Anti-social operating hours - early mornings and late evening operations
- Commercial waste, recycling and materials is stored in piles around the site not in designated bins
- Inadequate infrastructure - foul waste disposal
- Light pollution affecting residents and AONB dark skies
- Loss of habitats and wildlife
- Pollution from vehicle fumes
- Contrary to policy
- Flood risk

3 APPLICANT'S CASE

3.1. The full covering letter can be read on the West Oxfordshire Planning website but extracts are included below:

3.2 The company "Allsebrook Pumps Limited" was bought by the current owners in January 2017, their intent was to grow this business in the Oxfordshire area. In the first instance this meant renting existing premises. However their intention has always been to own their own premises, for security of tenure and financial viability in the longer term.

3.3 Allsebrook Pumps bought the concrete barn site and surrounding farmland on 2nd December 2022. At that time, they were still in occupation of a rented site near Wendlebury, Oxfordshire. However, they needed to re-locate as a matter of urgency, and so were keen to get the former concrete barn internally converted to their pump depot as soon as possible, without which they would have no premises from which to continue to operate.

3.4 The overall economy within the West Oxfordshire District area generally fares better than that of the UK as a whole. However, we must by now all be aware that times are tougher than a few years ago, and within the planning rules, if a sustainable proposal can be encouraged and thus benefit the economy, we believe it should be encouraged.

3.5 Allsebrook Pumps intend to be on site within the refurbished concrete barn for a considerable period of time, with no current end date envisaged. They want to establish themselves on this site, achieve very good relations with neighbours, and to this end we will be letting the Parish Council know we have submitted this application.

3.6 The intention of the applicants is to abide by an agreed period of time, to clear the site in accordance with the advice of the Council, and to thereafter focus on the business of servicing and providing pumps. They aim to do so while being mindful of how the use affects the residents of Field Assarts.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

E1NEW Land for employment

EH1 Cotswolds AONB

NPPF 2021

EH8 Environmental protection

EH2 Landscape character

T4NEW Parking provision

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

5 PLANNING ASSESSMENT

5. Background Information

5.1. This is a retrospective application seeking temporary permission for a change of use and operational development in association with business and storage operations on land previously known as Land and Barn South East of Home Farm.

5.2. The application site lies on the edge of Field Assarts, a hamlet 4.6 miles north of Witney. It falls within the Cotswolds Area of Outstanding Natural Beauty ("AONB") and the Wychwood Project Area. It is within 100m of a listed building known as "Wychwood Farmhouse"

5.3. The site is part of a wider area of land under the ownership of the applicant. On this wider area there is a former agricultural building known as the "concrete barn". This has permission, pursuant to an application made in 2021, for a change of use to a flexible B1 (business)/ B8 (storage) use. That application was made under Schedule 2, Part 3, Class R of the Town and Country (General Permitted Development) (England) Order 2015 ("GPDO"). Permission had already been granted in 2020 to clad the building.

- 5.4. The application site lies approximately 28 metres to the west of the concrete barn. The development has resulted in the demolition of a 'Nissen' hut and a concrete base has been laid in its place. A large area of hard-surfacing has also been installed around this concrete base which together form the base for five storage containers, four of the containers have been arranged to create a central workshop area and a canvas shelter has been installed to cover this. In addition a temporary toilet block and a temporary office block have been sited and a hard-surfaced access road has been laid. Drainage pipes for the toilet block have been installed to allow emptying of the foul waste storage tank from a tap at the access. The application site is separated from the surrounding land by heras fencing.
- 5.5. The current lawful use of the site is agricultural and apart from the concrete barn, the surrounding land to the east and south remains agricultural. The site is accessed via an access way which is shared with the neighbouring dwellings.
- 5.5. Immediately to the west of the site, there is a field boundary composed of hedges. The site is open to the south and the east and is visible when travelling north from Minster Lovell along Minster Ridings and also partially when travelling west along The Ridings. The northern boundary of the site consists of residential dwellings. The rear garden boundary of three of these dwellings is approximately 10 metres from the edge of the site, one is located adjacent to the entrance of the shared access. There are an additional four dwellings that do not share an immediate boundary with the site but are within 50 metres of the edge of the site and have a partial view of the site.

