

## Democratic Services

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24 July 2020

### SUMMONS TO ATTEND

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

**PLACE:** TO BE HELD VIA VIDEO CONFERENCING BECAUSE OF SOCIAL DISTANCING REQUIREMENTS AND GUIDANCE (see [note](#))

**DATE:** MONDAY 3 AUGUST 2020

**TIME:** 2.00 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 July 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 Applications Determined under Delegated Powers and Withdrawn Applications (Report of the Business Manager – Development Management - [copy attached](#))**

Purpose:

To inform the Sub-Committee of applications either determined under delegated powers or withdrawn.

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)

Note: Councillors will be sent an invitation to the remote meeting via Cisco Webex. Members of the public may view the meeting via [Facebook Live](#). A Facebook account is not required.

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Uplands Area Planning Sub-Committee** held via video conferencing at 2.00pm on **Monday 6 July 2020**

### PRESENT

Councillors: Jeff Haine (Chairman), Geoff Saul (Vice-Chairman), Andrew Beaney, Richard Bishop, Mike Cahill, Nathalie Chapple, Nigel Colston, Derek Cotterill, Merilyn Davies, Ted Fenton (ex officio non-voting), Andy Graham, David Jackson, Neil Owen and Alex Postan.

Officers: Joan Desmond (Principal Planner), Stephanie Eldridge (Senior Planning Officer), Keith Butler (Head of Democratic Services) and Amy Barnes (Strategic Support Officer).

### 6. MINUTES

Councillor Haine advised that paragraph five on page nine of the minutes should be amended to read 'Ballards Close'.

Councillor Colston did not feel that the minute relating to 20/00515/FUL Heythrop Hunt Kennels, fully reflected the comments he had made at the meeting. The Committee Services Officer agreed to check the notes and email suggested wording to Councillor Colston, in agreement with the Chairman.

Following the meeting, the following wording was supplied to Councillor Colston and agreed by the Chairman:

Councillor Colston felt that care should be taken with this application as he was not convinced that the site should be classed as open countryside. He referred to the setting of the Tweed Mill which he felt was some way away and the Worcester Road Industrial Estate. He highlighted that neither the Town Council nor the Highways department had raised objections. He did not feel there was a lot wrong with the application and raised the potential of the development providing employment for six months.

**RESOLVED:** That the minutes of the meeting of the Sub-Committee held on 1 June 2020, copies of which had been circulated, be approved as a correct record and signed by the Chairman, subject to the changes detailed above.

### 7. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence and the following temporary appointment was reported:

Councillor Andy Graham for Councillor Julian Cooper.

### 8. DECLARATIONS OF INTEREST

Councillor Derek Cotterill advised the Sub-Committee that he was named as the applicant for application no. 20/00307/FUL relating to the car park at Guildenford, Burford and would withdraw from the meeting during its consideration.

## 9. APPLICATIONS FOR DEVELOPMENT

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

**RESOLVED:** That the decisions on the following applications be as indicated, the reasons for refusal or conditions related to a permission to be as recommended in the report of the Business Manager – Development Management, subject to any amendments as detailed below:-

### **19/02468/LBC – 45 High Street, Burford**

The Principal Planning Officer, Mrs Joan Desmond, introduced the application and reminded Members that this application related to Listed Building Consent and was linked to 19/02572/FUL which dealt with the Householder consent.

Mrs Desmond highlighted that the listed building consent related to internal and external alterations to install three ground floor, internal wall mounted, air conditioning units together with the replacement of a rear first floor bathroom window. The report contained a recommendation of approval and the Conservation Officer was content with the application.

Information contained in the follow on report advised that further comments had been received from the Local Member, Councillor Cotterill.

Councillor Cotterill reiterated his comments which referred mainly to the noise level of the air conditioning unit. However, he noted that there would be an acoustic enclosure in place and he was mindful that it was important to have adequate air circulation.

Councillor Cotterill proposed that the application be granted as per officers' recommendations and this was seconded by Councillor Postan.

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

Approved

### **19/02572/FUL – 45 High Street, Burford**

The Principal Planning Officer, Mrs Joan Desmond, introduced the application and reminded Members that this application related to householder consent and was linked to the previous application 19/02468/LBC which had dealt with the listed building consent.

Mrs Desmond outlined the report and referred Members to the Environmental Health Officer's comments relating to the air conditioning unit, which it was proposed would be retained behind an acoustic mitigation housing enclosure to reduce noise.

Information contained in the follow on report advised that further comments had been received from the Local Member, Councillor Cotterill.

Councillor Cotterill queried if condition 4 of the report could be amended to refer to a maximum sound pressure level no higher than 36dBA rather than 47dBA. In response, Mrs Desmond advised that this would not be considered reasonable because the Environmental Health Officer considered 47dBA to be appropriate.

Councillor Cotterill noted that the nearest householder would not be aware of the levels as yet and he was concerned that the noise levels could be amplified. He was also wary of the

size of the enclosure in the passageway and the public right of way being obstructed. However, he was mindful that it would be difficult to know if any issues would be encountered until the unit was installed.

Councillor Cotterill proposed that the application be granted as per officers' recommendations and this was seconded by Councillor Postan.

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

Approved

### **19/02902/FUL – 2 Witney Road, Long Hanborough**

The Principal Planning Officer, Mrs Joan Desmond, introduced the application, advised that the officer recommendation in the report was one of approval and signposted Members to the additional information in the addendum.

Public submissions had been received and were read out on behalf of: Mr Cliff Jones and Mrs Heather Armitage, objecting; the Chairman of Long Hanborough Parish Council, Mr Neills Chapman, objecting; and Mr Luke Carter on behalf of Graham Soame, in support of the application. Summaries of their submissions are attached as Appendices A to D to the original copy of these minutes.

Information contained in the follow on report advised that five additional letters had been received reiterating concerns about the development, along with a response to those concerns from the applicant. It was also noted that Condition 2 of the report needed to refer to the revised plans received on 7 May 2020.

Councillor Davies opened the debate by thanking the officers for their help and to the developers for listening to the concerns raised and subsequently amending their plans. She referred to a previous application along the same road to which she had initially objected but where, on reflection, she now accepted that it looked appealing. However, she did raise concerns about 'over packing' on the site, changes to the street scene and the impact on nearby residents' solar panels. She referred to the shade analysis mentioned in the public submissions which also gave her concerns, the nearby hall which was used frequently and would be overlooked and she concluded by stating that she felt this application was domineering and overdevelopment of the site.

Councillor Beaney felt that the report was contradictory regarding the issue of over shadowing and queried why officers had not used policy H6 when assessing the application.

In response, Mrs Desmond explained that the overshadowing analysis had been based on good practice, recognised guidance and stated that the neighbours had used their own methodology. She advised that Policy H6 related to the re-use of existing resources which officers did not feel applied in this instance.

Councillor Chapple noted the Parish Council's comments regarding 'over packing' and felt that the development had one flat too many. She felt that flat nine had a restricted footprint and only velux windows which could be oppressive. She suggested that the removal of flat nine would reduce the loss of light.

Councillor Jackson advised that he had undertaken his own site visit and having looked at the house located opposite felt that it was difficult to compare the two. He congratulated the

Parish Council on their comprehensive notes and queried the disabled parking provision and turning area for refuse lorries.

In response, Mrs Desmond signposted Councillor Jackson to the County Highways' assessment in the report which advised that the parking provision was acceptable and disabled parking would be provided. There was also a condition which dealt with the access and egress of refuse vehicles, details of which would have to be agreed prior to work starting.

In response to a query from Councillor Cotterill, who felt that the street scene would be affected, Mrs Desmond advised that detailed discussions had taken place regarding the siting of the block of flats and it had already been moved further to the east from the original plan. In addition, the number of flats had been reduced from twelve to nine.

Councillor Postan felt that the change to the street scene was positive as it would be an improvement to the existing site. He therefore proposed that the application be granted as per officers' recommendations.

This was seconded by Councillor Bishop who stated that he did not feel there would be overlooking from the site and the development would improve the street scene. He also referred to the previously developed site opposite which was very well built and fitted in with the ethos of the area.

Councillor Saul supported the comments made in view of the fact that there was a demand for one bedroom properties and he understood the desire for downsizing.

