

## **Democratic Services**

**Reply to:** Amy Barnes  
**Direct Line:** (01993) 861522  
**E-mail:** amy.barnes@westoxon.gov.uk

24 January 2020

### **SUMMONS TO ATTEND**

**MEETING:** UPLANDS AREA PLANNING SUB-COMMITTEE

**PLACE:** COMMITTEE ROOM 1, COUNCIL OFFICES, WOODGREEN,  
WITNEY

**DATE:** MONDAY 3 FEBRUARY 2020

**TIME:** 2.00 PM (Officers will be in attendance to discuss applications with  
Members of the Sub-Committee from 1:30 pm)

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#### Members of the Sub-Committee

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman), Andrew Beaney, Richard Bishop, Mike Cahill, Nathalie Chapple, Nigel Colston, Julian Cooper, Derek Cotterill, Marilyn Davies, Ted Fenton\*, David Jackson, Neil Owen and Alex Postan

(\*Denotes non-voting Member)

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### **RECORDING OF MEETINGS**

The law allows the council's public meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Officer know before the start of the meeting.

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### **A G E N D A**

- 1. Minutes of the meeting held on 6 January 2020 (copy attached)**
- 2. Apologies for Absence and Temporary Appointments**
- 3. Declarations of Interest**

To receive any declarations of interest from Councillors relating to items to be considered at the meeting, in accordance with the provisions of the Council's Local Code of Conduct, and any from Officers.

**4. Applications for Development (Report of the Business Manager – Development Management – schedule attached)**

Purpose:

To consider applications for development, details of which are set out in the attached schedule.

Recommendation:

That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.

**5. Applications Determined under Delegated Powers (Report of the Business Manager – Development Management - copy attached)**

Purpose:

To inform the Sub-Committee of the applications determined under delegated powers.

Recommendation:

That the report be noted.



Giles Hughes  
Chief Executive

This agenda is being dealt with by Amy Barnes- Tel: (01993) 861522  
Email: [amy.barnes@westoxon.gov.uk](mailto:amy.barnes@westoxon.gov.uk)

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**UPLANDS AREA PLANNING SUB-COMMITTEE**  
held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxon  
at 2.00pm on Monday 6 January 2020

PRESENT

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman), Andrew Beaney, Richard Bishop, Mike Cahill, Nathalie Chapple, Nigel Colston, Julian Cooper, Derek Cotterill, Merilyn Davies, Dave Jackson, Neil Owen and Alex Postan.

(# Ex-officio, Non-voting)

Officers in attendance: Chloe Jacobs, Stephanie Eldridge, Tara Hayek, Phil Shaw and Amy Barnes.

43. MINUTES

**RESOLVED:** That the minutes of the meeting of the Sub-Committee held on 2 December 2019, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

44. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

An apology for absence was received from Councillor Ted Fenton.

45. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

46. APPLICATIONS FOR DEVELOPMENT

The Sub-Committee received the report of the Business Manager – Development Management, giving details of an application for development, copies of which had been circulated.

**RESOLVED:** That the decision on the following application be as indicated, the reasons for refusal to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

14 19/02780/FUL No Oven Cottage, Chipping Norton Road, Little Tew

The Planning Officer, Miss Chloe Jacobs introduced the application.

Mr Charles Luxton, the applicant's agent, addressed the meeting in support of the application. A summary of his submission is attached as Appendix A to the original copy of these minutes.

Following a question from Councillor Davies, Mr Luxton confirmed that the existing building had been built before the 1970's.

The Planning Officer then presented her report containing a recommendation of refusal. She advised that pre-application advice had been sought in 2018 and officers had felt that the proposal was contrary to Policies OS2 and H2. The location was described as a small village and it had not been demonstrated that an exceptional need existed to warrant diverting from policy. Officers also felt there was a heritage concern.

Councillor Colston advised that he had driven past the property and agreed that the existing building was an eyesore and to open up the view would be beneficial. However, he was undecided with regard to the policy aspects.

Councillor Beaney expressed difficulty with the application as he felt that it was innovative to use the wall as screening.

Councillor Jackson highlighted the discrepancies between the construction consultant's comments and the officer's opinion relating to the view of the church. He requested clarification on the wall to be demolished and the height up to the eaves. He queried the need for a new entrance to the site but agreed that the existing annex stood out.

The Planning Officer reminded Members that Historic England guidance stated that the site needed to be looked at as though the trees were not there. Officers felt there was a need to protect the listed building and its setting and no public benefit had been demonstrated which outweighed this harm.

Councillor Davies did not feel that there was enough information in the presentation to understand what the proposed building would look like.

The Conservation Officer advised that officers had to have regard to the listed building and its curtilage. This proposal sought to split the land and would have an impact on the setting, historic landscape and character of the surrounding area which had been in existence since 1875.

Councillor Cotterill did not feel there was enough information for the Committee to reach a decision and therefore proposed that the application be deferred to allow a site visit to take place. He stated that Members had no understanding of scale from the presentation and this need confirming.

This was seconded by Councillor Bishop who had listened to the statements in opposition and was uncertain as to whether these outweighed losing a 'blot on the landscape'.

A recommendation of deferral, to allow a site visit to take place, was put to the vote and was carried.

Defer

10 18/01474/FUL 2 Hurst Lane, Freeland

The Planning Officer introduced the retrospective application, requesting permission for two additional windows which had not been included on the original permission.

Mrs Rogers, the applicant, addressed the meeting in support of the application. A summary of her submission is attached as Appendix B to the original copy of these minutes.

In response to a question from the Chairman, Mrs Rogers confirmed that the fence they were proposing to add trellis to, was theirs.

The Planning Officer then presented her report containing a recommendation of approval. The report noted that the addition of the windows to the side elevation did impact on neighbours, however, it was felt that this could be overcome by increasing the fence height, which would be conditioned.

Councillor Davies agreed with the officers that the addition of trellis to the top of the fence would mitigate the issue and agreed that the level of overlooking was insignificant and individuals would need to be very determined to achieve this. She therefore proposed that the application be approved as per officer's recommendation.

This was seconded by Councillor Jackson who felt the addition of trellis was a simple and obvious solution.

Councillor Cotterill disagreed with this viewpoint and sympathised with the neighbour. He felt that the additional windows should be obscure glazed.

Officers advised that the addition of obscure glazing was discussed however, it was agreed that an increase in fence height was the preferred option. With regards to timescale, the applicant would be required to carry out the work within one month of the decision.

In response to a question from Councillor Cooper, officers advised that adding obscure glazing was an enforceable condition, however, on this occasion the applicant did not want it.

Councillor Postan referred to the difficulties that neighbour disputes could cause and the relationship had clearly broken down to result in solicitors' letters being exchanged. He also felt that the trellis was a suitable solution.

The Officer recommendation of approval was then put to the vote and was carried.

Approved

#### 27 19/02916/HHD Grenemore, Chastleton

The Planning Officer introduced the application with a recommendation of refuse. This item was taken in conjunction with the following application 19/02917/LBC which dealt with the listed building consent for the site.

The applicant, Mrs Maggie Todd, addressed the meeting in support of the application. A summary of her submission is attached as Appendix C to the original copy of these minutes.

In response to a question from Councillor Chapple, Mrs Todd confirmed that they were not living in the property and it remained empty.

The applicant's heritage consultant, Mrs Elaine Milton, addressed Members in support of the application. A summary of her submission is attached as Appendix D to the original copy of these minutes.

Councillor Postan confirmed with the officer that original features may be lost if a doorway was created into the lean to. Officers also confirmed the design of the front door and highlighted the area of glazing to the top of the side elevation of the extension.

The Conservation Officer explained her position regarding rooflights which would sit flush to the roof slope and were not as visually dominant. She described the creation of the internal doorway as 'puncturing' the existing fabric of the building and the introduction of a woodburner would be detrimental.

Councillor Beaney clarified that he had called this application in to Committee although the report did not detail this. He felt that the additional dormer windows would complement the existing ones and rooflights would be alien to the character. He did not have any issue with the glazing at the top of the front door due to its small size and suggested that the applicant could work with the Conservation Officer to agree a compromise regarding the glazed section at the top of the lean to extension. He therefore proposed that the application be approved subject to the removal of the woodburner and the glazed section located at the top of the 'lean to' extension. He felt that the introduction of the internal doorway was satisfactory.

This was seconded by Councillor Owen who sympathised with the applicant as he lived in a similar property and understood the difficulties of transforming old buildings to cater for modern living.

The Business Manager, Development Management, reminded the Committee that as the existing roof was predominantly roof slate, the introduction of the dormer windows would alter that. The introduction of the internal doorway would also permanently change the external and internal fabric of the building.

Councillor Colston confirmed that the dormer windows would be located on the west side of the building and would not be visible to the street scene. He confirmed that he did not like rooflights and the glazing above the front door was not an issue for him.

In response, the Conservation Officer advised that in her opinion the property was sufficiently sized to accommodate five people in its current state. She felt it was important to retain the original floorplan of the building and the area currently used for storage was separately accessed, and to alter this would impact on the heritage asset. The current dimensions of the space were sufficient to house a kitchen and to extend it would harm the setting of the building.

Councillor Davies assured the conservation officer that Members had huge respect for her role which was a valuable asset to the Council. However, she felt Members' role was to assist the community and enable this family to live comfortably in their property. She made reference to the ability to make

changes to a 17<sup>th</sup> Century building in order to make it habitable and would not like to see the property erode.

Councillor Chapple suggested that, if officers were keen to keep the asymmetric design, could one of the dormer windows be offset to match the original. However, she agreed with the proposer regarding the glazing to the extension and the removal of the fireplace from the application.

A number of Members agreed that the addition of a fireplace in the building was an issue and options for an alternative flue were discussed. In addition, the Committee mainly agreed that the introduction of rooflights instead of dormer windows would be alien to the character. It was accepted that a building of this age would naturally evolve over the years and effort had been made to maintain original features and preserve the footprint.

Councillor Cooper stated that the decision was marginal and although he could see what the applicant was trying to achieve, felt it could be one step too far.

Following a robust discussion it was agreed that the application should be approved, contrary to officers' recommendation and subject to:

- The removal of glazing from the top of the existing lean to extension;
- No alteration to the internal fabric of the building to allow for the installation of a woodburner; and
- Applicant to liaise with the Conservation Officer regarding the positioning of additional and existing dormer windows and alternative options for the installation of the woodburner.

Approved.

36 19/02917/LBC Grenemore, Chastleton

The Planning Officer introduced the application with a recommendation of refuse. This item was taken in conjunction with the above application 19/02916/HHD which dealt with the house holder development consent for the site.

The applicant, Mrs Maggie Todd, addressed the meeting in support of the application. A summary of her submission is attached as Appendix C to the original copy of these minutes.

The applicant's heritage consultant, Mrs Elaine Milton, addressed Members in support of the application. A summary of her submission is attached as Appendix D to the original copy of these minutes.

For full details of the debate, please refer to the above minute.

It was proposed by Councillor Beaney and seconded by Councillor Owen that the application be approved.

Following a robust discussion it was agreed that the application should be approved, contrary to officers' recommendation and subject to:

- The removal of glazing from the top of the existing lean to extension;
- No alteration to the internal fabric of the building to allow for the installation of a woodburner; and
- Applicant to liaise with the Conservation Officer regarding the positioning of additional and existing dormer windows and alternative options for the installation of the woodburner.

Approved.

3

68 Main Road, Long Hanborough

The Planning Officer introduced the retrospective application, which requested permission for a single storey extension to be used for food preparation. Members noted that there was an additional representation from the Parish Council regarding the extractor fan. Officers were recommending approval.

Members were advised that the Environmental Health Officer had visited the site and provided a detailed response. In addition, they were satisfied with the application subject to conditions. Officers also advised that Condition 2 of the report would be amended to include details of the flue.

Councillor Davies reminded the Committee that the difficulties that the Parish Council were expressing were borne out of a breakdown of trust between all parties. She advised that the site was directly next to the school and was impactful on children. She stated that she would feel happier if the condition had been put in place before permission was granted because she was concerned they would not be met otherwise.

Officers advised that if the conditions were not met, the Council would be entitled to open an enforcement case. Members were assured that the premise was now on officers' radar and there was a three month time limit on the conditions.

Councillor Davies proposed that the application be approved and urged officers to ensure the premise was enforced strongly and monitored appropriately.