Relevant planning history

- 5.7.
- 20/03553/CLASSR - Notification for the change the use of less than 150 square metres of the building - Raise no objection
 - 20/02099/FUL - The cladding and recladding of an agricultural barn and associated works – Approve
 - 21/00070/PN56 - Change of use of building and land within its curtilage from use as an agricultural building to a flexible use, initially falling within Class B1 (business) and Class B8 (storage). - Prior approval not required.

Current position

- 5.8. The applicant bought the site in 2022 in order to carry out his business, Allsebrook Pumps. He has stated that a temporary base of operations was required during the cladding works and he was not aware of the need to obtain permission to carry out the works on the adjacent land. He has confirmed that the works to set up the temporary base have been completed and no further changes to the site are planned. The works to convert the concrete barn have begun and are due to be completed by the end of December 2023. The operations will be moved into the concrete barn once the cladding works are completed.

Consideration

- 5.9. 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 of development

- Siting, design and scale of operations
- Residential amenity
- Impact on the AONB
- Highways

These are to be considered in the context of the temporary nature of the application, the extant permissions for the concrete barn and any planning-related benefits that might arise from granting temporary consent.

Principle of Development

- 5.10. Since the concrete barn has consent granted under the GPDO for a change of use from an agricultural building to Class E the principle of a change to this use is accepted for the barn itself and for a limited amount of curtilage. This is not however the case for the application site, whose lawful use continues to be agricultural.

Siting, design and visual impact

- 5.11. The application site is located on the edge of Field Assarts, which falls within the small villages, hamlets and open countryside category of the West Oxfordshire Local Plan 2031 settlement hierarchy. As described above the site is open to the east and the south but is highly visible from the dwellings to the north and is moderately visible from the surrounding highway system.
- 5.12. The industrial storage containers, hard surfacing and temporary office and toilet blocks are not considered to form a logical complement to the existing scale or pattern of development, nor to the character of the area which was previously an undeveloped edge of an isolated hamlet. The commercial use with its associated storage being sited in an open, rural location is visually unacceptable and inappropriate were this to be considered on a permanent basis.

Residential Amenity

- 5.13. The site is within close proximity of at least 4 dwellings, with an additional 4 dwellings potentially being affected by the operations. Representations have been received from occupants of dwellings stating that the operations are causing noise and vibrations and there are fumes from idling vehicles on site.
- 5.14. As previously stated, the application site is some 28 metres distant from the concrete barn which has permission granted under the GPDO for light industrial use. This is a category of use that is considered suitable to be carried out in a residential area without detriment to surrounding amenity. Provided the business operations do indeed fall within this class, they are permitted to be carried out within the concrete barn and could lawfully be carried on now, theoretically even without any form of cladding or other enclosure. When the barn is cladded, however, any noise and disturbance arising from normal operations should diminish. Some of the noise and disturbance currently experienced would be an inevitable part of the conversion of the barn and will cease once this is complete.

Highways

- 5.15. The vehicular movements occurring on the site would appear to be primarily from the business operations of Allsebrook Pumps, however there are also construction vehicles delivering and

removing materials which initially related to the construction of the temporary site and are now associated with the conversion works.

- 5.16. There is currently one permanent employee who parks on the application site; whilst other small vehicles used by engineers and delivery drivers enter and leave the site throughout the day and are only on site for limited periods of time. This pattern will continue once the operations are transferred to the barn.
- 5.17. Representations have been received expressing concern around large vehicles entering and leaving and causing damage to the access as well as an increase overall in the number of large vehicles using the highway system. However, as the movement of vehicles are associated with either the conversion works or the business operations which will in due course occur in the barn, it is difficult to argue that they are at a level that is unacceptable.
- 5.18. For the reason that the temporary use sought by this application will not result in an intensification of the permitted use of the wider site, County Highways have not objected to the application. As such, the development is considered acceptable in highways terms and complies with policy T4 (parking provision).

Cotswold AONB

- 5.19. Paragraph 176 of the NPPF requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. In this case the high visibility of the site means that it has an impact on views within the AONB.
- 5.20. Whilst there are no public rights of way nearby from which the site can be seen and views of the site from the west are limited, neither the use nor the associated operational development is considered to conserve or enhance the AONB. The grouping of the temporary structures with the accompanying herring fencing and hard-standing are unsightly and highly detrimental to the open, rural character of the settlement and to views both towards and from the site.