Councillor Chapple reiterated her concerns about parking and the site being located on a very busy road.

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

Approved

#### **20/00235/FUL – Post Office, 72 Main Road, Long Hanborough**

The Principal Planning Officer, Mrs Joan Desmond, introduced the application, and advised that permission was sought for a change of use of the currently vacant unit to a coffee shop. The report contained a recommendation of approval subject to the conditions detailed.

Following a question from Councillor Davies regarding the viability concerns raised by the Business Development Officer, Members were advised that this was not relevant to the determination of the application.

Councillor Davies therefore proposed that the application be granted as per officers' recommendations. This was seconded by Councillor Jackson.

Councillors Chapple and Graham added their support and it was queried what the use of the second unit would be for. Officers advised that the use had not been specified in the application.

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

Approved

(The Chairman advised of a short comfort break and the meeting resumed at 3.30pm)

## **20/00307/FUL – Car Park, Guildenford, Burford**

In accordance with his disclosure earlier in the meeting, Councillor Cotterill was withdrawn from the video conference during the consideration of this item.

The Senior Planning Officer, Miss Stephanie Eldridge, introduced the application and highlighted the information contained in the update report which detailed a letter from the applicant. She advised that the recommendation in the report was one of refusal.

A public submission had been received and was read out on behalf of Mr John White, Burford Town Council in support of the application. A summary of his submission is attached as Appendix E to the original copy of these minutes.

Information contained in the follow on report outlined a detailed additional representation from the applicant in response to the officer's report.

The Senior Planning Officer outlined the application and acknowledged that there was a need for additional parking in the area but there were clearly heritage and environmental constraints. She reminded Members of the clear objections from statutory consultees, the lack of a heritage assessment in the application and the comments made by Historic England and the Conservation Officer.

Miss Eldridge went on to explain that the application was felt to be an urbanising feature in the AONB and the Environment Agency had raised concerns regarding flood risk. With regards to Biodiversity, there was not enough information submitted with the application and no mitigating measures had been demonstrated. She therefore recommended refusal of the application for the reasons detailed in the report.

Councillor Postan stated that this was a highly important application due to Burford being known for its image and high street. However, the issue of parking was off putting to visitors and any additional parking required for a wedding at Warwick Hall would immediately cause a problem. He referred to the external experts' comments needing to be balanced with addressing the concerns of the community. He felt that any flood risk could be mitigated with a comprehensive warning system and the income from electric vehicle charging points could provide a degree of income towards the upkeep and maintenance of the car park. Councillor Postan did not agree with the comment made regarding newts in the report and thought there could be an opportunity to create a bridge as a feature. In addition, he felt the impact on the church would be minimal and he proposed that the application be approved subject to conditions, including the installation of EVCP's.

In response, the Chairman reminded Councillor Postan that there were technical aspects of the application that had not been completed and that the NPPF stated that all of those actions had to be done. Miss Eldridge agreed, advising caution before going against the advice from statutory consultees as this could result in the authority being fined.

The Chairman reminded the Committee that the applicant had not carried out all of the necessary responsibilities and that there was no fee for submitting a second application.

Councillor Postan agreed to take heed of the comments made, which had been well meant and well considered. Instead he asked if officers could work with the applicant to look at a way of making the proposal viable.

Councillor Graham proposed that the application be refused as per the officer recommendation and this was seconded by Councillor Beaney who stated that the mitigation measures had not been demonstrated but this was not a statement that Burford did not need a car park.

Further discussions took place about the need for additional parking provision, the permission required to build a footbridge on land owned by the Church and the need to heed the advice from the experts. In general, Members agreed that the applicant could resubmit an application, whilst working with officers to ensure it answered the queries raised. In its' present form, the application was incomplete and would have an impact on the environment.

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

Refused

### **20/00905/FUL – Land West of Soho Farmhouse, Great Tew**

The Senior Planning Officer, Miss Stephanie Eldridge, introduced the part retrospective application for the change of use of land from agriculture to hotel, the replacement of a guest amenity building, 'five-a-side' pitch and new landscaping.

A public submission had been received and was read out on behalf of Mr Andrew Eaton of JPPC, in support of the application. A summary of his submission is attached as Appendix F to the original copy of these minutes.

Information contained in the follow on report detailed a full list of the proposed conditions which would supersede those outlined in the original report.

Miss Eldridge advised that a campsite consisting of fifteen bell tents had opened on the site in 2016, which would allow the use of land as a campsite for a maximum 15 tents for up to 63 days a year. The Planning Authority advised Soho House to test the use to determine if the site was popular and whether demand would exceed the number of days permitted. The report advised that the campsite had operated for the last three and a half years and the campsite had retained 100% occupancy.

Miss Eldridge highlighted the introduction of additional landscaping which would have a positive impact on the site. With regards to the concerns raised by local residents regarding increased traffic, there would be no change to existing levels because the site had been operating at full capacity for some time. There was also no objection from the Highways Authority.

Councillor Beaney questioned the principle of development, the site operating without the correct permission for over three years and how officers had concluded that there would be no increase in traffic movement.

In response, Miss Eldridge explained that the premise had agreed with the authority to test the use to see if there was a demand for the facility they wanted to provide before permanent permission was granted. The demand had been proven and officers were satisfied that the test had been met. The report advised that as the existing Farm Camp had been at full capacity and in operation since 2016, there would be no change in daily traffic generation as a result of permitting a permanent year round use.

Councillor Haine provided clarification on the need to test the use before permission was granted.

Councillor Colston stated that he had never been in favour of the Soho operation and was concerned that the development continued to creep into agricultural land. He felt that every time it increased, it impacted on traffic volume.

Councillor Jackson raised a concern relating to the submission from Enstone Parish Council and he was also worried about the 'creep effect'. He noted that Soho House had worked with communities with projects such as 'Speedwatch' and he requested clarification on the 'Piglet Buildings' and the Biodiversity update.

In response, Miss Eldridge advised that the updated Biodiversity response was detailed in the follow on report and provided clarification on the location of the bell tents and the piglet buildings.

Councillor Postan was not in support of the application and queried what facilities the campers were using prior to the replacement toilet and shower facilities. Officers advised that members could use the existing gym facilities.

Councillor Chapple queried if the number of toilets and showers would be adequate but noted that the landscaping needed improvement.

Councillor Beaney agreed with the comments made about the 'creep effect', referenced another incoming application on the site for five units which had just been registered asked if there was a masterplan for the site, so that it could be addressed a whole.

In response, Miss Eldridge reminded Members that the application Councillor Beaney was referring to was an alternative scheme to replace five dwellings which the site had permission for but had not built. She advised that this had no relation to the application being considered today. She assured Members that officers had a good knowledge of the overall site.

It was proposed that the application be granted as per officers' recommendations and this was seconded by Councillor Davies, subject to the latest conditions detailed in the update report and below, which superseded those in the original.

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

Approved

1. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted;
2. The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted;
3. The development/buildings hereby permitted shall only be used for the uses specified in the application and for no other purposes. The bell tents and other facilities shall only be used as a part of the hotel and leisure complex and shall not be occupied or used separately as single dwelling houses.  
REASON: In order to control the development and ensure the proper planning of the locality;

4. That the bell tent accommodation to which the application relates shall be removed on or before twenty five years from the date of this permission or within 3 months of the cessation of the sites use as a hotel and leisure complex, whichever is the sooner. A scheme to ensure that this can be complied with shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this consent.  
REASON: The temporary nature of the development is not appropriate for permanent retention and to ensure the means to undertake the work to remove them are available.
5. The development shall be completed in accordance with the 'Conclusions and recommendations' on page 5 of the Ecological Assessment, dated 23rd march 2020, prepared by Environmental Consultants, as well as the External Lighting Plan (drawing no. 158), as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure that bats, birds, badgers, amphibians and reptiles are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006;
6. Before the erection of any external walls, details of the provision of bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) integrated within the walls of the new built structures and/or erected onto mature trees on site, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.  
REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006;
7. No further development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for reptiles, amphibians, hedgehogs and badgers has been submitted to and approved in writing by the Local Planning Authority. The approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure that reptiles, amphibians, hedgehogs and badgers are protected in accordance with the Wildlife and Countryside Act 1981 as amended, the Protection of Badgers Act 1992, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire District Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006; and

8. A comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not necessarily be limited to, the following biodiversity enhancements:

- Wildflower meadow areas;
- Buffer strips alongside the hedgerows, sown with a shade tolerant wildflower seed mix;
- The planting of native, locally characteristic tree and shrub species,
- The planting and infilling of hedgerows using native, locally characteristic species;
- Woodland planting;
- The creation of hibernacula;
- A 5-year maintenance plan.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following this consent.