This was seconded by Councillor Postan who supported the planning officers and hoped this would give them control over a problematic site. He also commented that the refuse bins detailed on the photograph made a mockery of the character of the area.

The Officer recommendation of approval was then put to the vote and was carried.

Approved.

47. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPEAL DECISIONS

The report giving details of applications determined under delegated powers was received and noted.

The meeting closed at 3.45pm.

CHAIRMAN

Submission from Charles Luxton – No Oven Cottage - 19/02780/FUL

Thank you for hearing my representation today, it is right we are deciding this application at committee as it is not straight forward. There are policy reasons to refuse the application BUT we believe there are very good reasons, overriding reasons, to grant it.

The existing 2 story annex at No oven cottage is an ugly eyesore. It has a huge impact on St John the Evangelist by renowned architect G.E Street. Add to that the 15m high Yew hedge planted in the churchyard to screen the annex, and the result is terrible.

The fact is that this annex is not going away. It is ugly, but with refurbishment will be used for years to come. Given the way things are in this part of the world I suspect you will see an application for its conversion to a separate dwelling at some point, at the very least it will be retained on hope value, a real shame.

Crucial this proposal provides the opportunity to remove this blot on the village and replace it with a sustainable new home that will quietly disappear.

The local plan does not rule out new housing in Little Tew, it allows windfall developments of exceptional or innovative design. I believe that this design is exactly that.

The question is what should innovative design look like in a conservation area. Whilst this might be about statement architecture elsewhere, in Little Tew it should be about sympathetically referencing and weaving new sustainable buildings into the existing built fabric.

In this case losing something ugly and badly placed by creating a new very low energy home that appears as a walled garden, of which there are many of locally.

Single story and placed behind an open joint stone wall with one opening the building will disappear.

A concern was raised about the view from the churchyard but the plan is to extend the existing yew hedge the full length of the boundary and maintained it at around 2.5m. This will actually improve the current relationship between No-Oven's garden and the church.

I believe that the two images sent to you over the weekend show this and whilst the planning report states that the design is not innovative or exceptional it does not say why.

The opinion of the Little Tew residents is important in this matter. We presented the scheme to both the church warden and Vicar, who are excited about getting sunlight into the churchyard and supportive of opening up the view. And at the village meeting, Little Tew's version of a parish council meeting. The 25 residents at that meeting were in general agreement that the improvement to the village was significant and beneficial. There was one objection, mainly concerned with flooding which has not been raised as a concern by the council. That is one objection in a village like Little Tew with the a proposal for a new house right next to the church. To me that speaks volumes.

The decision on this application really boils down to professional judgement rather than black and white principle. We have set out the planing principles that allow you to support this application and I truly hope you will grasp this opportunity for significant improvement to Little Tew.

Application Number 19/02563/HHD 2, Hurst Lane, Freeland. OX298JA

We wish to make the following points:

1/ When the original plan was submitted and subsequently passed, we had no intention of constructing two windows at the side of the property. The decision was made when the oak structure was partly completed when it became clear that two more windows were needed at the side of the structure to distribute light more evenly.

2/ We accept Mr Morris' criticism that it is possible to see into his glass conservatory from the windows but we do this with reservation.

A/ Both windows are at the side and are not main windows.

B/ It is only possible to see into the glass conservatory if we make a determined effort to do so, as both windows are not in prominent positions.

C/ We use the room to sit in and the fence prevents us from seeing into his conservatory when we do this.

3/ We have sent a conciliatory letter to Mr Morris' solicitor stating that we are willing to pay for trees, bushes to be planted in his garden; attaching trellising to the existing fence or even building a new higher fence at the cost of several hundred pounds. We received a letter from the solicitor stating that he did not wish to correspond with us. In view of this and also, what we consider, his peremptory approach to the issue we do not now feel inclined to spend this amount of money when he behaves in what we consider such a rude manner towards us. However, we are still willing to pay for trellising to be attached to the present fence, which will still cost us a fair amount of money.

4/ Also, we think it is important to point out that we can see into his glass conservatory and not the main building. This is an extension that he had built, with or without planning permission, that protrudes out towards our property. It is relevant to state this as the extension we have had built extends towards our garden and not towards Mr Morris' property. It is, therefore, the actions of Mr Morris, by building this glass conservatory, that has lessened the space between the properties and made it more possible to see into his glass conservatory- I think it is important to stress glass conservatory for obvious reasons.

5/ In summary, we still wish to resolve this dispute amicably but with the recognition that there has to be compromise on both sides.

Steve & Teresa Rogers.

Submission from Maggie Todd – 19/02916/HHD & 19/02917/LBC

Mrs Todd introduced herself as the applicant and advised that the property had sat empty for 3 years prior to her family purchasing it. Prior to that the previous owner had been in the property since 1959 and had made no changes.

Her family had agreed to a significant investment to restore the historic fabric of the building. The second attic room needed more light which would also allow the views to be visible.

She advised that they would be permanent residents of the building and the kitchen in its current form was not adequate and the existing garage was not sufficient.

The property had been empty for four years now and she was concerned that the longer the process took would result in further decay to the building. It was clearly neglected and they were committed to supporting the long term conservation of the house.

Submission from Elaine Milton – 19/02916/HHD & 19/02917/LBC

Elaine Milton introduced herself as the applicant's independent heritage consultant. She outlined her experience in this role including having worked as a local authority conservation officer previously.

She advised that the applicant would be happy to work with officers on the design of the glazing along the top of the lean to.

She highlighted the two existing dormer windows and advised that the addition of two more dormers was not prevented by the council's policy – this was adapting the property and would mirror the existing dormers.

She referred to the solid plank front door which had minimal glazing to the top and was similar to other buildings in the area. The kitchen would be on the same footprint, was not an increase in size but would be an enhancement to the building. The applicant wanted to be able to retain the optimum viable use of the building which was currently in a poor condition and detracted from the Conservation Area.

She felt that in this instance, the public benefit outweighed any harm.

# WEST OXFORDSHIRE DISTRICT COUNCIL

## UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 3rd February 2020**

**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***

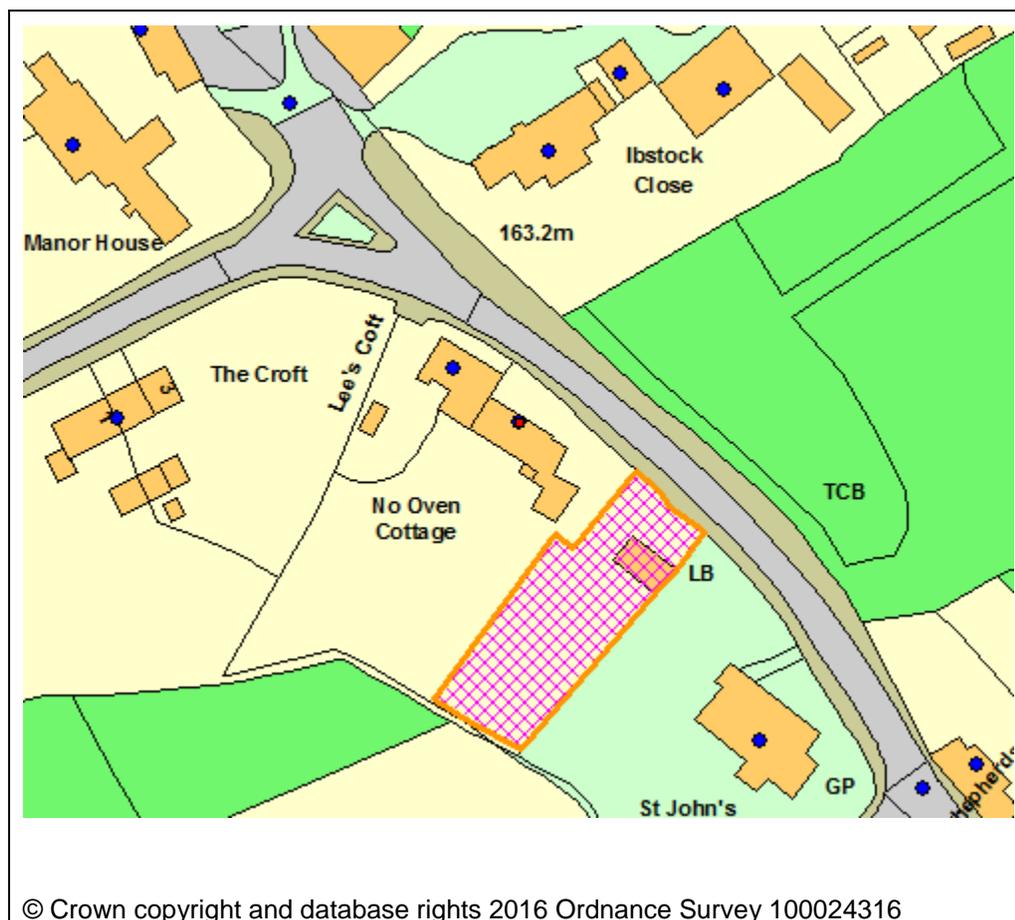
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that 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>Application Number</b>	<b>Address</b>	<b>Page</b>
19/02780/FUL	<a href="#"><u>No Oven Cottage, Chipping Norton Road, Little Tew</u></a>	3
19/02855/FUL	<a href="#"><u>The Gables, 10 Enstone Road, Charlbury</u></a>	16
19/03155/FUL	<a href="#"><u>Land and Building East of Franks Cottage, Junction Road, Churchill</u></a>	21
19/03196/OUT	<a href="#"><u>Cotswold Fuels Railway Yard, Station Road, Ascott under Wychwood</u></a>	27

Application Number	I9/02780/FUL
Site Address	No Oven Cottage Chipping Norton Road Little Tew Chipping Norton Oxfordshire OX7 4JF
Date	22nd January 2020
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Little Tew Parish Council
Grid Reference	438407 E 228595 N
Committee Date	3rd February 2020

### Location Map



### Application Details:

Demolition of existing annex and erection of new detached dwelling. Close existing and formation of new vehicular access in revised position for use by existing and new property. Associated landscaping and parking.

## Applicant Details:

Mrs Justine Tibbets, No Oven Cottage, Little Tew, Chipping Norton, OX7 4JB

### I CONSULTATIONS

- I.1 Parish Council No Comment Received.
- I.2 OCC Highways 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, subject to conditions
- I.3 WODC Drainage Engineers No objection subject to conditions.
- I.4 Biodiversity Officer No objection subject to conditions.
- I.5 OCC Archaeological Services I recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. This can be ensured through the attachment of suitable negative conditions.
- I.6 Conservation Officer Context
- No Oven Cottage is a grade II listed building (List Entry Number: 1193481) dating from the 17th century, extended 18th century. Limestone rubble and coursed squared marlstone with timber lintels; thatch roof with C20 brick stacks. 3-unit plan, probably with through passage, enlarged to L-plan. One storey plus attic and 2 storeys plus attic. Front of lower earlier main range has a central doorway between irregular fenestration including, at first floor, a 3-light leaded casement and a leaded cross window. To right is a large stone flying buttress. Single-storey bay to left. C18 marlstone range projects from the right and has large leaded casements of 3 and 4 lights facing left. All gables have stacks and there is a further ridge stack to right of the entrance. Left gable of single-storey bay has a small 2-light window in a stone frame, possibly medieval re-set. Interior not inspected.
- The application proposes to split a piece of land into two - this is to create a new property which replaces an existing garage/annex, also, to close the existing access and form a new vehicular access in a revised position, and includes landscaping and parking at No Oven Cottage. The proposal affects the existing curtilage and setting of this

listed building. Also, No Oven Cottage is located in Little Tew Conservation Area, a small village that retains its unspoilt and isolated rural character.

### Legislation and Policy

The Local Authority has a statutory obligation to give special regard to the desirability of preserving listed buildings and conservation areas; and their settings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that: special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses.

Paragraph 193 of the National Planning Policy Framework states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation, and the more important the asset, the greater the weight should be. It continues that significance can be harmed or lost from development within its setting. The policy objectives set out in the NPPF (section 16) establish that there is a twin role for setting: it can contribute to the significance of a heritage asset, and it can allow that significance to be appreciated. The NPPF Glossary: Setting of a heritage asset refers to setting as 'the surroundings in which a heritage asset is experienced'. The historic character of a place is the group of qualities derived from its past uses that make it distinctive. This may include: its association with people, its visual aspects, features and materials and spaces associated with its history, including its original configuration and subsequent losses and changes.