Other Matters

- 5.21. For the reasons given above, the development is considered to be contrary to policy; it has harmful landscape visual impacts and fails to conserve the character of the AONB. There is also no doubt that the creation of this temporary base and to some extent the ongoing operations - sited, as they are, in the open, fully visible and proximate to nearby dwellings - have caused noise and disturbance that would not usually be acceptable in a rural hamlet on the edge of open countryside in the AONB. There are certain contextual factors, however that Officers believe should be considered when determining the level of harm for the purposes of deciding this application. First, the concrete barn has permissions for light industrial use and for the carrying out of cladding works. The permitted use of the barn entails internal conversion and then an ongoing level of activity thereafter concomitant with the carrying out of a light industrial use. The permission was granted under the GPDO and imposes no restrictions as to how the business is carried out, or as to vehicular activity or hours of operation, provided it falls within the classification of light industrial use. Noise and disturbance that might ordinarily arise from these lawful activities are likely to continue (albeit largely from inside the barn) once the barn has been converted. The temporary activities that the applicant proposes to carry on a short distance to the west of the barn must therefore be considered in that context.

- 5.22. Conversion of a barn and the carrying out of associated works will always cause a level of disturbance during the conversion process. In this case, the level of disruption has been worse because of the unlawful setting up of the temporary site and the fact that the activities as a whole are spread over a larger area than the footprint of the barn itself. The construction noise is, however, temporary and will not continue beyond the completion of the conversion works necessary to enable the business to be carried on within the confines of the barn.
- 5.23. A further consideration is that Schedule 2 Part 4 Class A of the GPDO grants permission enabling land adjacent to a development site to be used for a temporary period in association with that development. There is no exception made for development in the AONB. Whilst the PD right would not allow the carrying out of a business, it would permit storage of equipment and building materials for use in the conversion. Some of this equipment and materials are currently being housed within the barn itself but the applicant would be entitled to use the application site for this purpose which might give rise to very similar visual impacts in terms of storage of containers, equipment and pallets in the open and in full view of nearby dwellings. Equally, it would involve lorry and van movements going to and from these stored items in the course of the conversion which would be likely to give rise to similar types and levels of noise and disturbance as residents are currently experiencing.
- 5.24. Officers consider that unfettered permission for the continued use of this site would not be acceptable. By granting a temporary consent the Local Planning Authority would be able to exercise a reasonable level of control over how the site is used in a way that might minimise disruption to residents over the coming months until the conversion was complete.
- 5.25. Officers note concerns expressed by objectors that any consent may enable the business operations to expand across surrounding land. As explained above, however, the development would not be an acceptable use of land in this location on a permanent basis and any incursion beyond the application site area (that was not within the barn or its curtilage) would be susceptible to enforcement action. Since this application is being considered on its particular merits, an approval would be unlikely to create a precedent unless very similar circumstances applied in another case and there were no relevant distinguishing factors.

Summary

- 5.26. Taking into consideration the matters set out above, your Officers consider the development causes unacceptable harm to the AONB which would not be permissible on a permanent basis, being contrary to policy and to the NPPF. In this case however, there are material considerations which are considered to outweigh the identified conflict with the development plan. These are: (i) the applicant's fall-back permitted development rights which he is entitled to exercise in association with the conversion of the barn; (ii) the light industrial use for the barn which is in close vicinity of the application site and for which the applicant already has unconditional consent; and (iii) the advantages inherent in being able to impose (and quickly enforce through a breach of condition notice (for which there is no right of appeal)) conditions to regulate the use if permission is granted. In this case these factors are considered to reduce the level of harm to an acceptable level but only on a temporary basis until the conversion works are completed and to a reasonable timeframe. Accordingly, Officers recommend approval subject to the conditions proposed below.

6 CONDITIONS

1. The use hereby permitted shall be for a limited period being the period of 5 months from the date of this decision. The use hereby permitted shall be discontinued, all structures and hardstanding removed and the land restored to its former condition on or before the end of 5 months from the date of this decision.

REASON: This development would not be appropriate in this location on a permanent basis.

2. No items shall be stored on the site except within the structures authorised by this permission.

REASON: To protect the residential and visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.