REASON: To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

(Councillors Colston and Postan requested that their votes against the approval of the application be recorded.)

### **20/00991/FUL – Land North of Gas Lane and Ascott Road, Shipton under Wychwood**

The Senior Planning Officer, Miss Stephanie Eldridge, introduced the application and advised that the application was recommended for approval, subject to a Legal Agreement and conditions.

Public submissions had been received and were read out on behalf of; Mr Alan Vickers, objecting; and Mr Mike Gilbert, agent on behalf of the applicant. Summaries of their submissions are attached as Appendices G and H to the original copy of these minutes.

The Senior Planning Officer then presented her report and explained that a previous application on the site had been refused in 2019, due to the contrived design of plot 1. This application had been revised, placing the smaller dwelling to the front of the site and further back than on the original plan. In addition, the landscaping provision had been increased and the form simplified. Miss Eldridge requested that authority be delegated to officers, in conjunction with the Chairman, to approve the application, subject to the drainage team withdrawing their objection and conditions.

Councillor Haine was not comfortable with the application and felt that it could be amended further. He felt that plot 2 needed to be reduced, away from the western boundary and he noted that this was a sensitive site in the Conservation Area and an Area of Outstanding Natural Beauty. Councillor Haine added that in his opinion the application did not conform to policies OS2, EH1, EH2, EH3 and EH10. He therefore proposed that the application be deferred to allow officers to discuss the reduction in size and siting of plot 2 with the applicant.

This was seconded by Councillor Graham who felt the application needed further consideration.

In contrast, Councillor Postan felt that the applicant and officers had spent time amending the proposal and had done what was asked of them. He also felt that robust conditions would assist.

Councillor Owen stated his support for the application which had been a long, hard fought process. He felt that the proposal would bring benefit to the area and improve the existing overgrown site.

Councillor Chapple agreed with Councillor Haine that the site was sensitive and needed to be considered carefully. She referred to the 2017 plans which had not commenced and felt that the authority should proceed with caution.

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

Deferred to allow officers to liaise with the applicant with a view to reducing the size of Plot 2 and moving it away from the western boundary.

(Councillors Colston, Owen and Postan requested that their votes against the recommendation be recorded.)

10. APPLICATIONS DETERMINED UNDER DELEGATED POWERS AND APPLICATIONS WITHDRAWN

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

The meeting closed at 5.00pm

CHAIRMAN

## Agenda Item No. 4

# WEST OXFORDSHIRE DISTRICT COUNCIL UPLANDS AREA PLANNING SUB-COMMITTEE

**Date: 3rd August 2020**

### REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



**Purpose:**

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

**Recommendations:**

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

***List of Background Papers***

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

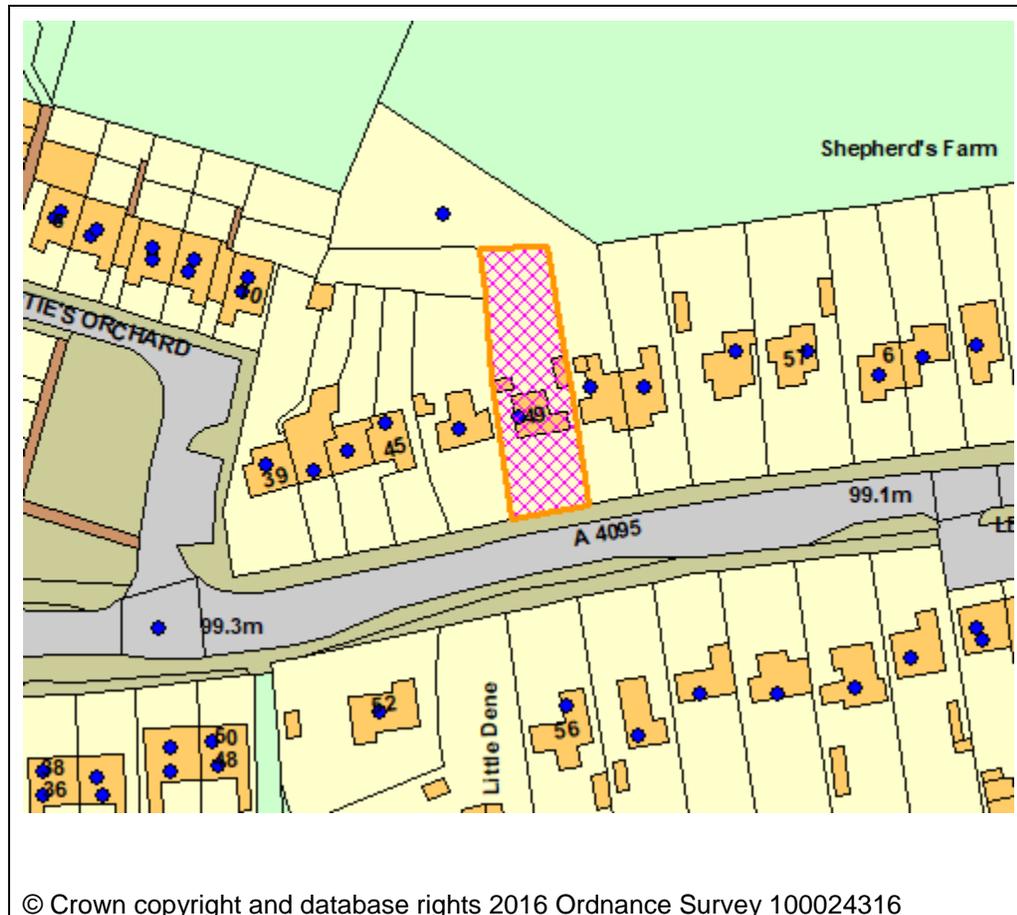
Please note that:

1. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings) and:
2. A "presentations pack" containing the slides which will be referenced during the meeting will also be published – follow the links from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings)

<b>Application Number</b>	<b>Address</b>	<b>Page</b>
20/00853/FUL	<a href="#"><u>49 Main Road, Long Hanborough</u></a>	3
20/00991/FUL	<a href="#"><u>Land North of Gas Lane and Ascott Road, Sipton Under Wychwood</u></a>	14
20/01116/HHD	<a href="#"><u>High Ridge 46 High Street, Milton Under Wychwood</u></a>	24

Application Number	20/00853/FUL
Site Address	49 Main Road Long Hanborough Witney Oxfordshire OX29 8BD
Date	21st July 2020
Officer	Sarah Hegerty
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	442007 E 214168 N
Committee Date	3rd August 2020

### Location Map



#### Application Details:

The demolition of the existing property and erection of two semi-detached dwellings and associated works.

#### Applicant Details:

Mr Tony Smith, 165 Cuddesdon Road, Horspath, Oxford, OX33 1JB

## I CONSULTATIONS

### I.1 Parish Council Comments based on initial submission

Hanborough Parish Council opposes for the following reasons  
Application 20/00853/FUL: The demolition of the existing property and erection of two semi-detached dwellings and associated works.  
49 Main Road, Long Hanborough, Witney, Oxfordshire OX29 8BD:

#### I. The Applicant states in the Design Statement under Layout

The building line of the front and side of the proposal is determined by the existing building footprint and the relationship with boundaries on either side. To the rear the protrusion into the garden is firstly defined by the existing line of the adjacent houses and a bay extending 1.2m beyond the established line, but well within the 45 deg lines from adjacent windows.