Also, 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 land in a conservation area, special attention shall be paid to the desirability of preserving and 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.

### Heritage Considerations

No Oven Cottage is located within Little Tew Conservation Area. In conservation areas, important groups of buildings often have a special value and historic character which can be harmed by new development, in this case, this includes:

- Church of St John the Evangelist -grade II listed church dating 1853 by G.E Street; north aisle and tower 1869 by Charles Buckeridge. Limestone ashlar; artificial stone-slate roofs

<https://historicengland.org.uk/listing/the-list/list-entry/1368194>

- Ibstock Close - Grade II - Farmhouse, now house. C17, enlarged c.1900 and altered early C20. The house was the vicarage for a period from 1880. <https://historicengland.org.uk/listing/the-list/list-entry/1052528>

- Cottage Approximately 10 Metres North Of Ibstock Close, The Green - GV II - Cottage. Early C18. <https://historicengland.org.uk/listing/the-list/list-entry/1193552>

- The Bell House, The Green - grade II - Inn and cottage, now house. Possibly early C17, re-modelled late C17 and extended early C18 <https://historicengland.org.uk/listing/the-list/list-entry/1052529>

- Coach House And Cottage Approximately 20 Metres North West Of Manor House, The Green Stables and coach house, now partly cottage. Late C17/early C18, altered late C20 <https://historicengland.org.uk/listing/the-list/list-entry/1368195>

- Manor House, The Green - GV II - Manor house. C17, extended C18 and C19, altered early C20 <https://historicengland.org.uk/listing/the-list/list-entry/1193562>

- Croft Cottages, Grade II 1-4 - Row of 4 cottages. 1863 by Charles Buckeridge - Intended as almshouses <https://historicengland.org.uk/listing/the-list/list-entry/1052522>

Little Tew Conservation Area Appraisal states: 'Important groups of buildings often have a special value and historic character which can be harmed by new development (however well designed)'. Also, 'Special care must be taken to ensure that views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed.

The Little Tew Conservation Area Appraisal Map also shows locally listed buildings, and a 'Significant Boundary Wall' located within the curtilage of No Oven Cottage.

#### Heritage Assessment Comments

The application site is within the curtilage of No Oven Cottage, in the Little Tew Conservation Area. The applicant has stated that the current curtilage was previously smaller - however although it appears that the map of 1875 does show what looks like a separate parcel - firstly, it is accessible via No Oven Cottage (see highlighted on image below).

And secondly, the applicant's Heritage Statement refers to evidence that the land was in separate ownership by discussing the Church

graveyard expansion in 'A History of Little Tew' by Francis Price. However, the text says '...by transferring land previously forming part of the gardens of No Oven Cottage'... this means that the land between No Oven Cottage and the Church belonged to No Oven Cottage. Therefore, the curtilage of this building does appear to have remained unchanged, at least, since 1875.

Notwithstanding, whilst there is no doubt that the 20th century garage /annex is not of special interest, there are other aspects to consider. National and Local Policy including LP2031 -Policies EH9, EH10, EH11 and EH13 - direct us to focus on conservation and enhancement of heritage assets, and this includes their setting, their historic landscape character / pattern, and views into, and out from all heritage assets.

Although is a single-storey building, the footprint of the proposed building is large-scale, and will fill a significant amount of this plot, together with other associated residential paraphernalia, this characterful plot will alter considerably. Also, the proposed building will particularly alter views from the Church grounds which are slightly elevated, and from No Oven Cottage itself where the view will be a building instead of a garden plot; this building will be an incongruous addition to this characterful area, and have a negative impact on the heritage assets. Also, the applicant wishes to revise the position of the access in the boundary wall which has been identified as a Significant Boundary Wall in Little Tew Conservation Area; this will negatively alter the appearance and setting of the listed building and conservation area.

The proposed development does not conserve and enhance the appearance and setting of the heritage assets, it does not build on the pre-existing historic character (including building layouts), it does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development - it does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area.

Consequently, it is not considered that the special interest of the heritage assets would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, I consider the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11, EH12, EH13, EH15 and EH16 of the West Oxfordshire Local Plan 2031 and section 16 of the NPPF, and Little Tew Conservation Area Appraisal.

N.B.: In undertaking a further investigation during this application I

noted that the Victoria County History (<https://www.british-history.ac.uk/vch/oxon/vol11/pp247-258>) it states that 'The Cogges priory, later Eton College, house may have stood on the site known in the 18th century as Prior's close, given by Eton in 1853 for the new church'. There were historically three Manors in Little Tew of which the locations of only two of them are known, if the missing Manor is under the Church, it stands to reason that the Church grounds, as well as surrounding land could have been associated with the Manor, and may therefore be of archaeological interest. I recommend that the County Archaeologist is consulted.

I.7 WODC Planning Policy Manager Background

The application proposes the demolition of an existing annexe building to be replaced by a single storey dwelling along with the formation of new vehicular access. The site is located within Little Tew, which is defined as a small village. The site is located within the Tew Conservation Area and the annexe is within the curtilage of a Listed Building.

Status of development plan:

The current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2031 which was adopted on 27 September 2018 and must therefore be given full weight. The West Oxfordshire Design Guide SPD is also relevant to this application, particularly sections 4, 6, and 7.

Assessment

This development is located within the Chipping Norton Sub-Area. From the evidence provided in the application and from further research, I believe this proposal highlights the following policy issues:

OS2 - Locating Development in the right places

Implications for this proposal should be carefully considered against OS2.

Development in Little Tew should be limited to that which is required and is appropriate for a rural location and respects the intrinsic character of the area. Development should conserve and enhance the built environment, form a logical complement to the character of the area, be provided with safe vehicular and pedestrian access, not result in harmful impacts on existing occupants and not involve the loss of any features that make an important contribution to the character or appearance of the area.

H2- Delivery of New Homes

New dwellings in small villages, hamlets and open countryside will only be permitted where there is an essential operational or other local need that cannot be met in any other way in the settlement or where the design is of an exceptional quality or innovative design. This proposal does not appear to meet either of these tests.

#### EH9 - Historic Environment

Great weight should be given to the character and appearance of Conservation Areas and their settings including the contribution their surroundings make to their physical, visual and historic significance. In addition, great weight should be given to the special architectural and historic interest of Listed Buildings, including their setting.

#### EH10 - Conservation Areas

Proposals for development in a Conservation Area will be permitted where the location, form, scale, massing, height, layout, landscaping, alignment and external appearance conserves or enhances the character, appearance and setting of the Conservation Area and is not detrimental to views within, into or out of the area. Views from the Church and church yard should also be considered.

Additionally, demolition of a building in a Conservation Area will only be permitted where it has been demonstrated that: The building detracts from or does not make a positive contribution to the special interest, character, or appearance of the Conservation Area; or the building is of no historic or architectural interest or is wholly beyond repair and not capable of beneficial use; and the proposed replacement building makes an equal or greater contribution to the character of the Conservation Area.

#### EH11 - Listed Buildings

This proposal will affect the setting of the listed buildings; it must comply with Policy EH11 of the Local Plan.

Proposals for additions within the curtilage of a listed building will only be permitted if they can be shown to conserve or enhance its setting and respects the building's historic curtilage. This should be considered in regards to both No Oven Cottage and Church of St. John the Evangelist, particularly to the loss of enclosure of the exiting church yard.

#### Other considerations

Other relevant planning considerations include the impacts on protected species and biodiversity (Policy EH3), the impact on trees on the site - particularly in regard to the Yew trees, the provision of safe access (Policy T2), the impacts on the living conditions of

neighbouring properties (Policy OS4) and management of surface water runoff (EH7).

### Conclusion

In conclusion, the key issues in assessing this application are the impacts on:

- The appropriateness of new development in Little Tew which is defined as a small village
- The need for new housing in the village, and whether this proposal offers an exceptional quality or innovative design..
- Protection and enhancement of the Conservation Area
- The setting of the listed buildings and the impacts on both the natural and built environment.
- The loss of trees

Further consultation from the Conservation and Heritage team and a Biodiversity Officer is required regarding the proposed development.

### List of Relevant Planning Policies

The relevant policies in relation to this planning application are listed below:

West Oxfordshire Local Plan 2031: OS2, OS3, OS4, H2, T2, T4, EH2, EH3, EH7, EH9, EH10, EH11, EH13.

## **2 REPRESENTATIONS**

2.1 One letter of representation has been received objecting to the proposed scheme for the following reasons:

- Risk of flooding has been ignored in the submitted drainage report- the site has flooded several times over the years.
- Not appropriate for the Conservation area
- Close proximity between the new dwelling and neighbouring, No Oven Cottage.
- Demolition of annexe would result in lack of storage space to serve No Oven Cottage
- The development would despoil Little Tew

2.2 Three letters of representation have been received in support of the application. These comments can be summarised as follows:

- The design would be an improvement
- The design is of high quality
- The current garage block/annex to the house 'No Oven Cottage' has been a substantial blot on the landscape
- Would open up views to the church

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

A planning statement has been submitted as part of the application which concludes:

- Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- This statement has set out that the development proposal would result in a dwelling of exceptional quality and innovative design. It has set out that the development would be of a proportionate and appropriate scale to its context. It has been set out that development is entirely compatible with its adjoining land uses and its siting and design has been informed such to avoid any harmful impacts on the amenity of existing occupants.
- This statement has set out that the proposal will not harm the local landscape or the setting of the settlement. Being located within an existing domestic curtilage, the proposal will provide safe vehicular access and safe and convenient pedestrian access to supporting services and facilities within the village.
- It is therefore concluded the development proposal fully conforms to the requirements of Local Plan Policies OS2 and H2.
- In addressing Local Plan Policy H2, it has been set out that the application currently comprises a two-storey building that could otherwise be converted to form a dwelling. However, as an alternative approach the replacement of that building in the manner proposed is considered to result in significant environmental enhancements. This is a material consideration to which some weight should be attached.
- This statement has also set out, in detail, several enhancements to this part of the Conservation Area and the heritage assets of the Church of St John the Evangelist and No Oven Cottage. It has been set out that great weight and importance should be attached to that matter, in accord with the provisions of Local Plan Policy EH9.
- This statement has demonstrated the proposal will both conserve and enhance the special architectural and historic interest of the listed buildings features, appearance, character and setting. Moreover, it has been set out that the proposal will replace an existing building which is of no architectural significance, and due to the siting and design of the proposals, it is considered the visual change on the character and significance of the conservation area will result in positive impact.
- It has been set out that the proposal constitutes 'sustainable development'.
- For all the above reasons, it is recommended that planning permission should not be withheld for this development of exceptional quality and innovative design, resulting in significant enhancements to several designated heritage assets.

### **4 PLANNING POLICIES**

NATDES National Design Guide  
OS1NEW Presumption in favour of sustainable development  
OS3NEW Prudent use of natural resources  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
EH9 Historic environment  
EH10 Conservation Areas  
EH11 Listed Buildings  
EH12 Traditional Buildings

EH13 Historic landscape character  
EH16 Non designated heritage assets  
H2NEW Delivery of new homes  
H6NEW Existing housing  
T4NEW Parking provision  
NPPF 2019  
DESGUI West Oxfordshire Design Guide  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

- 5.1 The application seeks planning permission to sub-divide the plot and erect a new 3-bed dwelling to replace an existing garage, annexe and lean-to extension at No Oven Cottage. The proposal also includes the relocation of the access and new landscaping.
- 5.2 No Oven Cottage is a Grade II Listed Building which sits within Little Tew Conservation Area.
- 5.3 Pre-application advice was sought in October 2018 for the proposed development. Officers advised at this time that the proposal would be contrary to Local Plan policies OS2, H2, EH9, EH10 and EH11 and therefore officers would not be likely to support an application.
- 5.4 Notwithstanding this, an application was submitted in June 2019 (REF: 19/01646/FUL) which was withdrawn following extensive discussions regarding the unacceptability of the proposal in terms of the principle of development and impact on heritage assets.
- 5.5 The application was deferred for a site visit at the January 2020 committee meeting.
- 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  
Heritage impact  
Residential amenity  
Highways  
Ecology
- Principle
- 5.7 Little Tew is identified in the West Oxfordshire Local Plan 2031 settlement hierarchy as a small village. Policy H2 of the adopted WOLP 2031 only permits new dwellings in Little Tew in a limited number of exceptional circumstances. The relevant circumstances outlined in the policy are as follows:
- where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;

- where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;
- residential development of exceptional quality or innovative design.