3. The temporary use hereby permitted shall take place only during the hours of 0830 - 17:30 on weekdays only

REASON: In order to protect residential amenity

4. No external lighting shall be put in place or operated on the site at any time, other than lighting the details of which have been previously submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

REASON: To safeguard the character and appearance of the area and to protect residential amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the use permitted is for light industrial Class E only (as set out in the Town and Country Planning (Use Classes) Order 1987 as amended). No development shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed on the site as further development is likely to be inappropriate due to the temporary nature of the permission, the unsustainable location, impact on neighbouring amenity, residential amenity and visual amenity within the AONB.

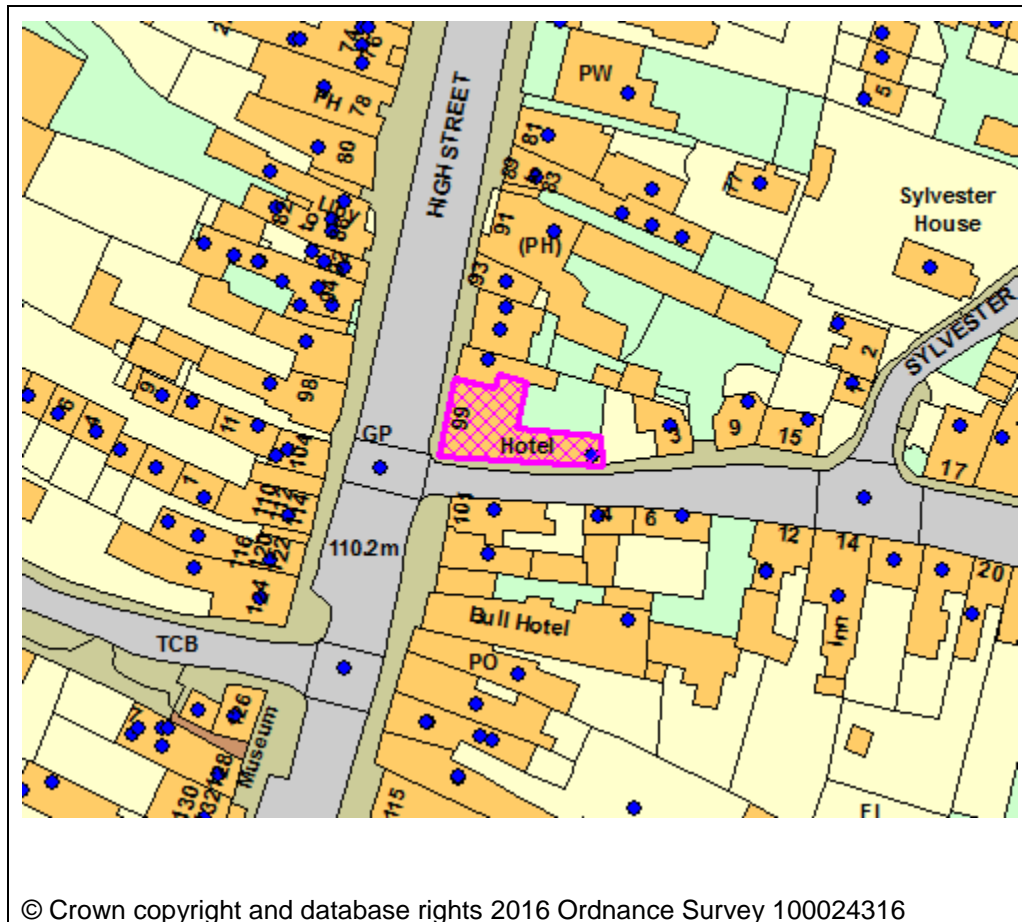
Contact Officer: Kelly Murray

Telephone Number: 01993 861674

Date: 6th September 2023

Application Number	23/01723/FUL
Site Address	Burford House Hotel 99 High Street Burford Oxfordshire OX18 4QA
Date	6th September 2023
Officer	Kate Alder
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425179 E 212177 N
Committee Date	18th September 2023

Location Map



Application Details:

Retention and staining of front door (partially retrospective)

Applicant Details:

Mr S Nolan
Burford House Hotel
99 High Street
Burford
Oxfordshire
OX18 4QA

1 CONSULTATIONS

Parish Council

M Andrews, Town Clerk The Council object to the door, it was agreed to be a glass door only. Prior to the previous listed building approval there were no doors.