- a. However, the ground plan clearly shows that the front, side and rear of the proposed building are not 'determined' by the existing building footprint, since it is larger than the existing building footprint.
- b. The proposed building impacts on the two adjacent houses, nos. 47 and 51, by significantly reducing light to windows of both dwellings. The proposed building does not meet the 45 degree rule, for either house.
- c. The west wall of the proposed building blocks the light from the east-facing windows of no. 47. The Design statement  
The side elevation of No 47 has several windows facing the site, however these are neither the sole windows into the room or for a habitable room is extraordinary. It is not for the Applicant to claim that the impact of the proposed building is less because the impacted building already has sufficient windows and light from other sources or that its rooms are not habitable.
- d. Windows in the west-facing wall of the proposed building look directly into windows of the east facade of no. 47.
- e. The extension of the proposed building on the south side blocks light from rear windows of no. 47 and no. 51. at both ground and first floor levels.
- f. Although the Application claims 'the proposed rear elevation sits comfortably in the context of the adjacent properties', this is not the case. It is a three-storey elevation in contrast to the neighbouring dwellings of two -storeys.
- g. The justification for the 'protrusion' of the three

storey extension into the garden on the south side seems not even defined by the actual building line of the adjacent houses, 47, 51 and 53, and, importantly, whose extensions are only one storey.

- h. Low one storey extensions do not provide grounds or a three-storey extension.
- i. A three-storey extension beyond the building line will set a precedent for further such development and extensions along the back of the dwellings on the south side of Main Road.

## 2. Area of Outstanding Natural Beauty

- j. The precedent will not serve to protect the distinctive character and setting of the settlement of existing houses along the ridge of Main Road as seen from the AONB in the valley to the south.
- k. The houses on the ridge are within the view of the AONB, and development proposals that affect views in and out of the AONB need to be carefully assessed to ensure they conserve and enhance the natural beauty and landscape character of the AONB. The Design Statement itself refers to the rear of the site has stunning views over farmland towards the southern edge of the Cotswolds Area Outstanding Natural Beauty.

But, of greater importance than the commercial attraction of the site, is its location for the importance and conservation of the Cotswold Area of Outstanding Beauty.

## 3. Front and Rear Facades

- l. The Application does not provide any indication or information other than drawings, PA-04 and PA-05, of the materials being used for the facades. Curiously, both drawings are titled 'Renders' but PA-04 suggests the front façade is brickwork, in keeping with the existing building and no.47 Main Road.

## 4. Parking and Street Access

- m. The ground plan allows for only 4 parking places for two semi-detached four-bedroomed dwellings - 'Compliant parking for 2 vehicles per dwelling will be provided with sufficient space for turning on the site'. However, the regulation for four-bedroomed dwellings is that each require 2.25 parking spaces, which constitutes three, and therefore there should be provision for six parking places. The ground plan

clearly shows that there is not even room for five parking spaces, let alone six or a turning area.

- n. The busy shared pedestrian and cycle path runs on the pavement directly in front of the proposed development, and the entrance and exit of six vehicles as well as of delivery vans is likely to be dangerous to pedestrians and cyclists. The addition of planting behind the existing and retained front garden walls would reduce visibility considerably of passing pedestrians and cyclists.

5. In the Design Statement under Context is stated

- o. In the immediate vicinity the site sits within a tightly packed run of large dwellings. With little space between the dwellings the edge presented to Main Road is well defined.

This is an incorrect. The houses are not tightly packed, with little space between them. They do not constitute a 'tightly packed run', nor together constitute an edge to Main Road.

They are all set back from the pavement and road, are well presented, and wide expanses of sky and trees can be clearly seen between and separating each of them.

- 6. Application 20/00853/FUL is very similar to the earlier submitted application 19/03548/FUL and appears not to have taken into account the comments made then on its impact on the adjacent properties, on its setting within the settlement on the south of Main Road, on its provision of parking spaces, or the dangerous entrance and exit across a shared pedestrian and cycle route on the pavement outside the front garden walls.

- 7. The Parish Council is surprised and disappointed that, since West Oxfordshire District Council declared a Climate Emergency in June 2019, the applicant has only made token reference under Sustainability to the measures and methods of construction for the reduction of carbon emissions. We would like a commitment to much greater ambitions and the intention to work to the highest standards for improving energy-performance and efficiency in a new construction. Given its importance, we do not understand why the Applicant makes no reference to the enhanced Future Homes Standard which is likely to be introduced sooner than 2025. We would like the Applicant to provide in greater detail the measures they intend to undertake.

Given the consequences of their impact, standards of sustainability and innovative solutions for house construction should now be given equal attention as matters of design, layout, impact and location receive.

- |     |                           |   |
|-----|---------------------------|---|
| I.2 | Thames Water              | No Comment Received.  |
| I.3 | OCC Highways              | Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission   |
| I.4 | WODC Drainage Engineers   | No Objection subject to Conditions  |
| I.5 | WODC Env Health - Uplands | <p>Mr ERS Pollution Consultation ERS - Technical Pollution Team</p> <p>I have No Objection in principle.</p> <p>ERS - Contamination</p> <p>Review of the records we hold suggest that a gravel pit was present approximately 70m to the south east of the site. The pit appears to have been present in the 1950's and is no longer shown to be present on the 1970 map of the area. The nature of the material used to fill the gravel pit is unknown. As a precaution please consider adding the following condition to any grant of permission.</p>  |
| I.6 | Conservation Officer      | No Comment Received.  |
| I.7 | Biodiversity Officer      | <p>Comments following the Bat Survey - 30/06/20</p> <p>I have reviewed the Bat Emergence and Re-Entry Surveys report, prepared by Arbtech and dated 26th June 2020. I have the following comments with recommendations for conditions.</p> <p>The building was identified to offer 'low' potential for roosting bats. A dusk emergence survey was then carried out, confirming that roosting bats are absent from the property. Therefore, the consideration of the 3 derogation tests should not be overly onerous as the proposed works are unlikely to have a significant impact on bat species. Section 4 of the ecology report further recommends for bat boxes to be erected onto mature trees on site as enhancement measures. These features are welcomed. I also recommend for bat boxes/bricks/tubes to be integrated into the external walls of the new dwellings. The details for these roosting features, including elevation plans and the specific design, should be submitted to the LPA as a condition of planning consent.</p> <p>Furthermore, I recommend that a sensitive external lighting strategy is prepared to ensure that the boundary vegetation within the rear</p> |

gardens is not illuminated by the external lighting. The details of the external lighting should be submitted to the LPA as a condition of planning consent.

I also recommend for bird boxes to be integrated into the new dwellings. There are records of Swifts nearby and therefore I suggest that 3 no. Swift bricks are integrated into the external walls of the dwellings to provide sufficient nesting provision for the colonial species. Furthermore, general purpose woodcrete designs can also be erected onto mature trees. The details for these nesting features, including elevation plans and the specific design, should be submitted to the LPA as a condition of planning consent.

I understand that planting is proposed within the rear gardens. This is welcomed and should incorporate the planting of native, locally characteristic species. A comprehensive landscaping scheme will need to be prepared to detail the above habitat features that are to be created, along with a 5-year maintenance plan. The landscaping scheme will need to be submitted to the LPA as a condition of planning consent.

#### Following Further Drawings

I have reviewed the amended drawing and have the following comments.

I consider it satisfactory for 4 no. swift bricks to be integrated into the new dwellings. However, I advise that they are positioned on the northern and/or eastern elevations rather than on the southern elevation (where they are currently proposed).

The specific design of the bat box will also need to be submitted. I suggest a bat box or tube of woodcrete design, which can be integrated into the external walls, is implemented.

I also recommend for the bat and bird boxes to be positioned so that they are not directly above doors or windows to avoid the accumulation of droppings. Furthermore, a timetable for provision is also required (e.g. to be implemented during construction).

Once the above details have been amended and submitted, the condition will no longer be required.