- 5.8 In this case, it has not been demonstrated that there is an operational or specific local need for this dwelling which cannot be met in any other way, nor is it considered to be a rural exception site providing affordable housing. Further, the impact on the heritage assets will be assessed in detail below, but the development is not considered to represent the optimal viable use of the heritage assets, and does not secure the future of the listed building. Lastly, whilst the proposed dwelling, when looking at design principles only, it is not considered to be of either exceptional quality or innovative design. This is also emphasised in the National Design Guide which requires new developments to respond to their context and enhance their surroundings.
- 5.9 In addition, your officers do not consider that a new dwelling in this location would fall within any of the other exceptional circumstances listed in policy H2. Therefore, the application is clearly contrary to policies OS1, OS2, OS3 and H2 of the adopted West Oxfordshire Local Plan 2031 and is unacceptable in these terms.
- 5.10 Your officers consideration of the proposal against the other relevant policies within the adopted Local Plan 2031 will be explored in detail below.

#### Heritage Impact

- 5.11 As the site is within the curtilage of a listed building, your 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 listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.12 Further, given that the application site is also within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.
- 5.13 Whilst the applicant has stated that the curtilage serving No Oven Cottage was previously smaller than it currently is, it appears historically that the land between No Oven Cottage and the Church belonged to No Oven Cottage. Therefore, the curtilage of this building does appear to have remained unchanged, at least, since 1875.
- 5.14 In this case, whilst there is no doubt that the 20th century garage /annex is not of special interest, there are other aspects to consider. National and Local Policy, including the WOLP 2031 policies EH9, EH10, EH11 and EH13, direct us to focus on conservation and enhancement of heritage assets, and this includes their setting, their historic landscape character / pattern, and views into, and out from all heritage assets.

- 5.15 Although the proposed development is a single-storey building, the footprint of the proposed building is large-scale, and will fill a significant amount of this plot, together with other associated residential paraphernalia, this characterful plot will alter considerably. Also, the proposed building will particularly alter views from the Church grounds which are slightly elevated, and from No Oven Cottage itself where the view will be a building instead of a garden plot; this building will be an incongruous addition to this characterful area, and have a negative impact on the heritage assets. Also, the applicant wishes to revise the position of the access in the boundary wall which has been identified as a Significant Boundary Wall in Little Tew Conservation Area; this will negatively alter the appearance and setting of the listed building and conservation area.
- 5.16 Therefore, your officers are of the opinion that the proposed development fails to conserve and enhance the appearance and setting of the heritage assets, it does not build on the pre-existing historic character (including building layouts), it does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development - it does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area.
- 5.17 In this regard, the Planning Inspectorate concur with this view. West Oxfordshire District Council have recently won an appeal where a new dwelling was perceived to cause less than substantial harm to the setting of a listed building, but was nevertheless contrary to national and local plan policies. The inspector concluded that:

"Whilst I have found that no harm would arise to the character and appearance of the area, there would be less than substantial harm to the setting of the (listed building). Framework Paragraph 196 indicates that in such scenarios the harm should be weighed against the public benefits of the proposal.

I must have special regard to the desirability of preserving the setting of the listed building. Moreover, in accordance with LP Policy EH9 and Framework Paragraph 193 the harm to the significance of the asset, whilst relatively low-level, must receive great weight. For the reasons set out above, I only attribute limited weight to the benefits associated with the provision of additional housing and I have no compelling evidence of other benefits that would outweigh the harm. I, therefore, find that the proposal conflicts with the development plan and the Framework when those documents are read as a whole."

#### Residential Amenity

- 5.18 Given the single storey nature of the proposed new dwelling, officers are of the opinion that this would not be overbearing or result in any loss of light and or overshadowing towards the neighbouring property at No Oven Cottage. Furthermore given the nature of the development and its siting, the application is not considered to give rise to any adverse impacts in regards to overlooking, and or loss of privacy and therefore the new dwelling is not considered to result in any adverse impacts in regards to neighbouring amenity.

## Highways

- 5.19 The proposal seeks to close the existing vehicular access and to relocate this to the east using the same stone work allowing a clear entrance to the two properties. This action is sought to improve the vision splay to the north, retaining the southern vision splay within safe limits. OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

## Conclusion

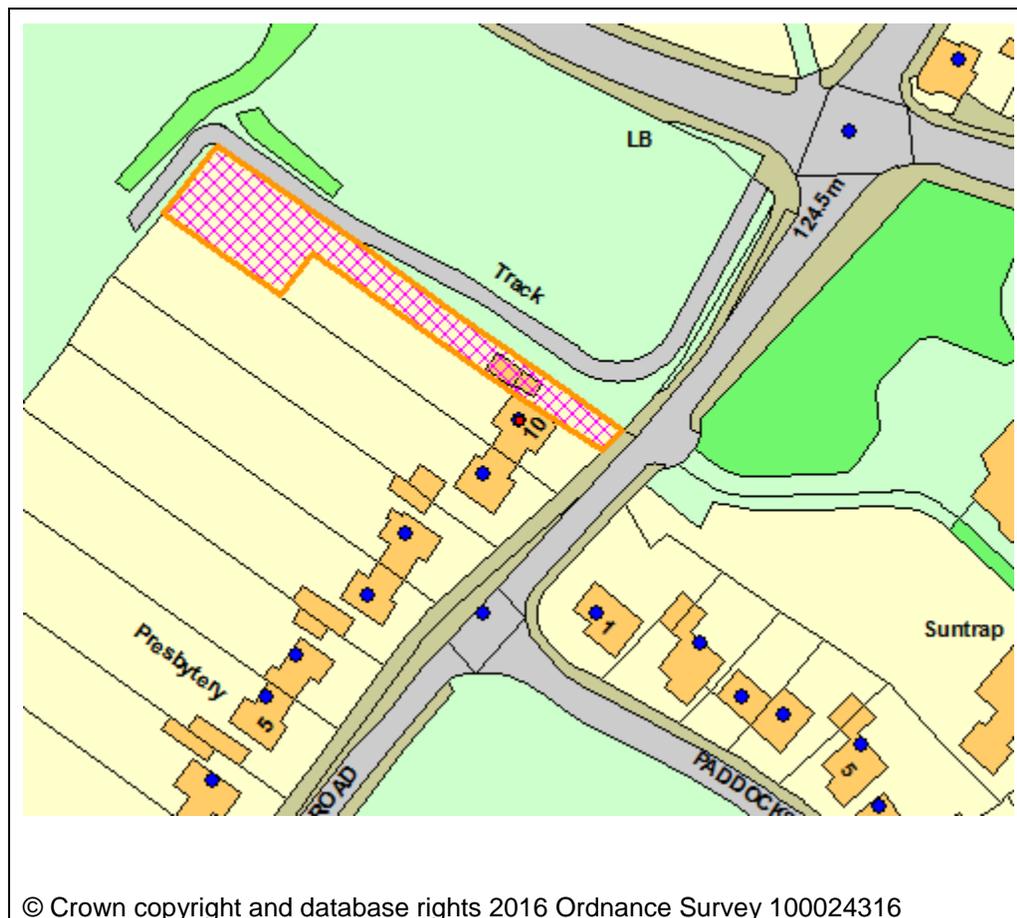
- 5.20 In light of the above, the principle of a new dwelling is unacceptable given its unsustainable location. Further, it is not considered that the special interest of the heritage assets would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits.
- 5.21 Therefore, the development is considered to be unacceptable and contrary to policies OS1, OS2, OS3, OS4, H2, EH9, EH10, EH11, EH12, EH13 and EH16 of the adopted West Oxfordshire Local Plan 2031, and the relevant provisions of the NPPF.

## **6 REASONS FOR REFUSAL**

- 1 The proposed development would not represent sustainable development given the very limited range of services and facilities within Little Tew. The applicant has failed to demonstrate justification for this development proposal as either essential operational or other specific local need that cannot be met in any other way, as a residential development that would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset, as residential development of exceptional quality or innovative design, neither has the site been allocated for housing development within the adopted West Oxfordshire Local Plan 2031 or an adopted (made) neighbourhood plan. The proposed development would therefore, be contrary to policies OS1, OS2, OS3 and H2 of the Adopted West Oxfordshire Local Plan 2031, and the provisions of the NPPF 2019.
- 2 The proposed development, by reason of its siting and scale, which does not build on the pre-existing historic character (including building layouts), does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development and does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area, fails to conserve or enhance the appearance and setting of the heritage assets. The proposed development would therefore be contrary to policies OS2, OS4, EH9, EH10, EH11, EH12, EH13, EH15 and EH16 of the adopted West Oxfordshire Local Plan 2031, The National Design Guide and Section 16 of the National Planning Policy Framework 2019.

Application Number	I9/02855/FUL
Site Address	The Gables 10 Enstone Road Charlbury Chipping Norton Oxfordshire OX7 3QR
Date	22nd January 2020
Officer	Stephanie Eldridge
Officer Recommendations	Refuse
Parish	Charlbury Town Council
Grid Reference	435937 E 219770 N
Committee Date	3rd February 2020

### Location Map



### Application Details:

Demolition of the existing garage and studio flat and the construction of a new sustainable 2 bedroom cottage

**Applicant Details:**

Mr & Mrs Kieran Cooke, The Gables, 10 Enstone Road, Charlbury, Chipping Norton, Oxfordshire, OX7 3QR

**I CONSULTATIONS**

- |     |                             |  |
|-----|-----------------------------|--|
| 1.1 | Town Council                | No objection and support this application which is in line with the emerging neighbourhood plan for Charlbury. |
| 1.2 | WODC Drainage Engineers     | No objection subject to condition.   |
| 1.3 | ERS Env. Consultation Sites | No objection.  |
| 1.4 | OCC Highways                | No objection subject to condition.   |

**2 REPRESENTATIONS**

2.1 Four letters of support have been received in respect of this application. The main points raised are as follows:

- The development would provide a much needed smaller house in Charlbury;
- Would not be any adverse impact on neighbours amenity;
- Development is eco-friendly;
- Trees would shield the development.

2.2 The Charlbury Conservation Area Advisory Committee made the following comments:

- The development would be unduly prominent from the playing fields, particularly in the winter;
- Design and materials are over-fussy and alien in character to the conservation area;
- No green roof shown on the plans.

**3 APPLICANT'S CASE**

3.1 The Planning Statement submitted with the application is concluded as follows:

- WODC has raised no objection in principle to the establishment of a separate title within a large established plot
- Charlbury Town Council supports the principle of subdivision in order to allow long-term residents to downsize.
- There is no compromise to the existing houses along Enstone Road in the latest submission
- There is no evidence of the presumed level of community objection referred-to by the planning officer
- The current submission is not overbearing or of a disproportionate scale to the existing houses
- The environmental agenda meets with current low carbon standards
- The Charlbury Conservation group comments made to previous submissions are contrary

- Considerable steps have been taken to accommodate planning constraints and to adopt a consensual approach.

#### 4 **PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

BC1NEW Burford-Charlbury sub-area

H6NEW Existing housing

EH1 Cotswolds AONB

EH9 Historic environment

EH10 Conservation Areas

NPPF 2019

DESGUI West Oxfordshire Design Guide

NATDES National Design Guide

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

#### 5 **PLANNING ASSESSMENT**

5.1 This application seeks consent for the demolition of an existing garage and ancillary studio flat, and the erection of a new two bed dwelling at 10 Enstone Road in Charlbury. The site falls within the Charlbury Conservation Area and Cotswold AONB.

5.2 The application is before Members of the Uplands Planning Sub-committee for consideration as your officers recommendation is contrary to the Town Council's response in accordance with the scheme of delegation.

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

Principle

Siting, design and form

Impact on the Conservation Area

Impact on the Cotswold AONB

Highways

Residential amenities

Principle

5.4 Policy H2 of the adopted West Oxfordshire Local Plan 2031 states that new dwellings will be permitted on undeveloped land within the built up area of Charlbury provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. The sub-area Local Plan policy BC1 states that the focus of new development will be in Burford and Charlbury, and should be consistent with the strategy including the conservation and enhancement of the Cotswolds Area of Outstanding Natural Beauty (AONB) and conservation and enhancement of the historic environment and heritage assets. Policy OS2 states development should be of a proportionate and appropriate scale to its context having

regard to the potential cumulative impact of development in the locality and form a logical complement to the existing scale and pattern of development and/or the character of the area.