2 REPRESENTATIONS

2.1 No third party representations have been received to date.

3 APPLICANT'S CASE

3.1 The applicant has outlined their position within the associated Planning Statement: We believe that the stained front door would be more in keeping with the historic building and its setting with the Conservation Area. As result, the proposed works would not have a detrimental impact on the Heritage Asset or the Conservation Area. The pre-existing internal stud partition walls were 20th century additions and were not integral elements to the building's historic or listed status. As a result, the wall's removal did not have a detrimental effect on the Heritage Asset.

4 PLANNING POLICIES

DESGUI West Oxfordshire Design Guide
OS2NEW Locating development in the right places
OS4NEW High quality design
EH1 Cotswolds AONB
EH9 Historic environment
EH10 Conservation Areas
EH11 Listed Buildings
NPPF 2021

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

5 PLANNING ASSESSMENT**Background information**

5.1 This application seeks planning permission for the retention and staining of a new front door. The application site relates to an end of terrace Grade 2 Listed Building currently in use as a hotel, located on the High Street in the centre of the rural service centre of Burford Town. The

property is situated within the Burford Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

5.2 This application has been submitted as a result of ongoing enforcement investigations at the site which began in 2017. In 2019 applications 19/01293/FUL (Alterations to install a new glass entrance door) and 19/01294/LBC (External and internal alterations to include removal of interior partition wall, create doorway and block up doorway (retrospective) and install a new glass entrance door to front elevation) were approved on 09/07/2019. However, the front door has not been replaced as proposed and the timber door remains installed. An application for Listed Building Consent for the retention and staining of front door and alteration to internal partition wall (partially retrospective) (23/01724/LBC) also appears on the schedule.

Relevant Planning History

19/01293/FUL - Alterations to install a new glass entrance door - PLANNING PERMISSION APPROVED 09/07/2019 (not undertaken)

19/01294/LBC - External and internal alterations to include removal of interior partition wall, create doorway and block up doorway (retrospective) and install a new glass entrance door to front elevation - LISTED BUILDING CONSENT GRANTED 09/07/2019 (retrospective part undertaken only)

17/00071/PENF - Alleged unauthorised works to a listed building - alterations to the front door (new frame and glass door fitted in the original archway) and removal of internal wall. Alleged unauthorised signage. - ONGOING ENFORCEMENT PENDING CONSIDERATION - the 2019 applications and the current 2023 applications arose from this planning enforcement investigation. The front door has not been replaced and a larger opening than that permitted under the 2019 applications has been made between hall and dining room.

Proposed Development

5.3 The proposed part-retrospective development relates to the retention and staining of the new wooden front door which does not match the previously approved full glass design.

5.4 The staining of the wood framing of the current front door would be completed with Osmo Natural Woodstain 905 Patina, to match the colour of the first floor timbers and window frames.

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

- The Principle of Development;
- The Impact on Heritage Assets and Design;
- The Impact on Visual Amenity.

Principle of Development

- 5.6 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 Local Plan 2031 adopted in September 2018.
- 5.7 The proposed part-retrospective development is located within the curtilage of Burford House Hotel, 99 High Street, Burford. Therefore, the principle of development is considered acceptable subject to design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031. In terms of other material considerations, policy OS2 of the Local Plan states that all development should form a logical compliment to the existing character of the area, conserve and enhance the historic and natural environment and not have a harmful impact on the amenity of existing occupants. Therefore, the development can be considered acceptable subject to meeting these requirements. Each is assessed in turn below.

Impact on Heritage Assets and Design

- 5.8 Officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant 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. This duty is reflected in policy EH11 of the Local Plan.
- 5.9 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application. This duty is reflected in policy EH10 of the West Oxfordshire Local Plan 2031.
- 5.10 Paragraph 176 of the NPPF 2021 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. Policies OS2 and EH1 of the West Oxfordshire Local Plan 2031 give great weight to conserving the landscape and scenic beauty.
- 5.11 Policy OS4 of West Oxfordshire Local Plan 2031 also refers to high quality design where buildings and features of historic significance should be conserved or enhanced and new development should demonstrate high quality design by having regard to design advice in the West Oxfordshire Design Guide and Conservation Area Appraisals.
- 5.12 Policy EH9 considers the historic environment more broadly and the tests for determining proposals that will or have the potential to affect heritage assets. This is reflected in paragraphs 199-208 of the National Planning Policy Framework (NPPF).
- 5.13 The historic significance of Burford House Hotel (previously known as 'Corner House Hotel') is stated within the associated Listing Entry No. 1223879 which outlines the history and grading as