## 2 REPRESENTATIONS

### 2.1 2 Objections were received summarised below (Both submitted prior to amended drawings)

- Proposed does not follow build line
- 3 Storeys and extended build line sets a new precedent
- Inadequate amount of parking
- Shared Driveway could cause an incident due to busy road and no on street parking
- Current building is interesting and fits in with the properties either side

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

The design of the proposal has been carefully considered in terms of its appearance and massing. The context and relationship with the adjacent buildings has had a significant impact on the proposal. In having conversations with the adjacent buildings and other architectural styles in the proximity the proposal is familiar yet modern in its interpretation. In creating a contextual response, the proposal is respectful and polite in terms of its intervention while still providing a well-balanced and harmonious development of the site.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

T4NEW Parking provision

DESGUI West Oxfordshire Design Guide

NPPF 2019

EHI Cotswolds AONB

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

### **5 PLANNING ASSESSMENT**

#### Background Information

- 5.1 The application seeks permission for the demolition of the existing property and erection of two semi-detached dwellings and associated works.
- 5.2 The application is to be heard before committee as the Parish Council has objected to the proposal.
- 5.3 In addition an extension of time was required to determine this application due to additional information being requested and the cancellations of all committees in response to the COVID-19 virus.
- 5.4 The site is located on the main route through the village of Long Hanborough which is identified in the adopted Local plan as a Rural Service Centre.
- 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

- 5.6 As noted above, the site is within the village of Long Hanborough which is identified in the settlement hierarchy in the supporting text of OS2 as a Rural service centre. Within policy H2 New dwellings will be permitted at the main service centres, rural service centres and villages on previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan.

- 5.7 On this basis, the principle of development is considered acceptable subject to scale, design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031.

#### Siting, Design and Form

- 5.8 The proposed replacement dwelling lies predominately on the footprint of the existing dwelling, albeit of a larger scale in comparison to what already exists. Officers consider the scale to be commensurate with the character and appearance of the immediate built form, albeit the dwellings would be larger semi-detached pair compared to the single detached dwelling of the existing property.
- 5.9 In terms of design, the proposed dwelling takes design elements from the dwellings either side of the site. The hipped roof and red brick material choice reflects the character of the existing property and that of the flanking properties and the proposed dwellings would sit comfortably within the plot adjacent to a number of existing larger buildings in this location. The build line, front and back, is in line with the neighbouring properties with the projecting elements to the rear pulled back from the boundaries at first floor level.
- 5.10 In terms of visual amenity, officers consider that the impact on the street scene would be minimal given that the proposed properties would read the same as the existing detached dwelling and is proposed to be constructed of similar materials. Officers therefore consider that the proposed is acceptable in this regard.

#### Highways

- 5.11 Given the Rural Service Centre location, active and green modes of travel are encouraged. The proposed level of parking is considered adequate for the sizes of dwellings and the cycle storage to the front of the properties is welcomed. There has been no objection from highways and a condition has been added to condition that vehicles crossing the footpath and cycle way do so in forward gear.

#### Residential Amenities

- 5.12 In considering residential amenity, officers worked closely with the applicant to ensure that the flanking properties were not impacted. The build line at the front but more importantly to the rear is maintained across the properties to ensure that there are no negative impacts on amenity by way of loss of light, over bearing impact etc. The 45 deg rule has been applied where applicable and the flanking properties do not have side elevation windows (bar a obscurely glazed window in one) therefore the side facing windows at first floor level would not have a negative impact on neighbouring amenity. Given the residential setting of the site it is considered that the proposed dwellings will not increase existing levels of mutual overlooking and therefore the proposal is considered to be acceptable.

#### Other Matters

- 5.13 The site is located approx. 0.6km away from the AONB. However due to the topography of the land the dwellings would be elevated meaning that they would be visible from within the AONB albeit the views would be distant. Additionally there is a public foot path running north away

from the site down the valley into the AONB. Therefore these views and wider setting of the AONB are material planning considerations.

- 5.14 Given this relationship, weight should be given to conserving landscape and scenic beauty. The proposed materials for the rear elevation are designed so that from a distance the building would blend with the properties either side, with the second storey having tile hung elements so that they read as part of the roof structure. Officers therefore consider that the proposal would have no material effect on the character of the landscape given the choice of materials and its proximity to other modern village development.

### Conclusion

- 5.15 Taking into account the above matters the proposal is considered, on balance, acceptable on its merits and is therefore recommended for approval. The application complies with Policies OS2, OS4, EH1, H2 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

## **6 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
3. The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
4. To enable vehicles to enter, turn round and leave the curtilage in forward gear, no dwelling shall be occupied until the vehicular accesses, driveways, car and cycle parking spaces, turning areas and parking courts that serve the dwellings have been constructed, laid out, surfaced, lit and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety
5. That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework, The West Oxfordshire Strategic Flood Risk Assessment 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 additional works being required to ensure flooding does not result, which may result in changes to the approved site layout being required.

6. A scheme of soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.  
REASON: To safeguard the character and landscape of the area.
7. No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.  
REASON: To safeguard the character and appearance of the area.
8. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.  
REASON: To prevent pollution of the environment in the interests of the amenity.
9. The applicant shall install gas protection measures as a precautionary measures as agreed by the Local Planning Authority. Such protection measures shall be implemented in accordance with the approved scheme. The Local Authority shall be notified in writing of the date of the installation and date of completion of these measures.  
REASON: to protect the future user/occupiers of the development from the risk due to ground gases.
10. The car parking areas (including where appropriate the marking out of parking spaces and the provision of cycle storage) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.  
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

**NOTE TO APPLICANT:**

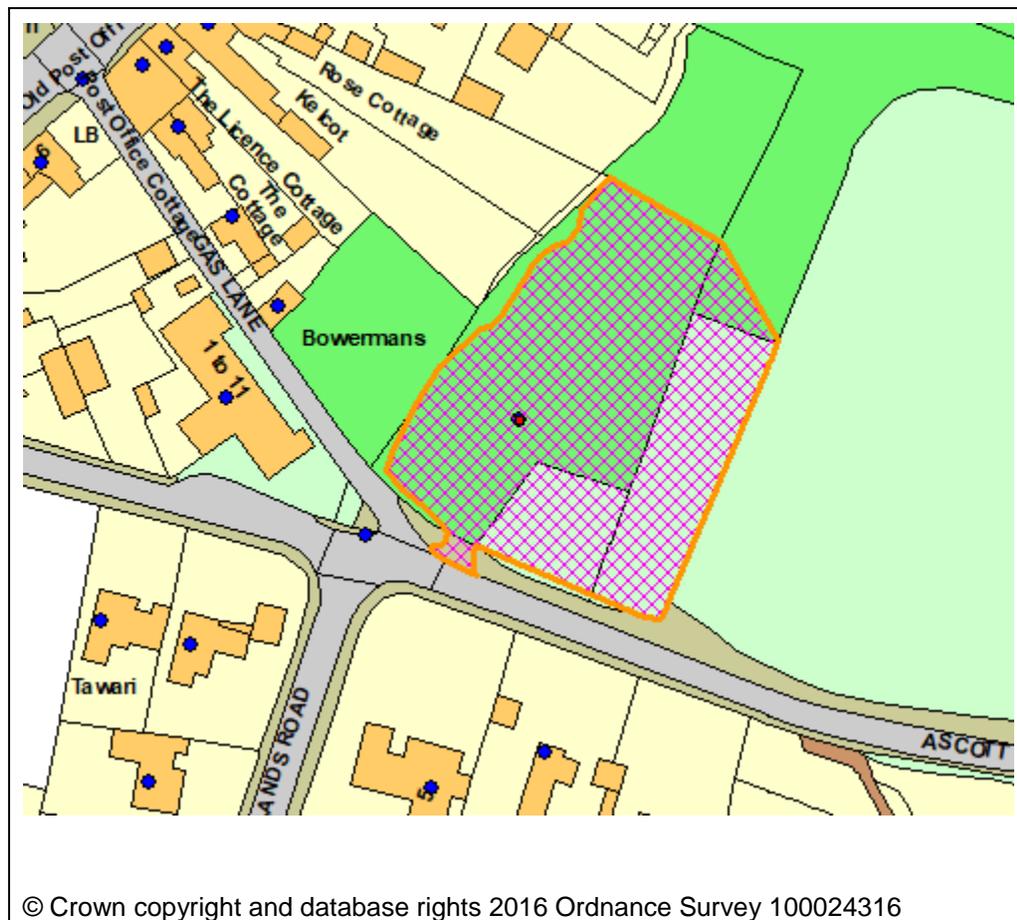
The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice

- The local flood risk management strategy published by Oxfordshire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- Version 2.1 of Oxfordshire County Council's SuDS Design Guide (August 2013)
- CIRIA C753 SuDS Manual 2015

Application Number	20/00991/FUL
Site Address	Land North Of Gas Lane And Ascott Road Shipton Under Wychwood Oxfordshire
Date	21st July 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve subject to Legal Agreement
Parish	Shipton Under Wychwood Parish Council
Grid Reference	427959 E 217796 N
Committee Date	3rd August 2020

**Location Map**



**Application Details:**

Erection of two detached dwellings together with associated landscaping and alterations to existing vehicular access.