- 5.5 In this case, your officers are of the opinion that by reason of its siting the development would fail to form a logical complement to the existing linear pattern of development along Enstone Road to the detriment of the conservation area and set an unwanted precedent for development in the rear gardens of the dwellings in the vicinity.
- 5.6 As such, the application is unacceptable in principle.

#### Siting, Design and Form

- 5.7 The site context is the properties along Enstone Road. The adjacent properties are characterful two storey semi detached properties in stone with blue slate roofs. This proposal is for a two storey timber clad dwelling with an asymmetric roof, to be sited to the rear of the property 10 Enstone Road. By reason of its offset, diagonal siting on the plot, your officers are of the opinion that the development would appear cramped and contrived. Further, the development is considered to represent poor design and is not in-keeping with the character and appearance of the area contrary to the West Oxfordshire Design Guide and National Design Guide. As such, the development is considered to be unacceptable in these terms.

#### Impact on the Conservation Area

- 5.8 Since the application site is within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.
- 5.9 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.
- 5.10 In this case, based on the above assessment, by reason of its contrived siting and poor design your officers are of the opinion that the development would result in harm to the existing pattern of development in the area and is not in-keeping with the surrounding area failing to conserve or enhance the character and appearance of the Conservation Area.

#### Impact on the Cotswold AONB

- 5.11 Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this case, whilst the site is garden land, the intensification of development on this site and the precedent it would set for development in this area, would be detrimental to the current low-key residential character of this part of the AONB failing to conserve or enhance it. There would appear to be no wider planning benefits arising from this proposal which would outweigh the harm the proposal would have on character of the special landscape of the AONB.

### Highways

- 5.12 The Local Highway Authority has raised no objections to the application in terms of highways safety and parking provision. As such, the application is considered to be acceptable in these terms.

### Residential Amenities

- 5.13 Given the distance between the existing and proposed new dwelling which would sit approximately 48m apart your officers do not consider that the development would be overbearing or result in a loss of light or privacy to the detriment of no. 10. However, due to the siting of the access to the proposed new dwelling which would run in close proximity alongside 10 Enstone Road and the garden serving it, your officers are of the opinion that the noise and disturbance associated with the vehicular/pedestrian movements to and from the new dwelling would be detrimental to the amenity of the occupants. As such, the application is considered to be unacceptable in these terms.

### Conclusion

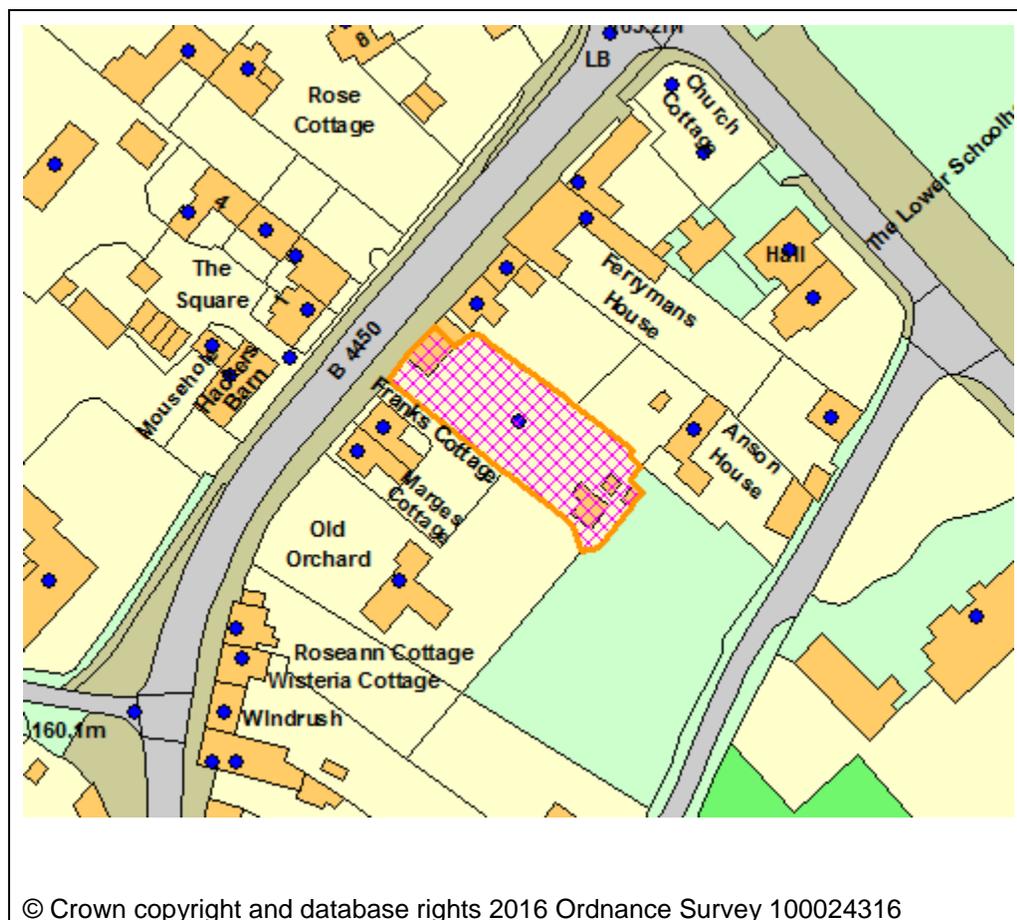
- 5.14 In light of the above, the application is considered to be unacceptable and contrary to policies OS2, OS4, H2, BCI, H6, EH1, EH9, and EH10 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the NPPF 2019.

## **6 REASONS FOR REFUSAL**

- 1 The development, by reason of its siting, would fail to form a logical complement to the existing linear pattern of development along the Enstone Road to the detriment of the character and appearance of the Charlbury Conservation Area and Cotswold AONB. Further, by reason of its siting and design, the development would appear cramped and contrived on the site and would not appear in keeping with the surrounding context failing to conserve or enhance the character and appearance of the Conservation Area. Therefore, the development is contrary to policies OS2, OS4, H2, BCI, EH1, EH9, and EH10 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the National Planning Policy Framework 2019.
- 2 The proposed access, by reason of its siting running in close proximity alongside 10 Enstone Road, would have a detrimental impact on the amenity of the occupants of 10 Enstone Road by way of the noise and disturbance associated with the vehicular and pedestrian movements to and from the new dwelling. Therefore, the development would be contrary to policies OS2 and H6 of the adopted West Oxfordshire Local Plan 2031 and the relevant provisions of the National Planning Policy Framework 2019.

Application Number	19/03155/FUL
Site Address	Land and Building East of Franks Cottage Junction Road Churchill Oxfordshire
Date	22nd January 2020
Officer	Stephanie Eldridge
Officer Recommendations	Refuse
Parish	Churchill Parish Council
Grid Reference	428266 E 223995 N
Committee Date	3rd February 2020

**Location Map**



**Application Details:**

Erection of a detached dwelling and associated works.

**Applicant Details:**

The Estate of the Late Alan Sole, c/o Agent

## **I CONSULTATIONS**

- |     |                              |                                     |
|-----|------------------------------|-------------------------------------|
| 1.1 | Thames Water                 | No comments received to date.       |
| 1.2 | WODC Env Health -<br>Uplands | No comments received to date.       |
| 1.3 | OCC Highways                 | No objection subject to conditions. |
| 1.4 | WODC Drainage<br>Engineers   | No objection subject to conditions. |
| 1.5 | Parish Council               | No comments received to date.       |

## **2 REPRESENTATIONS**

2.1 Four letters of objection have been received in respect of this application. The key points raised are as follows:

- Would be an eyesore in the landscape
- Would adversely affect biodiversity
- Would result in a loss of important green space in the village
- The road is unsafe and parking is limited
- Would result in adverse and intrusive impact on neighbours
- The Norwegian Spruce on the site should be protected.

## **3 APPLICANT'S CASE**

3.1 The Planning Statement submitted can be read in full online and is concluded as follows:

- The accompanying planning application seeks planning permission to erect a self-contained dwelling, consisting of a 3-no. bed, together with sufficient parking and turning areas, private amenity/garden space and refuse and cycle storage space.
- The above Statement sets out that the principle of the development is acceptable having regard to both the NPPF and the local development plan, by providing a reasonable and proportionate number of additional dwellings in a sustainable and logical location. It assists the LPA in meeting its housing delivery targets in a sustainable location.
- The Design and Access Statement (incorporated above) demonstrates that the character, appearance and setting of the immediate area and wider locality will be preserved and enhanced. The proposals will deliver a high-quality and well-designed development which will reflect the built form, layout, scale and appearance of the village, Conservation Area and Area of Outstanding Natural Beauty (AONB).
- Delivery of the proposed development will not harm identified natural or heritage assets and will lead to a net gain in local biodiversity resources and landscaping/planting across the site.

- For the reasons set out, we consider the proposal accords with the relevant planning policies and respectfully request that planning permission is granted subject to the imposition of appropriate conditions. The proposed development is therefore in accordance with the NPPF and development plan and planning permission should be granted on this basis.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places  
 OS4NEW High quality design  
 H1NEW Amount and distribution of housing  
 H2NEW Delivery of new homes  
 BC1NEW Burford-Charlbury sub-area  
 H6NEW Existing housing  
 EH1 Cotswolds AONB  
 EH9 Historic environment  
 EH10 Conservation Areas  
 DESGUI West Oxfordshire Design Guide  
 NPPF 2019

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

#### **5 PLANNING ASSESSMENT**

5.1 This application seeks consent for the erection of a new detached dwelling and associated works on garden land located to the rear of The Cottage on the east side of Junction Road in Churchill. The Cottage is a detached two storey dwelling with ancillary outbuildings and a relatively large garden to the side and rear. The site falls within the Churchill Conservation Area and the Cotswold AONB.

5.2 The application is before Members of the Uplands Planning Sub-committee for consideration following a request from local member Councillor Owen.

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

Principle  
 Siting, design and form  
 Impact on the Conservation Area  
 Impact on the Cotswold AONB  
 Highways  
 Residential Amenities

#### Principle

5.4 Policy H2 of the adopted West Oxfordshire Local Plan 2031 states that new dwellings will be permitted on undeveloped land within the built up area of Churchill provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2.

- 5.5 Policy OS2 states that villages are suitable for limited development which respects the village character and local distinctiveness and would help maintain the vitality of these communities. The general principles set out in OS2 state that development should form a logical complement to the existing scale and pattern of development and/or character of the area, be of a proportionate and appropriate scale to its context, not involve the loss of an area of open space or other features that makes an important contribution to the character and appearance of the area, and conserve and enhance the natural, historic and built environment.
- 5.6 In this case, your officers are of the opinion that the development fails to form a logical complement to the predominantly linear pattern of development along this section of Junction Road, eroding an important green area of land currently comprising garden land for the application site failing to conserve or enhance the character and appearance of the Conservation Area and Cotswolds Area of Outstanding Natural Beauty.
- 5.7 In looking at the merits of this proposal as windfall development, paragraph 5.37 of the Plan states that "it is important that any windfall development supports the delivery of the local plan strategy". The Burford-Charlbury sub area strategy places no reliance on windfall development to take account of the fact that much of the sub area falls within the AONB. Furthermore the 5 year windfall allowance across the whole District between 2018 and 2023 is only 140 units. The site is not identified in a Neighbourhood Plan and is not promoted as a rural exception site exclusively for affordable housing and it has not been demonstrated that there is a need for an additional dwelling in this location.
- 5.8 In light of the above, the application is considered to be unacceptable in principle.

#### Siting, Design and Form

- 5.9 The site context is the properties along Junction Road and there are open views into the site from it.
- 5.10 To the north and south of the site lies a linear row of characterful development along Junction Road, including a mix of large detached dwellings and cottages set in extensive plots ('The Bungalow', 'Old Orchard', 'Peartree' and 'Greystones Barn'), semi-detached dwellings and traditional terrace cottages which form part of the historic core of Churchill. In 2014 the land directly adjacent to the site was developed to form a pair of semi-detached dwellings fronting on to Junction Road, Franks Cottage and Marges Cottage.
- 5.11 The proposal is for a detached two storey dwelling sitting at 7m high using a mix of stone and buff brick and featuring three traditional dormer windows in the front elevation. Whilst the design of the dwelling may reflect some elements of the local vernacular, your officers are of the opinion that it's siting, set back from the frontage, would appear contrived and fails to form a logical complement to the existing pattern of development to the detriment of the character and appearance of the area.