such: 'BURFORD AND UPTON HIGH STREET AND SIGNET (East Side) SP2512 (Enlargement) Corner House Hotel; House restored as hotel. Early C16 but entirely restored in early C20. Rubble on ground floor, timber-frame on 1st floor, Cotswold stone roof. 2 storeys and attic; 4 hipped dormers, rubble end chimneys. 1st floor close-studded with 4 windows, 3- and 4- light arch-headed lancets with moulded heads, moulded strings over ground floor. 2 windows on ground floor, 4-light chamfered mullion type with king mullions. Central Tudor arched doorway (also new.). Right hand ground floor corner chamfered back with mullion window on splay and 2 Tudor arches (to West and to South) supported on chamfered corner pier. Gabled return to Witney Street also looks C20. 3-bay 2-storey-and-attic extension to West is probably C17 though with C20 casements; a further 2-storey extension is probably C17 or early C18. Interior ground floor room retains massive probably C16 spine beam with pyramidal stops.'

5.14 With regard to the front door, the Conservation Officer notes that this was fitted several years ago without consent, and being framed in light coloured timber, it attracted negative attention from the Town Council. The Council then gave consent for it to be replaced with a structural glass door (19/01293/FUL & 19/01294/LBC), although this was not installed. The Conservation Officer undertook a site visit in May 2023 in which they advised that if the existing door framing was stained in a dark tone, it would chime with other external joinery, and it would also visually recede into the lobby.

5.15 In terms of impact on the conservation area, AONB and its immediate setting, Officers consider the development to amount to less than substantial harm. Officers consider that the staining of the door frame would maintain the appearance of the heritage asset which would only be viewed in its immediate context. Therefore, given its nature and location within the immediate and wider surrounds, the development conforms to policies OS2, OS4, EH1, EH9, EH10, and EH11 of the Local Plan.

The Impact on Visual Amenity

5.16 Paragraph 130 of the NPPF 2021, states that planning policies and decisions should ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Given the nature of the development, officers are of the opinion that the proposed would not give rise to any adverse impacts in regards to visual amenity.

Conclusion

5.17 In conclusion, the proposed development is considered to comply with policy OS2, OS4, EH1, EH9, EH10, and EH11 of the West Oxfordshire Local Plan (2011-2031) and Section 16 of the NPPF. The application is therefore recommended for approval subject to conditions.

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. Within 1 month of the date of this permission the front door frame shall be stained with OSMO Natural Woodstain 905 Patina, and thereafter retained as such.

REASON: To protect the historic character and appearance of the Listed Building.