**Applicant Details:**

Mr Vince O'Brien  
C/o Agent

## **I CONSULTATIONS**

- |     |                           |   |
|-----|---------------------------|---|
| 1.1 | OCC Highways              | No objection subject to conditions.                   |
| 1.2 | Biodiversity Officer      | No objections subject to pre-commencement conditions. |
| 1.3 | Newt Officer              | GCN licence advice                                    |
| 1.4 | WODC Drainage Engineers   | No Comment Received.                                  |
| 1.5 | Parish Council            | The Parish Council object to the application.         |
| 1.6 | WODC Env Health - Uplands | No objection.   |

## **2 REPRESENTATIONS**

Eight letters of objection have been received in respect of the application. The main points raised are as follows:

- loss of important open space in the Conservation Area and Cotswold AONB;
- its planning creep;
- the second dwelling is not subservient;
- the site can only site one dwelling and should impact on the visual amenity of households on the western side;
- the development could have a detrimental impact on biodiversity;
- the development urbanises an important green space.

## **3 APPLICANT'S CASE**

- 3.1 The Design and Access Statement is concluded as follows:

The proposed scheme builds on the features which have already been established by the approved scheme for two dwellings on the site whilst, at the same time, it addresses the reasons for refusing the previous scheme. The new dwellings have been designed and laid out to reflect the form, layout and natural materials found in the Conservation Area. The high quality, bespoke nature of the scheme ensures the proposal complies with Policies OS2, OS4, EH1, EH9 and EH10 of the Local Plan 2031. In addition, the proposed one-and-a-half and single storey dwellings will be enhanced by more substantial landscaping along the site's prominent south and east boundaries and by a wildflower meadow / wildlife buffer alongside the stream, which means they will sit comfortably within a well landscaped setting. The dwellings will also be less prominent when viewed from Ascott Road compared to the recently refused scheme.

- 3.2 There are no highway safety, landscape, ecology or neighbour impact objections to the proposal.
- 3.3 It is hoped, therefore, that planning permission will be granted as soon as possible to enable the site to be developed and the character and appearance of this part of the Conservation Area enhanced.

## 4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

EH9 Historic environment

EH10 Conservation Areas

T4NEW Parking provision

NPPF 2019

OS3NEW Prudent use of natural resources

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 two detached dwellings together with associated landscaping and alterations to existing vehicular access on land to the North of Gas Lane and Ascott Road in Shipton under Wychwood.
- 5.2 The application site is located towards the east of the village centre, facing onto Ascott Road. To the south of the site, on the opposite side of Ascott Road, lies residential development at Courtlands Road and Sinnels Field. To the west are the rear gardens of the properties in Church Fields and Gas Lane. To the north east are a number of larger residential properties sited within large plots, including the Grade II Listed Old Vicarage.
- 5.3 The site is within the Cotswolds AONB and is within Shipton Under Wychwood Conservation Area.
- 5.4 The application was deferred from the July 2020 sub-committee meeting in order for your officers to negotiate with the applicant to seek amended plans to reduce the scale of plot 2 and move it further away from the Western boundary of the site. Amended plans have now been submitted to seek to address these concerns.

### Planning History

- 5.5 16/01566/FUL - Erection of detached dwelling with associated access and landscaping works - Approved.

17/03057/FUL - Erection of two detached dwellings with associated access and landscaping - Approved subject to a legal agreement to retain the rear of the site in a natural state in perpetuity.

19/01474/FUL- Erection of two detached dwellings, access and landscaping (amended plans)- Refused. This was refused on the grounds that the development, by reason of its scale, prominence, form and siting, would appear as an incongruous feature to the detriment of the Conservation Area and Cotswold AONB.

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;
- Siting, Design and Form;
- Impact on the Conservation Area;
- Impact on the Cotswold AONB;
- Highways;
- Residential Amenity; and
- Biodiversity and Landscaping.

#### Principle

5.7 The principle for redevelopment of the site for two dwellings has been established with the approval in 2017 (ref: 17/03057/FUL). This application is extant. Shipton under Wychwood is categorised as a village in the settlement hierarchy of the West Oxfordshire Local Plan 2031 and therefore, in accordance with policy H2 of the adopted Local Plan, is suitable for new dwellings provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. Therefore, the principle of development is considered to be acceptable subject to its compliance with the other plan policies as assessed below.

#### Siting, Design and Form

5.8 Shipton under Wychwood is characterised by a good mix of building types and architectural styles.

5.9 In this case, both dwellings have 2 or 3 bedrooms and are one and one-and-a-half storeys high with simple forms. The proposed external materials are natural Cotswold stone, reconstituted stone roof slates, and purpose-made timber windows and doors.

5.10 In terms of the previously refused application in 2019 (ref: 19/01474/FUL), your officers were supportive of 'Plot 2' which was the smaller of the two dwellings that sat lower and further back in the plot and maintained a lower-lying and more simple form. The key issue was with 'Plot 1' which sat at the front of the site adjacent to Ascott Road. This dwelling was considered to be too contrived and prominent to the detriment of the visual amenity of the streetscene and heritage assets.

5.11 The development, the subject of this application, includes a smaller dwelling on Plot 1 than that refused in application 19/01474/FUL. The ridge height is 0.5m lower than that of the refused scheme, and the gross internal floor area has been reduced from 243 sq m to 155 sq m. In addition, Plot 1 has now been moved 6m further into the site so it now lies 10.5m away from Ascott Road, which gives the opportunity to substantially enhance the landscaping along the site's southern (roadside) and eastern boundaries with additional dense native species planting. The layout has been designed to maintain the tree lined character of the site with two detached dwellings on relatively large plots.

5.12 Following the July sub-committee meeting amended plans have been submitted which show plot 2 re-designed and sited so that the built form is moved further away from the Western boundary; this has also enabled a more substantial landscaping belt proposed along this edge of

the site. In terms of the footprint of the building, the approved scheme (ref: 17/03057/FUL) allows two dwellings of 145sqm and 254sqm which equals a total footprint of 399 sqm of approved built form on the site. This application proposes two dwellings which have a footprint of 193sqm and 129sqm which results in a total of 322 sqm. This is 77sqm difference. Therefore the proposal, the subject of this application, will result in a development which has a smaller footprint than that already approved.

- 5.13 Therefore, your officers are of the opinion that, by virtue of its siting, scale, landscaping, design and form, the proposed development would respect the character and appearance of the area and sit comfortably on the site without appearing overly prominent or alien in the street scene.

#### Impact on the Conservation Area

- 5.14 Since the application site is within a Conservation Area, the Local Planning Authority 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. In this case, based on the amended plans submitted, in light of the above assessment, the context of the site, and that there is an extant consent here for the redevelopment of the plot for two houses with a larger footprint, your officers are of the opinion that by virtue of its siting, design, scale and form, the development would preserve the character and appearance of the Conservation Area.

#### Impact on the Cotswold AONB

- 5.15 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, given the context of the site, the extant consent for two dwellings, and the siting, scale, form and landscaping proposed, your officers consider that the landscape and scenic beauty of the Cotswold AONB would be conserved.

#### Highways

- 5.16 The Local Highway Authority has raised no objections subject to conditions.

#### Residential Amenities

- 5.17 Your officers are of the opinion that the two dwellings proposed would be afforded sufficient garden space and general levels of amenity. Given the location of the dwellings your officers do not consider that the development would have any adverse impacts on the amenity of existing neighbouring dwellings.

#### Biodiversity and Landscaping

- 5.18 A unilateral agreement to retain the land to the rear of the site in a natural state in perpetuity was signed by the applicant as part of the approval of 17/03057/FUL. This was to ensure that the land is managed to minimise impact on the new properties or other neighbours, acting as an area of natural habitat for wildlife and ecology. The applicant has agreed to enter into an updated unilateral agreement as part of this application.