#### Impact on the Conservation Area

- 5.12 Since the application site is within a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance

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

- 5.13 Proposals are supported in Conservation Areas where they can be shown to preserve or enhance the special interest, character, appearance or setting of the area. In particular, the location, form and scale of development should be sympathetic to its surrounding context, not be detrimental to views within, into, or out of the area and should not harm the original curtilage or pattern of development within the area.
- 5.14 In this case, based on the above assessment, by reason of its contrived siting your officers are of the opinion that the development would result in harm to the existing pattern of development in the area and would result in the loss of an important parcel of mature garden land which is considered to be open green space that makes an important contribution to the semi-rural setting of the Conservation Area.
- 5.15 As such, the development would fail to conserve or enhance the character and appearance of the Conservation Area.

#### Impact on the Cotswold AONB

- 5.16 As the site is within the Cotswold AONB your officers must assess the proposal against paragraph 172 of the NPPF which has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this case, the intensification of development on this site, which is currently typified by its visual character as a mature garden area with a semi-rural character and current low-key residential use afforded by the modest ancillary outbuildings would be transformed by the proposed development and be detrimental to the contribution this part of settlement makes to the AONB. Given the above, there would appear to be no wider planning benefits arising from this proposal which would outweigh the harm the proposal would have on character of the special landscape of the AONB.

#### Highways

- 5.17 The Local Highway Authority has raised no objections to the application subject to conditions. As such, the application is considered to be acceptable in these terms.

#### Residential Amenities

- 5.18 The proposed new dwelling would sit approximately 25m to the rear of The Cottage fronting Junction Road. Therefore, by virtue of its siting and scale, the development is not considered to be overbearing or result in a loss of privacy to their detriment. However, given the siting of the dwelling in relation to the position of the sun the development may result in the loss of sunlight to the remaining garden serving The Cottage. Further, your officers are concerned about the impact on the amenity of the occupants of Anson House which sits to the rear of the site. The new dwelling would sit approximately 7m corner to corner with the rear elevation of Anson House. The rear garden serving Anson House sits adjacent to the site the subject of this application and is approximately 14m long. The proposed new dwelling would sit 2.5m from the boundary at 7m high. It would run approximately 9m along the boundary with Anson House. Given the close proximity to, and the neighbours relatively limited outdoor amenity space, your officers are of the opinion that the development would be overbearing to the detriment of the occupants of Anson House; it would also result in the loss of some evening sun due to its

position in relation to the sun. As such, the application is considered to be unacceptable in these terms.

### Conclusion

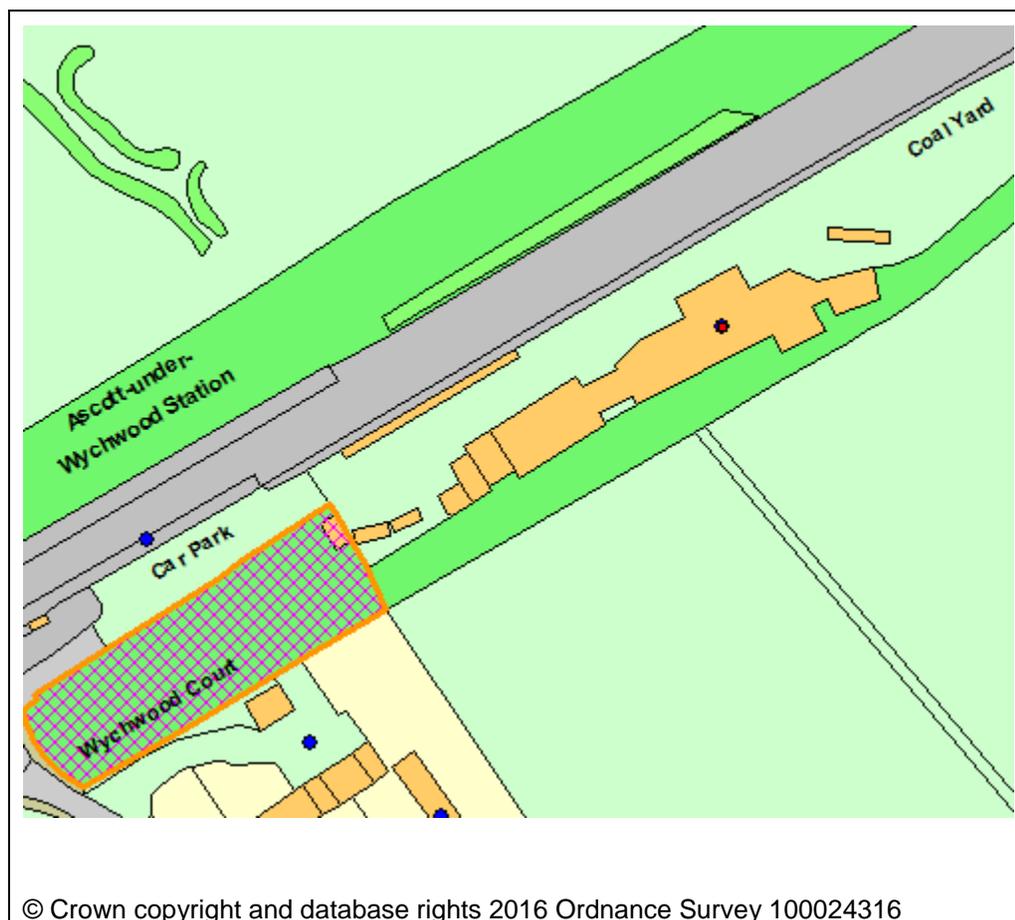
- 5.19 In light of the above, the application is considered to be unacceptable and fails to comply with policies OS2, OS4, H1, H2, BCI, H6, EH1, EH9 and E10 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the NPPF 2019.

## **6 REASONS FOR REFUSAL**

- 1 The proposed development, by reason of its siting, fails to form a logical complement to the existing linear pattern of development along this section of Junction Road, eroding an important green area of land currently comprising garden land for the application site and failing to conserve or enhance the character and appearance of the Conservation Area and wider area of the Cotswolds Area of Outstanding Natural Beauty. This is therefore contrary to policies OS2, OS4, H2, BCI, EH9, EH10 and EH1 of the West Oxfordshire Local Plan 2031, West Oxfordshire Design Guide 2016, the National Design Guide 2019 and the relevant paragraphs of the NPPF 2019.
- 2 The proposed development is not required to meet Local Plan housing requirements and would not constitute an acceptable windfall opportunity in the context of a very low 5 year windfall allowance and is therefore contrary to Policies H1, H2 and BCI of the West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF 2019.
- 3 The development, by reason of its siting close to the boundary with the existing dwelling Anson House, will appear overbearing to the detriment of the occupants. Further, by reason of its siting, the development would result in a detrimental loss of light to the occupants of Anson House and The Cottage. As such, the proposal is considered contrary to policies OS2, OS4, H2 and H6 of the West Oxfordshire Local Plan 2031 and the relevant paragraphs of the NPPF 2019.

Application Number	19/03196/OUT
Site Address	Cotswold Fuels Railway Yard Station Road Ascott Under Wychwood Chipping Norton Oxfordshire OX7 6AP
Date	22nd January 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve
Parish	Ascott Under Wychwood Parish Council
Grid Reference	430219 E 218890 N
Committee Date	3rd February 2020

### Location Map



### Application Details:

Outline application for two dwellings with associated access works.

### Applicant Details:

Palladian Properties, C/O Agent.

## **I CONSULTATIONS**

- |     |                           |  |
|-----|---------------------------|--|
| I.1 | Thames Water              | No Comment Received.   |
| I.2 | WODC Env Health - Uplands | No objection subject to condition.   |
| I.3 | OCC Highways              | No objection.  |
| I.4 | WODC Drainage Engineers   | No objection subject to conditions.  |
| I.5 | Parish Council            | <p>A full version of the Parish Councils response is available on the Council's website. The letter is concluded as follows:</p> <p>Ascott-u-W Parish Council is concerned that this is an application for Outline Planning Permission. 2 dwellings on this site may be acceptable (even though these do not meet a demonstrable need in the village or the District) because only 2 would mean that there would not be too many extra vehicles using that extremely dangerous junction. However, 'outline permission' is vague, planning permission might be easier to obtain on a very different application and, in the meantime neighbours and all users of that junction live in fear of the worst.</p> <p>Given the extremely dangerous junction, the questions about vehicular access and the concern about drainage issues, we strongly request an officer site visit. Given the many misleading or inaccurate statements in the Planning Application Statement we are concerned that this application is trying to lay the foundation for a very different plan, perhaps to include many more dwellings, when full planning permission is sought.</p> <p>Ascott-under-Wychwood Parish Council objects unanimously to this Outline Planning Application.</p> |

## **2 REPRESENTATIONS**

- 2.1 Three letters of objection have been received in respect of this application. The main points raised are as follows:
- The development would look cramped
  - The road is dangerous
  - The village is not sustainable
  - Increased flood risk
  - No need for houses identified
  - Detrimental impact on biodiversity
  - Would put pressure on foul water drainage

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

3.1 The Planning Statement submitted with the application is concluded as follows:

3.2 This supporting statement confirms that:

- The site is a sustainable location for housing, within the village built up area and highly accessible;
- Development would make a meaningful benefit to District housing targets and towards sustaining the vitality of the village;
- The land would be put to a more efficient use and would enhance the character of the area;
- Parking is provided in accordance with local standards; the site is well connected by existing footways to the village and future residents would be able to make use of the adjoining railway line;
- The dwellings would adopt a traditional vernacular design, which is considered to be appropriate and will enhance the character of this part of the AONB.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

BC1NEW Burford-Charlbury sub-area

H6NEW Existing housing

T4NEW Parking provision

EHI Cotswolds AONB

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

### **5 PLANNING ASSESSMENT**

5.1 This application seeks outline planning consent for the erection of two dwellings and associated works on land at Cotswold Fuels Railway Yard in Ascott under Wychwood with matters of appearance and landscape reserved. Therefore, the matters for which approval is sought as part of this application are access, layout and scale.

5.2 The application site comprises a parcel of vacant land adjacent to the railway yard and Ascott under Wychwood Railway Station. The railway yard is currently used for storage and there are residential dwellings to the south of the site.

5.3 The site falls within the Cotswold AONB.

5.4 The application is before Members of the Uplands Planning Sub-committee for consideration as your officers recommendation is contrary to the Parish Council's response in accordance with the scheme of delegation.

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

Principle  
Siting, design and form  
Impact on the Cotswold AONB  
Residential Amenity  
Highways  
Biodiversity

Principle

- 5.6 Policy H2 of the adopted West Oxfordshire Local Plan 2031 states that new dwellings will be permitted on undeveloped land within the built up area of Ascott under Wychwood provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2.
- 5.7 Policy OS2 states that villages are suitable for limited development which respects the village character and local distinctiveness and would help maintain the vitality of these communities. The general principles set out in OS2 state that development should form a logical complement to the existing scale and pattern of development and/or character of the area, be of a proportionate and appropriate scale to its context, not involve the loss of an area of open space or other features that makes an important contribution to the character and appearance of the area, and conserve and enhance the natural, historic and built environment.
- 5.8 The site lies within the Burford-Charlbury Sub-Area wherein the housing strategy (see policies OS2/H1) anticipates delivery of 774 new dwellings through allocated sites comprising a combination of homes already completed and existing commitment, and, where the focus for new housing is centred on Charlbury and Burford. No allowance is made for speculative 'windfall' development within this sub-area, as an allowance has been made in the other sub-areas). This does not however, mean that no further housing development will be permitted.
- 5.9 In this case, the site is located in the heart of the village fronting the village green with residential dwellings on one side, and the rail line and station car park clearly bounding the village to the north of the site. Therefore, your officers are of the opinion that the development would represent infill development that would be comfortably accommodated on the site and would respect the existing pattern and character of development in the area. Therefore, the principle of the development is considered to be acceptable subject to its compliance with the other relevant policies in the adopted Local Plan.