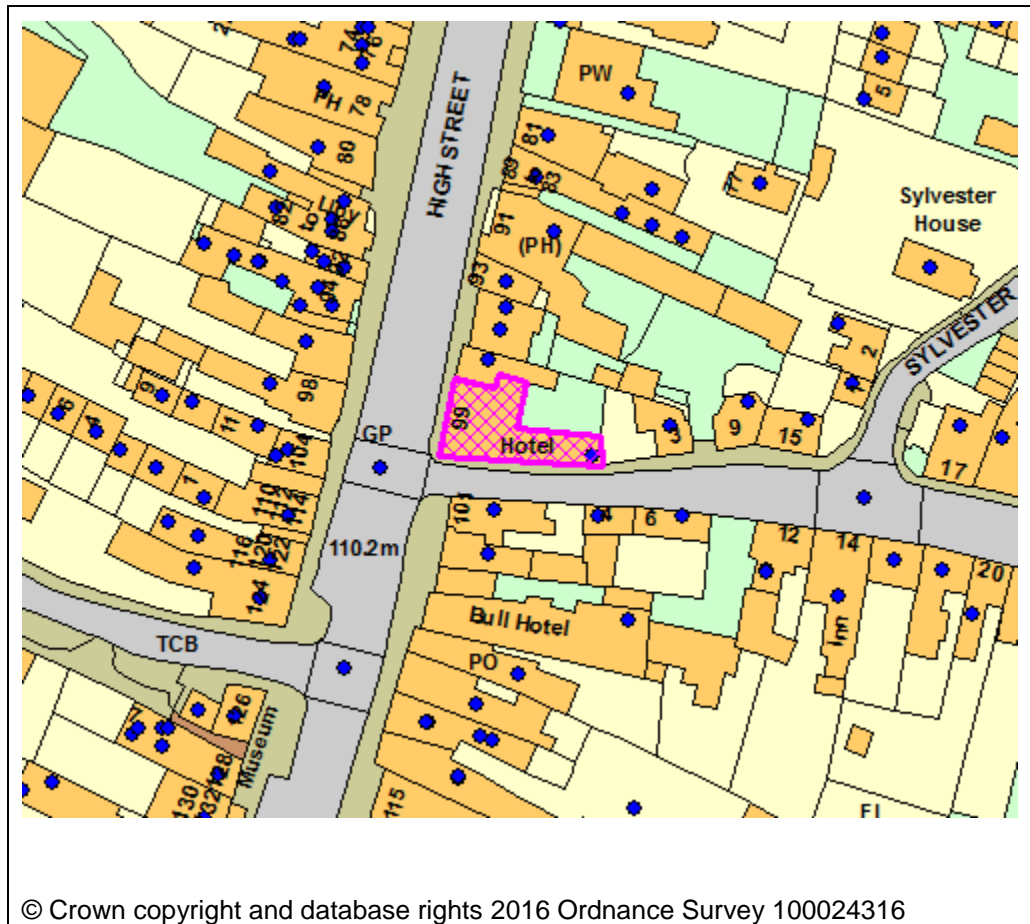
Contact Officer: Kate Alder

Telephone Number:

Date: 6th September 2023

Application Number	23/01724/LBC
Site Address	Burford House Hotel 99 High Street Burford Oxfordshire OX18 4QA
Date	6th September 2023
Officer	Kate Alder
Officer Recommendations	Approve
Parish	Burford Parish Council
Grid Reference	425179 E 212177 N
Committee Date	18th September 2023

Location Map



Application Details:

Retention and staining of front door and alteration to internal partition wall (partially retrospective)

Applicant Details:

Mr S Nolan
Burford House Hotel
99 High Street
Burford
Oxfordshire
OX18 4QA

I CONSULTATIONS

Conservation And Design
Officer

Bryan Martin, Senior Conservation and Design Officer The front lobby door: This was actually fitted several years ago without consent, and being framed in light coloured timber, it attracted negative attention from the town council. We gave consent for it to be replaced with a structural glass door, although this was never installed. On our site visit in May I advised that if the existing door framing was stained in a dark tone, it would chime with other external joinery, and it would also visually recede into the lobby. As you will see they have now stained the door framing, and in my view this is now an acceptable compromise.

The internal partition: They have removed a large part of the partition wall on the right as you enter from the lobby, without consent. From memory, the lost fabric was just plain walling, with no particularly interesting features, but it was nonetheless a significant part of a listed building. Anyway, the fabric has now gone, and whilst we could ask for it to be reinstated, the replacement fabric would of course be new. It is also notable that the original form is readable in the remaining nibs and the down-stand beam - and in addition, there is probably a strong business case for the open-plan layout. Bearing all of this in mind we concluded that, very much on balance, we could grant retrospective consent for removal of the wall.

Parish Council

M Andrews, Town Clerk The Council object to the door, it was agreed to be a glass door only. Prior to the previous listed building approval there were no doors.

2 REPRESENTATIONS

2.1 No third party representations have been received to date.

3 APPLICANT'S CASE

3.1 The applicant has outlined their position within the associated Planning Statement: We believe that the stained front door would be more in keeping with the historic building and its setting with the Conservation Area. As result, the proposed works would not have a detrimental impact

on the Heritage Asset or the Conservation Area. The pre-existing internal stud partition walls were 20th century additions and were not integral elements to the building's historic or listed status. As a result, the wall's removal did not have a detrimental effect on the Heritage Asset.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