- 5.19 The Council's Ecologist has confirmed that there are no objections to the application subject to a number of pre-commencement conditions.

Conclusion

- 5.20 In light of the above, the application is considered to be acceptable and compliant with policies OS2, OS3, OS4, H2, H6, EH1, EH3, EH9, EH10 and T4 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant paragraphs of the NPPF 2019.

## **6 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
3. Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations and roofs of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.  
REASON: To safeguard the character and appearance of the area.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.  
REASON: Control is needed to protect the character and appearance of the area and amenity
5. The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the architectural detailing of the building reflects the established character of the locality.
6. Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.  
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
7. No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local

Planning Authority. The boundary treatment shall include provision for hedgehog highways, and shall be completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character and appearance of the area, and improve opportunities for biodiversity.

8. Prior to the commencement of above ground works, a full surface water drainage plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.
9. The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.  
REASON: To ensure a safe and adequate access.
10. No dwelling shall be occupied until the parking area and driveways have been surfaced and arrangements made for all surface water to be disposed of within the site curtilage in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure loose materials and surface water do not encroach onto the adjacent highway to the detriment of road safety.
11. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.  
REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.
12. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.  
REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.
13. The development shall be completed in accordance with the recommendations in Section 6 of the Preliminary Ecological Appraisal, dated 15th April 2020 prepared by Windrush Ecology, as submitted with the planning application. All the recommendations shall be implemented in full

according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the bats, birds, reptiles, hedgehogs and amphibians are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

14. Before the erection of any external walls, details of the provision of bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) integrated within the external walls of the new buildings and erected onto suitable mature trees, as well as hedgehog holes/gaps within any walls/fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained.
- REASON: To provide additional roosting for bats and nesting birds and ensure permeability for hedgehogs as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.
15. Before the erection of any external walls, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors (including the stream, site boundaries and the northern area of the site) will be minimised as much as possible. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- REASON: To protect foraging and commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.
16. Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. A full data search shall be obtained from the Thames Valley Records Centre (TVERC) and the results of this shall inform the detailed design of the planting proposals.

The landscaping scheme shall include, but not necessarily be limited to, the following biodiversity enhancements:

- The planting of hedgerows, using native, locally characteristic species, along the eastern and southern site boundaries;

- The planting of native, locally characteristic tree and shrub species, including along the eastern boundary of the site;
- The creation of wildflower meadow areas along the southern and eastern boundaries;
- The creation of a buffer along the stream using a suitable seed mix;
- The creation of log piles;
- A work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period) to detail the management and maintenance of habitat features.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

REASON: To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

17. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- i. Risk assessment of potentially damaging construction activities;
  - ii. Identification of 'biodiversity protection zones' (e.g. the stream corridor to the west of the site boundary and the retained northern section of the site);
  - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction. Precautionary Working Method Statements shall be provided for reptiles and hedgehogs as well as measures to detail the control of Giant Hogweed during construction;
  - iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
  - v. The times during construction when specialists ecologists need to be present on site to oversee works;
  - vi. Responsible persons and lines of communication;
  - vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
  - viii. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
  - ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To ensure that protected and priority species (reptiles and hedgehogs) and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species

Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

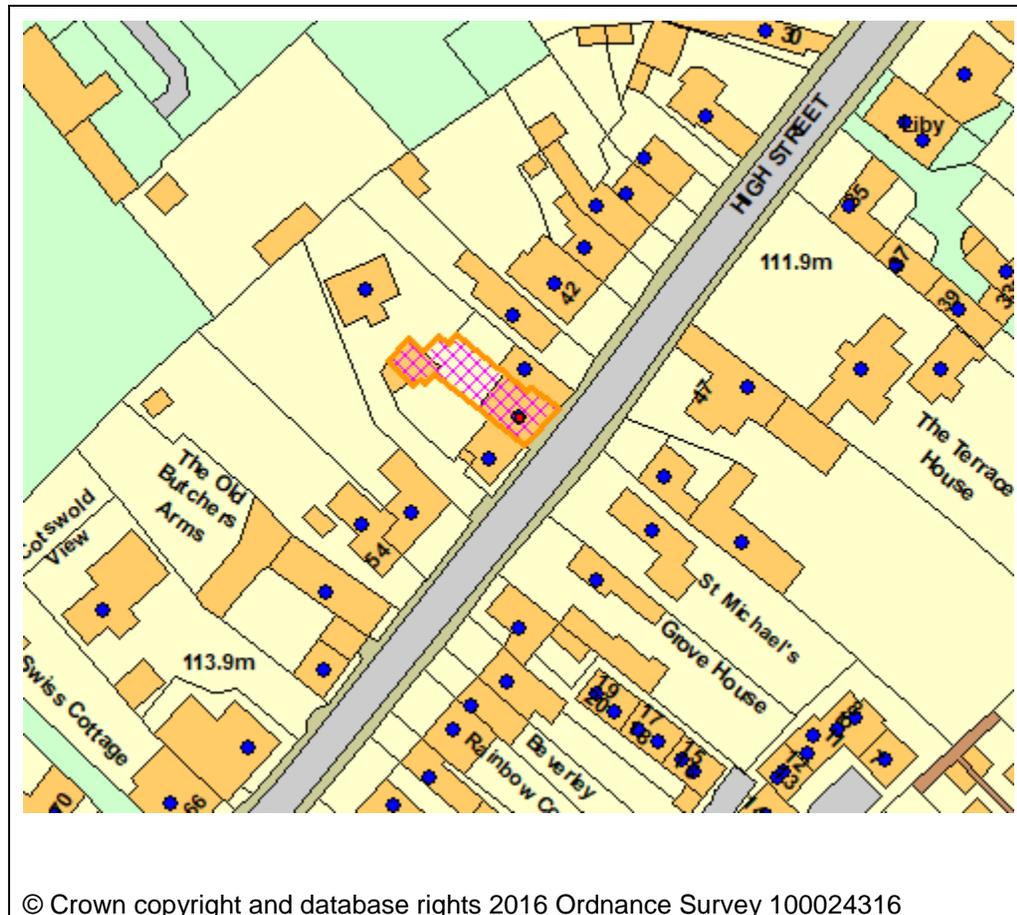
18. A report prepared by a professional ecologist certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.  
REASON: To ensure that protected and priority species and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

NOTE TO APPLICANT :-

1. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
2. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.
3. All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

Application Number	20/01116/HHD
Site Address	High Ridge 46 High Street Milton Under Wychwood Chipping Norton Oxfordshire OX7 6LE
Date	21st July 2020
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Milton Under Wychwood Parish Council
Grid Reference	426316 E 218131 N
Committee Date	3rd August 2020

**Location Map**



**Application Details:**

Replacement of existing workshop with erection of single storey garden room.

**Applicant Details:**

Mr And Mrs Earley  
24 Stanbridge Road, Putney, London, SW1 5IDX

## **I CONSULTATIONS**

- I.1 Parish Council                      The Parish Council object to the application made by the owners of this holiday let. It is considered to be over-development of the site. The privacy, light, parking availability and access for neighbours in a number of surrounding properties will be adversely impacted and modifications to the original recent application have not materially changed the impact of the development on those neighbours most affected.