Siting, Design and Form

- 5.10 The application is made for outline consent only and therefore details of the elevations are provided for indicative purposes only and consideration should only be given to the layout and scale of the proposal. In this case, the dwellings are proposed as two storey in scale and would sit fronting onto London Lane with small front gardens. The vehicular access proposed is to the North East of the site where garages and a parking area are proposed to the rear.
- 5.11 The context of the site is a mix of the railway station to the North and residential dwellings along the frontage of London Lane.

- 5.12 In this case, your officers are of the opinion that the site could comfortably accommodate two dwellings of this scale, and by virtue of their siting the development would form a logical complement to the existing pattern of development in this part of the village.
- 5.13 The final details relating to design and landscaping would form part of an application for the approval of reserved matters.

#### Impact on the Cotswold AONB

- 5.14 Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance, the context of the site is a mix of the commercial train station and yard, and residential development fronting on to the London Road. This parcel of land is presently of an unkempt and dis-used appearance in a gateway position for visitors entering the village. There is significant planting currently bounding the site. Given that the dwellings will be set back in the plot to allow for small front gardens this will allow for the retention of some landscaping around the edge of the site. The proposed landscaping would be the subject of any reserved matters application submitted. In light of the context of the site, the scale and layout of the proposed development, and that the design of the dwellings would be carefully considered at the reserved matters application stage, your officers are of the opinion that the wider landscape and scenic beauty of the Cotswold AONB would be conserved.

#### Residential Amenity

- 5.15 Given the location of the site and distance to the nearest residential dwelling, your officers do not consider that the development will give rise to any adverse impacts on the amenity of neighbours.
- 5.16 In terms of the amenity of any future occupants of the proposed development, your officers note the close position of the dwellings to the adjacent railway line. However, this is not considered to be unusual and any noise impacts of passing trains can be mitigated by incorporating high level insulation properties into the build. By virtue of the siting and orientation of the proposed dwellings your officers do not consider that there will be any adverse mutual overlooking to the detriment of future occupants arising from the development. Further, your officers consider that sufficient outdoor amenity space is afforded to each proposed dwelling.

#### Highways

- 5.17 The Local Highway Authority has been consulted on the application and has raised no objection to the proposed new access and parking provision.

#### Biodiversity

- 5.18 The Ecologist's consultation response remains outstanding. Your officers will update Members verbally on matters relating to biodiversity, and any additional conditions which may be proposed.

## Conclusion

- 5.19 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS4, H1, H2, BCI, EHI, T4 and H6 of the adopted West Oxfordshire Local Plan 2031, and the relevant provisions of the NPPF 2019.

## **6 CONDITIONS**

- 1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;  
and  
(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
- 2 Details of the Appearance and Landscaping (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.  
REASON: The application is not accompanied by such details.
- 3 The development shall be carried out in accordance with the site location plan and the site layout plan (MD AUW PA2 01). The development shall be limited to up to 2 dwellings and the building shall be no more than 2 storeys in height, consistent with the submitted Planning Application by JPPC - Chartered Town Planners in November 2019.  
REASON: For the avoidance of doubt as to what is permitted.
- 4 That, prior to the commencement of above ground works, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. The details shall include a management plan setting out the maintenance of the drainage asset. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
- 5 No above ground works shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before

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

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

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

#### NOTE TO APPLICANT

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

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- Version 2.1 of Oxfordshire County Council's SUDs Design Guide (August 2013)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1)) - CIRIA C753 SuDS Manual 2015

Application Types Key

<u>Suffix</u>		<u>Suffix</u>	
ADV	Advertisement Consent	LBC	Listed Building Consent
CC3REG	County Council Regulation 3	LBD	Listed Building Consent - Demolition
CC4REG	County Council Regulation 4	OUT	Outline Application
CM	County Matters	RES	Reserved Matters Application
FUL	Full Application	S73	Removal or Variation of Condition/s
HHD	Householder Application	POB	Discharge of Planning Obligation/s
CLP	Certificate of Lawfulness Proposed	CLE	Certificate of Lawfulness Existing
CLASSM	Change of Use – Agriculture to Commercial	CND	Discharge of Conditions
HAZ	Hazardous Substances Application	PDET28	Agricultural Prior Approval
PN42	Householder Application under Permitted Development legislation.	PN56	Change of Use Agriculture to Dwelling
PNT	Telecoms Prior Approval	POROW	Creation or Diversion of Right of Way
NMA	Non Material Amendment	TCA	Works to Trees in a Conservation Area
WDN	Withdrawn	TPO	Works to Trees subject of a Tree Preservation Order
		FDO	Finally Disposed Of

<u>Decision Code</u>	<u>Description</u>	<u>Decision Code</u>	<u>Description</u>
APP	Approve	RNO	Raise no objection
REF	Refuse	ROB	Raise Objection
PIREQ	Prior Approval Required	P2NRQ	Prior Approval Not Required
P3APP	Prior Approval Approved	P3REF	Prior Approval Refused
P4APP	Prior Approval Approved	P4REF	Prior Approval Refused

**West Oxfordshire District Council – DELEGATED ITEMS**

	Application Number.	Ward.	Decision.
1.	<b>19/01647/CLE</b> Affecting a Conservation Area	The Bartons	APP
	Certificate of lawfulness (To allow change of use of land to domestic with means of enclosure) <b>1 Washington Terrace Middle Barton Chipping Norton</b> Mr Mark Hobbs		
2.	<b>19/01828/HHD</b> Affecting a Conservation Area	Stonesfield and Tackley	APP
	Two storey side and rear extension together with the creation of additional front and rear gables. <b>Spring Villa Churchfields Stonesfield</b> Mr And Mrs Ryan And Jessica Cawood And Hartley		

- |    |   |                              |      |
|----|---|------------------------------|------|
| 3. | <b>19/02148/FUL</b>   | Freeland and Hanborough      | SI06 |
|    | Erection of eight dwellings with associated works (amended plans).<br><b>Land South East Of Pinsley Farm Main Road Long Hanborough</b><br>Mr Jon Bryan  |                              |      |
| 4. | <b>19/02026/FUL</b>   | Charlbury and Finstock       | REF  |
|    | Internal/fenestration alterations. Replace porch. Block existing access and create a new vehicular access. Raise the height of boundary wall.<br><b>The Ridings Cottage Wilcote Chipping Norton</b><br>Ms A Cecil           |                              |      |
| 5. | <b>19/02208/FUL</b>   | Chipping Norton              | APP  |
|    | Affecting a Conservation Area<br><br>To provide independent access to the first floor of 19 High Street.<br><b>19 - 20 High Street Chipping Norton Oxfordshire</b><br>Mr Jeremy Catling                                     |                              |      |
| 6. | <b>19/02209/LBC</b>   | Chipping Norton              | APP  |
|    | Affecting a Conservation Area<br><br>To provide independent access to the first floor of No 19 High Street.<br><b>19 - 20 High Street Chipping Norton Oxfordshire</b><br>Mr Jeremy Catling                                  |                              |      |
| 7. | <b>19/02429/FUL</b>   | Charlbury and Finstock       | APP  |
|    | Proposed replacement dwelling, new garageblock and greenhouse/potting shed and associated landscaping works<br><b>Watermead Farm Spelsbury Road Charlbury</b><br>Mr And Mrs Finch-Dick                                      |                              |      |
| 8. | <b>19/02480/LBC</b>   | Kingham, Rollright & Enstone | APP  |
|    | Affecting a Conservation Area<br><br>Internal and external alterations (amended plans and description).<br><b>Freemans Cottage West End Kingham</b><br>Mr & Mrs - Lofthouse   |                              |      |
| 9. | <b>19/02567/FUL</b>   | Chadlington and Churchill    | SI06 |
|    | Demolition of an agricultural building to allow for the conversion and subterranean extension of agricultural buildings to form one dwelling.<br><b>Barley Hill Farm Chipping Norton Road Chadlington</b><br>Mr Paul OBrien |                              |      |

10. **19/02599/HHD** Woodstock and Bladon APP  
Affecting a Conservation Area
- Erection of playhouse (Retrospective)  
**70 Oxford Street Woodstock Oxfordshire**  
Dr Chris Wood
11. **19/02610/FUL** Chadlington and Churchill SI06
- Erection of an agricultural storage building (alternative to 19/00727/AGR)  
**Land At Rynehill Farmhouse Kingham Oxfordshire**  
Mr And Mrs J Taylor
12. **19/02703/HHD** Charlbury and Finstock APP  
Affecting a Conservation Area
- Construction of canopy over front entrance door.  
**Heathfield Cottage Browns Lane Charlbury**  
Mr P Clifton
13. **19/02704/LBC** Charlbury and Finstock APP  
Affecting a Conservation Area
- Alterations to construct a canopy over front entrance door.  
**Heathfield Cottage Browns Lane Charlbury**  
Mr P Clifton
14. **19/02707/FUL** Burford APP  
Affecting a Conservation Area
- Conversion of existing first floor and loft space into residential dwelling, to include the insertion of front and rear dormer windows, with formation of independent access from the High Street.  
**95 High Street Burford Oxfordshire**  
Mr V Charalambous
15. **19/02908/HHD** Milton Under Wychwood APP  
Affecting a Conservation Area
- Alterations to include changes to fenestration and two storey extensions  
**The Granary Church Street Idbury**  
Mr Brian Green
16. **19/02918/HHD** Burford APP  
Affecting a Conservation Area
- To erect a conservatory with single storey link extension to dwelling  
**Willow Cottage 41 Witney Street Burford**  
Elizabeth Deverson

17. **19/02919/LBC** Burford APP  
Affecting a Conservation Area
- Internal and external alterations to erect a conservatory with single storey link extension to dwelling  
**Willow Cottage 41 Witney Street Burford**  
Elizabeth Deverson
18. **19/02778/HHD** Brize Norton and Shilton APP  
Erection of a detached water storage and garage building.  
**Sturt Farm Oxford Road Burford**  
Sturt Farm Burford Ltd
19. **19/02781/S73** The Bartons APP  
Affecting a Conservation Area
- Non compliance with condition 2 of permission 16/02795/FUL to provide fire escapes to units 3, 4, 5 and 6. Enlargement of some approved windows to units 3, 4, 5 AND 6 to enable fire escape.  
THE ADDITION OF OPENINGS TO UNITS 3, 4, 5 AND 6 TO ENABLE FIRE ESCAPE.  
**2 Mill Lane Middle Barton Chipping Norton**
20. **19/02791/HHD** Woodstock and Bladon APP  
Removal of existing detached garage. Erection of two storey side extension.  
**Damson House 18B Hensington Close Woodstock**  
Mrs Debi-Jo Milner
21. **19/02794/LBC** Burford APP  
Affecting a Conservation Area
- Inspect the timber on ground floor by lifting all boards, treat and relay salvageable boards or replace with new remove and replace all non-historic timber.  
**45 High Street Burford Oxfordshire**  
Mr Coppersmith-Heaven
22. **19/02834/CLE** Brize Norton and Shilton APP  
Certificate of Lawfulness (to allow construction of a ha-ha and change of use of land from agricultural to private amenity space)  
**Furzey Leaze Lodge Beech Grove Fulbrook**  
Mr James Stewart-Richardson
23. **19/02846/FUL** Chipping Norton APP  
Removal of existing marquee structure and erection single storey function room.  
**Cotswolds Hotel And Spa Southcombe Chipping Norton**  
Mr G Wijesuriya