EHI Cotswolds AONB

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

DESGUI West Oxfordshire Design Guide

NPPF 2021

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

5. PLANNING ASSESSMENT

- 5.1 These are proposals for the for the retention and staining of the front door and alterations to internal partition wall (partially retrospective) at the Grade II Listed Building Burford House Hotel, 99 High Street, Burford (previously known as 'The Corner House Hotel'). The development concerns works undertaken within the curtilage of a Listed Building that are deemed to affect the character of the building as a building of special interest. Planning permission is considered under application reference 23/01723/FUL for the retention and staining of the front door, which also appears on the schedule.
- 5.2 This application has been submitted as a result of ongoing enforcement investigations at the site which began in 2017. In 2019 applications 19/01293/FUL (Alterations to install a new glass entrance door) and 19/01294/LBC (External and internal alterations to include removal of interior partition wall, create doorway and block up doorway (retrospective) and install a new glass entrance door to front elevation) were approved on 09/07/2019. However, the front door has not been replaced as proposed and a larger opening without the fixed glazing or pillar permitted under the 2019 applications has been made between the entrance hall and dining room.
- 5.3 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.
- 5.4 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 the 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 harm

should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.

- 5.5 Officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant 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. This duty is reflected in policy EH11 of the Local Plan.
- 5.6 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. This duty is reflected in policy EH10 of the West Oxfordshire Local Plan 2031.
- 5.7 Paragraph 176 of the NPPF 2021 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. Policies OS2 and EH1 of the West Oxfordshire Local Plan 2031 give great weight to conserving the landscape and scenic beauty.
- 5.8 Policy OS4 of West Oxfordshire Local Plan 2031 also refers to high quality design where buildings and features of historic significance should be conserved or enhanced and new development should demonstrate high quality design by having regard to design advice in the West Oxfordshire Design Guide and Conservation Area Appraisals.
- 5.9 Policy EH9 considers the historic environment more broadly and the tests for determining proposals that will or have the potential to affect heritage assets. This is reflected in paragraphs 199-208 of the National Planning Policy Framework (NPPF).
- 5.10 The historic significance of Burford House Hotel (previously known as 'Corner House Hotel') is stated within the associated Listing Entry No. 1223879 which outlines the history and grading as such: 'BURFORD AND UPTON HIGH STREET AND SIGNET (East Side) SP2512 (Enlargement) Corner House Hotel; House restored as hotel. Early C16 but entirely restored in early C20. Rubble on ground floor, timber-frame on 1st floor, Cotswold stone roof. 2 storeys and attic; 4 hipped dormers, rubble end chimneys. 1st floor close-studded with 4 windows, 3- and 4- light arch-headed lancets with moulded heads, moulded strings over ground floor. 2 windows on ground floor, 4-light chamfered mullion type with king mullions. Central Tudor arched doorway (also new.). Right hand ground floor corner chamfered back with mullion window on splay and 2 Tudor arches (to West and to South) supported on chamfered corner pier. Gabled return to Witney Street also looks C20. 3-bay 2-storey-and-attic extension to West is probably C17 though with C20 casements; a further 2-storey extension is probably C17 or early C18. Interior ground floor room retains massive probably C16 spine beam with pyramidal stops.'
- 5.11 With regard to the front door, the Conservation Officer notes that this was fitted several years ago without consent, and being framed in light coloured timber, it attracted negative attention from the town council. The Council then gave consent for it to be replaced with a structural glass door (19/01293/FUL & 19/01294/LBC, APPROVED 09/07/2019), although this was not installed. The Conservation Officer undertook a site visit in May 2023 in which they advised that if the

existing door framing was stained in a dark tone, it would chime with other external joinery, and it would also visually recede into the lobby.

5.12 In terms of the internal partition, its alteration was granted under Listed Building Consent (19/01294/LBC), although not to the design approved. The Conservation Officer notes that the applicant removed a large part of the partition wall on the right as you enter from the lobby, without consent. The lost fabric of the original partition wall was plain walling, with no particularly interesting features, but it was nonetheless a significant part of a listed building. The fabric has now gone, and reinstatement of the partition wall would be with new materials. It is also notable that the original form is readable in the remaining nibs and the down-stand beam. In addition, there is probably a strong business case for the open-plan layout. With consideration to all the points, the Conservation Officer concluded that, very much on balance, we could grant retrospective consent for removal of the wall.

Conclusion

5.13 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.

5.14 Taking into account the above matters it is considered 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 and so the application is recommended for approval, subject to conditions.

6 CONDITIONS

- I. Within 1 month of the date of this permission the front door frame shall be stained with OSMO Natural Woodstain 905 Patina, and thereafter retained as such.

REASON: To protect the historic character and appearance of the Listed Building.

Contact Officer: Kate Alder

Telephone Number:

Date: 6th September 2023