24. **19/02847/FUL** Chipping Norton APP  
 Creation of a roof top extension.  
 Creation of rooftop extension.  
**Cotswolds Hotel And Spa Southcombe Chipping Norton**  
 Mr G Wijisuriya
25. **19/02868/FUL** Chipping Norton APP  
 Affecting a Conservation Area  
 Erection of 1 extract chimney and 1 air inlet chimney (Retrospective)  
**Wheelers Garage London Road Chipping Norton**  
 Mr David Maguire
26. **19/02885/S73** Woodstock and Bladon APP  
 Affecting a Conservation Area  
 Non compliance with conditions 2 Plans and 3 materials of planning permission  
 18/02336/HHD to allow removal of chimneys and increase in roof height changes to windows  
 and first floor balcony, omit render and use timber cladding. (amended)  
**6 The Homestead Bladon Woodstock**  
 Ms Emma Schuster
27. **19/02895/HHD** Ascott and Shipton APP  
 Affecting a Conservation Area  
 Rear Structural Glass Conservatory Extension with attached stone and zinc sheet roof  
 workroom  
**Old School House Church Street Shipton Under Wychwood**  
 Mr And Mrs Darnell
28. **19/02896/LBC** Ascott and Shipton APP  
 Affecting a Conservation Area  
 Rear Structural Glass Conservatory Extension with attached stone and zinc sheet roof  
 workroom  
**Old School House Church Street Shipton Under Wychwood**  
 Mr And Mrs Darnell
29. **19/03132/S73** Charlbury and Finstock APP  
 Variation of condition 2 of planning permission 19/01144/HHD to allow retention of first  
 floor balcony, changes to the approved front entrance porch, alterations to fenestration and a  
 larger conservatory to be constructed (amended plans)  
**Bobwell Farm Spelsbury Road Charlbury**  
 Mr And Mrs D Glasgow

30. **19/02909/S73** Ascott and Shipton APP  
Affecting a Conservation Area
- Non compliance with conditions 2 approved plans and 5 obscure glazing to allow retain wooden fascia to NW elevation, addition of flue and clear glazing to gable end window. (18/03671/FUL)  
**Old Workshop Gas Lane Shipton Under Wychwood**  
Mrs Amanda Clarke
31. **19/03149/FUL** Chipping Norton APP  
Affecting a Conservation Area
- Alterations to shop front to include awning and erection of single storey rear extension.  
**The Old Mill Restaurant 7 West Street Chipping Norton**  
Mr Selahattin Kaya
32. **19/02933/PN56** Kingham, Rollright & Enstone P3APP  
Conversion of two detached barns to create four dwellings together with associated works and provision of paddock.  
**Fulwell Farm Fulwell Chipping Norton**  
HDH Willis 1965 Charitable Trust C/o Adkin
33. **19/02946/FUL** Chipping Norton APP  
Change of use of existing stable and kennel building and single dwellinghouse to form six residential units, erection of 3 outbuildings for garaging and storage.  
**Heythrop Hunt Kennels Kennels Lane Chipping Norton**  
Nutbourne
34. **19/02957/FUL** Kingham, Rollright & Enstone APP  
Change of use of 5 parking bays and some green space in the car park of Countrywide Storage to a hand car wash, including the installation of two cabins and a canopy.  
**Car Park At Countrywide Storage Hook Norton Road Chipping Norton**  
Grant
35. **19/02976/FUL** Kingham, Rollright & Enstone APP  
Alterations to building to facilitate use as restaurant/dining room (retrospective)  
**Soho Farmhouse Great Tew Chipping Norton**  
Soho House Group
36. **19/02996/HHD** Kingham, Rollright & Enstone APP  
Single storey extension to storage barn  
**Black Knap House Priory Road Heythrop**  
Mr Karl Devine

37. **19/02997/HHD** Burford APP  
Affecting a Conservation Area
- Single-story rear extension and replacement chimneys  
**Greenbank Cottage 41 Sheep Street Burford**  
Ms Maria Edwards
38. **19/02998/LBC** Burford APP  
Affecting a Conservation Area
- Internal and external alterations to include removal of existing and erection of new larger single storey rear extension with changes to internal layout on both ground and first floors and replacement chimneys.  
**Greenbank Cottage 41 Sheep Street Burford**  
Ms Maria Edwards
39. **19/03001/S73** Stonesfield and Tackley APP
- Non compliance with condition 2 of planning permission 18/00731/FUL to allow design of garages to include dormer windows.  
**Land West Of North Farm Woodstock Road Stonesfield**  
Empire Homes
40. **19/03033/CND** Stonesfield and Tackley APP  
Affecting a Conservation Area
- Discharge of conditions 5 (bat survey ), 6 (implementation of bat survey), 7 (bird and bat boxes) of permission 19/00335/FUL.  
**2 Medcroft Road Tackley Kidlington**  
Mrs Sally House
41. **19/03007/S73** Stonesfield and Tackley APP
- Non compliance with conditions 4 (hours of operation) and 5 (number of cremations) of planning permission 18/02320/FUL (amended)  
**Weaveley Arboretum Natural Burial Ground Tackley Kidlington**  
Mr Jamieson Hodgson
42. **19/03004/FUL** Chadlington and Churchill APP
- Conversion of existing garage into one bedroom holiday let  
**Three Ways Churchill Road Chipping Norton**  
Mr Charlie Harrison
43. **19/03006/HHD** Chadlington and Churchill APP
- Single storey rear extension, replacement porch and new detached double timber frame garage.  
**Rill Cottage 3 Daisy Bank Green End**  
Mr And Mrs Keyte

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| 44. | <b>19/03008/HHD</b>  | Freeland and Hanborough      | APP |
|     | Two storey and first floor extension<br><b>9 Marlborough Crescent Long Hanborough Witney</b><br>Mr Paul Charlett   |                              |     |
| 45. | <b>19/03029/S73</b>  | Freeland and Hanborough      | APP |
|     | Variation of condition 2 of planning permission 18/01403/FUL to allow changes to entrance, roof material and minor alterations to outbuildings with the addition of roof and screening to external fire escape, the removal of the roof plant screen enclosure and changes to internal layout.<br><b>Land South Of Fenlock Road Long Hanborough</b><br>NSF International |                              |     |
| 46. | <b>19/03039/HHD</b>  | Kingham, Rollright & Enstone | APP |
|     | Affecting a Conservation Area<br><br>Satellite dish on the side of property<br><b>6 The Moat Kingham Chipping Norton</b><br>Mr Ashley Paxton   |                              |     |
| 47. | <b>19/03040/HHD</b>  | Burford                      | APP |
|     | Erection of two storey side and rear extensions.(Part retrospective)<br><b>Fox Tail Cottage Shipton Road Fulbrook</b><br>Donna Rivera  |                              |     |
| 48. | <b>19/03049/HHD</b>  | Kingham, Rollright & Enstone | APP |
|     | Affecting a Conservation Area<br><br>Single storey rear extension, internal alterations, conversion of part of roof and replacing of roof tiles.<br><b>Wiggalls Corner The Green Kingham</b><br>Fleur Sowden   |                              |     |
| 49. | <b>19/03055/LBC</b>  | Chadlington and Churchill    | APP |
|     | Refurbishment of the Library in the main house to encompass redecoration and the installation of an AV screen and new lighting.<br><b>The Mansion Ditchley Park Enstone</b><br>Mr Mike Montagu   |                              |     |
| 50. | <b>19/03057/HHD</b>  | Freeland and Hanborough      | APP |
|     | Relocation and alteration of access<br><b>30 Roosevelt Road Long Hanborough Witney</b><br>Mr S Edwards   |                              |     |

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| 51. | <b>19/03060/FUL</b>   | Milton Under Wychwood        | REF |
|     | Demolition of the existing dwelling. The erection of three detached dwellings with parking and associated landscaping<br><b>Vicarage Field Church Road Milton Under Wychwood</b><br>Mr And Mrs D Holmes   |                              |     |
| 52. | <b>19/03254/LBC</b>   | Chadlington and Churchill    | APP |
|     | Replacement front door (retrospective)<br><b>4 East End Cottages East End Chadlington</b><br>Gayle Pilkington   |                              |     |
| 53. | <b>19/03467/HHD</b>   | Kingham, Rollright & Enstone | REF |
|     | Replacement of North boundary fence with 1.7m high dry-stone walling.<br><b>Black Knap House Priory Road Heythrop</b><br>Mr Karl Devine   |                              |     |
| 54. | <b>19/03063/CND</b>   | Ascott and Shipton           | APP |
|     | Affecting a Conservation Area<br><br>Discharge of condition 8 (detailed specification for all retained structures). (18/02154/RES).<br><b>Land South Of Milton Road Shipton Under Wychwood</b><br>Deanfield Homes Ltd   |                              |     |
| 55. | <b>19/03062/CND</b>   | Ascott and Shipton           | APP |
|     | Affecting a Conservation Area<br><br>Discharge of conditions 7 (surface water drainage), 11 (lighting design strategy for biodiversity), 14 (car parking layout) and 15 (cycle parking layout). (19/00036/S73).<br><b>Land South Of Milton Road Shipton Under Wychwood</b><br>Deanfield Homes Ltd |                              |     |
| 56. | <b>19/03295/HHD</b>   | Woodstock and Bladon         | APP |
|     | Affecting a Conservation Area<br><br>Conversion of attached open fronted garage to create extra living space<br><b>Brightside House 92 Manor Road Woodstock</b><br>Mr And Mrs B Smith   |                              |     |
| 57. | <b>19/03118/LBC</b>   | Woodstock and Bladon         | APP |
|     | The refurbishment of the Chapel<br><b>Blenheim Palace Blenheim Park Woodstock</b><br>Blenheim Palace Heritage Foundation  |                              |     |
| 58. | <b>19/03300/HHD</b>   | Chipping Norton              | APP |
|     | Erection of rear conservatory.<br><b>1 Chalford Court Chipping Norton Oxfordshire</b><br>Ms Gabrielle Thomas  |                              |     |

59. **19/03326/HHD** Chadlington and Churchill APP  
Affecting a Conservation Area
- Insertion of dormer window to front elevation. To add timber cladding to existing porch.  
**2 Sidings Road Churchill Chipping Norton**  
Mr Joel Peyton
60. **19/03327/HHD** Freeland and Hanborough APP  
Erection of a summerhouse/log cabin.  
**51 Main Road Long Hanborough Witney**  
Mr Martin Barrow-Starkey
61. **19/03174/HHD** Stonesfield and Tackley APP  
Affecting a Conservation Area
- Single storey extension to existing kitchen  
**The Old Stable House The Manor Drive Combe Road**  
Mr And Mrs John And Sally Ashmore
62. **19/03216/HHD** Woodstock and Bladon APP  
Erection of two storey rear and first floor side extensions, conversion of existing attached garage with new lean-to roof over front elevation and construction of detached double garage.  
**21 Oxford Road Woodstock Oxfordshire**  
Ms J Topliss
63. **19/03233/HHD** Ascott and Shipton APP  
New carport with storage space above to replace/cover existing parking spaces.  
**Quarry Hill Farm Leafield Road Shipton Under Wychwood**  
Mr Robert Biles
64. **19/03416/LBC** Chipping Norton APP  
Affecting a Conservation Area
- Removal of interior stud wall to create an open-plan living space.  
**12 Norton Park Cotshill Gardens Chipping Norton**  
Mr And Mrs James Urwin
65. **19/03421/HHD** Chipping Norton APP  
Erection of conservatory to rear  
**4 Chalford Court Chipping Norton Oxfordshire**  
Mr And Mrs Chipperfield

66. **19/03266/HHD** Kingham, Rollright & Enstone APP  
Affecting a Conservation Area
- Alterations to include single-storey extension to rear to replace existing conservatory/garden room, replacement of existing canopy over front door.  
**42 West End Kingham Chipping Norton**  
Mr And Mrs J Fox
67. **19/03434/LBC** Burford APP  
Affecting a Conservation Area
- Internal alterations  
**Long Wivets 170 The Hill Burford**  
Mr And Mrs K Morris
68. **19/03427/HHD** Kingham, Rollright & Enstone APP  
Loft conversion including two new rear dormer windows and three new rooflights at the front.  
**Crispin House Field Road Kingham**  
Mr David Osgood
69. **19/03320/NMA** Freeland and Hanborough APP  
Residential development comprising of 41 dwellings together with associated works (non-material amendment to allow alteration to boundary positions to rear of plots 1-2 and 5-6).
- Removal of "Public Open Space" notes.  
**Land Between Wychwood House And Malvern Villas Witney Road Freeland**  
Mr Dean Roberts
70. **19/03322/LBC** Chadlington and Churchill APP  
Internal and external alterations to install a new boiler, including a flue in the rear elevation.  
**Jasmine Cottage Green End Chadlington**  
Dr Sheena Irvine
71. **19/03482/HHD** The Bartons APP  
Single storey extension  
**15A Hillside Road Middle Barton Chipping Norton**  
Mr Stephen Rogers
72. **19/03509/AGR** Stonesfield and Tackley P2NRQ  
Erection of extension to agricultural building.  
**Akeman Street Farm Akeman Street Combe**  
M G Green And Son Ltd