## **2 REPRESENTATIONS**

A number of representations have been made raising strong objections to the proposed scheme. These objections have been summarised into the following categories:

### Design and layout

- Roof-line is approximately 40% higher than the existing building currently in situ, which in our view is inappropriate and unnecessary for a garden-room
- Given that the existing floor level of the building in situ i.e. Approximately 1.2m above the ground floor level and terrace of our adjacent property at no 50 - the total height of the proposed building would be approximately 5.65m above our ground floor, due to the disparity in height between the two properties
- Timber clad building is not in keeping with the area
- The proposed development is 40% higher than the existing structure, now standing at over 4.5 metres from being previously 3 metres
- The proposed development is, in our opinion, inconsistent with the surrounding traditional Cotswold stone buildings.
- The windows are far too large and have no precedent in the local architecture. There are very few examples of timber cladding in the local area.
- The powder coated aluminium frame would give the property the appearance of a metropolitan commercial unit.
- The size, scale and design of the proposed development will fundamentally alter the character of this small residential enclave and will not be in keeping with what there currently is

### Highways

- The application form indicates that parking is not affected by the proposal, which is incorrect.
- Insufficient parking to serve the house and the 'annexe'
- The creation of additional accommodation in an 8-person holiday cottage with a single parking space will inevitably lead to additional traffic in an already extremely congested high street

### Neighbouring Amenity

- The height of the building would result in loss of light to the neighbour at the rear

- This visually intrusive structure will substantially reduce the light in our garden and to the back windows of our house
- Proposed building would remove any privacy from the rear of our house and garden
- The glass wall would overlook our property
- The windows are 12.4m from our rear windows
- The building would impede our view

#### Other Matters

- High Ridge is used for holiday rental purposes and this proposed scheme could increase capacity to at least 10, with the added noise and disturbance
- The applicants/owners have not entered into any discussions with any of those most directly affected by the application, displaying scant regard for what would be considered as normal, neighbourly behaviour.
- The plans are date October 2019
- The proposed works they would need to access our land with heavy plant and building equipment which could potentially cause damage to our driveway, and also block our and number 50's access
- They will also need to seek permission from us to connect to drains on our land should the provision of a WC be authorised.
- The construction of the development would involve people trespassing on our land
- The lean-to store at the end of our property will be entirely destroyed as this utilises a wall of the existing structure to support it which will be removed in the proposed plans
- The proposed development is described as "Removal of existing workshop and erection of single storey replacement building to form garden room". This is not a Garden Room as it includes a sink and toilet. This is an attempt at creating an extra bedroom for additional paying guests for the holiday property.

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

Given the nature of the proposed development, a design and access statement was not required as part of the submission of this planning application.

### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

EHI Cotswolds AONB

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 for the removal of the existing workshop and for the erection of a single storey garden room in its place. The new garden room would be timber clad

with a slate roof and located to the rear of the property. The application site does not fall within the Conservation Area but does sit within the Cotswolds Area of Outstanding Natural Beauty.

- 5.2 This application is brought before members of the Uplands Sub Planning Committee because Councillor Haine has called in the application and the Parish Council has raised objections to the proposed scheme.
- 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 character and appearance of the landscape and AONB
  - Highways
  - Residential amenity

#### Principle

- 5.4 The proposal seeks to remove an existing single storey workshop building and to replace it with a new, single storey building to be used as a garden room.
- 5.5 Policy H6 of the Local Plan supports alterations and extensions of existing dwellings provided the proposal respects the character of the surrounding area and will not unacceptably affect the environment of people living in or visiting the area. These issues are considered in more detail below.

#### Siting, Design and Scale

- 5.6 The proposed garden room would be sited to the rear of the garden where it would replace the existing outbuilding in this location. The existing outbuilding is used as an ancillary workshop and is constructed out of a mix of materials such as concrete, natural stone, and timber.
- 5.7 The existing outbuilding is sought to be replaced by a new single storey, pitched roof building. Whilst the proposed garden room would sit within the same location as the existing workshop it would have a reduced footprint. The new building would consist of a pitched roof with an eaves height of 2.5m and a total ridge height of approximately 4.7m. The building would be constructed using timber cladding under a slate roof. The proposed size, scale and design of the building reflect a clear secondary and subservient outbuilding which is considered to be an appropriate replacement for the existing outbuilding.

#### Impact on the AONB

- 5.8 The application site is situated within the Cotswolds Area of Outstanding Natural Beauty. Paragraph 172 of the NPPF 2019 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. In this instance, it is considered that the proposed garden room would only be viewed in its immediate context which is wholly residential and will therefore conserve the wider Cotswold AONB.

### Residential Amenity

- 5.9 In terms of the impact on neighbouring amenity, this has been carefully assessed. A number of objections have been received in regards to the impact the proposed garden room would have on neighbouring amenity in that it would have a detrimental impact in terms of being over bearing and resulting in a loss of privacy and/or light.
- 5.10 The proposed garden room would be of a reduced footprint to the existing building and would consist of a single storey building with a pitched roof. Whilst officers note the concerns of the surrounding neighbours regarding the increased height of the building, the proposed outbuilding would only sit approximately 1.4m higher than the existing outbuilding and the eaves would sit lower than the existing building. Officers are of the opinion that the additional height would not have a significant overbearing impact on the surrounding neighbouring properties to warrant refusal.
- 5.11 The existing outbuilding has a number of openings but this proposed replacement garden room building will have an additional number of openings. These openings include a small window within the west elevation to serve a toilet area. Given the use of this window and that it is to be located between 5m to 7m to habitable windows at no 50a High Street; officers have requested a condition that this window be obscurely glazed. Given that there is a larger window within this elevation in the existing workshop, officers are of the opinion that the proposed new garden room would not result in any additional harm over and above what currently exists on site. The north (side) elevation of the existing building presently has a high level window opening and this proposal would have a larger window and double doors, along with two roof lights. The rear elevation proposes a large window opening which would face into the existing property. The neighbouring property at no.48 High Street has raised objections in regards to the window overlooking and resultant loss of privacy into their garden/patio area. Officers have assessed this on site and are of the opinion that given this window is to be located approximately 3.2m away from the boundary and that there is an existing 1.5m boundary fence which would provide some level of screening, officers are of the opinion that the proposed window in this location would not result in unacceptable levels of overlooking and or loss of privacy..
- 5.12 Therefore on balance, officers are of the opinion that the proposed development would not have a significant detrimental impact on residential amenity, over and above what is provided by the current outbuilding on site and is therefore considered to be acceptable.

### Highways

- 5.13 A number of concerns have been raised regarding the impact of the proposed development on the local highway network and the lack of parking to serve the garden room. The application seeks to utilise the existing car parking space provided for the existing dwellinghouse and the proposed garden room would require additional car parking facilities. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

### Other matters

- 5.14 A number of concerns have been raised over the use of the building and the speculation that the building is to be used as an additional bedroom/ holiday let. Officers note these concerns but must deal with the application on the basis of the details submitted, which is for a garden room. Notwithstanding this, a change of use would require further planning permission and would be

assessed on its merits at that time. Given this, these concerns do not form part of the assessment as outlined in the report.

- 5.15 Other concerns have been raised in regards to the current use of the existing dwellinghouse, construction methods and access and the lack of communication between the applicant and the neighbour prior to the submission. Whilst officers note these concerns, they are civil matters that do not constitute as material planning considerations and therefore cannot be taken into consideration as part of this application.

### Conclusion

- 5.16 Taking into consideration the above matters, officers are of the opinion that, on balance, the proposal is considered acceptable on its merits and is therefore recommended for approval. The application complies with Policies OS2, OS4, EH1 and H6 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016

## **6 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. That the development be carried out in accordance with the approved plans listed below.  
REASON: For the avoidance of doubt as to what is permitted.
3. The development shall be constructed with the materials specified in the application.  
REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.
4. The outbuilding hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.  
REASON: A separate dwelling in this location would be contrary to policies OS2, H6 and T4 of the adopted West Oxfordshire Local Plan 2031.

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**  
**Week Ending 22nd June 2020**

Application Number.	Ward.	Decision.
1. <b>19/02414/POB</b> Discharge of Planning Obligation for Planning approval 03/1874/P/FP to allow the over 55 age restriction to be removed. <b>15 Harmans Court Milton Under Wychwood Chipping Norton</b> Ms Lorraine Stacey	Milton Under Wychwood	APP
2. <b>19/03524/S73</b> Non compliance with condition 2 of planning permission 19/00991/RES to allow design changes to house types 2.8 and 9. <b>Land South Of Oxford Road Oxford Road Enstone</b> Mr Dudden	Kingham, Rollright & Enstone	APP
3. <b>20/00155/FUL</b> Change of use of grain barn to four industrial units. <b>Home Farm Barns Bruern Oxfordshire</b> Mr Henry Astor	Milton Under Wychwood	APP

4. **20/00369/FUL** Milton Under Wychwood REF  
Erection of garage and glazed link to existing dwelling and conversion/extension of existing garage to form self contained residential unit.  
**The Old Malt House Foscot Chipping Norton**  
Mr And Mrs Egan
5. **20/00561/HHD** Ascott and Shipton APP  
Affecting a Conservation Area  
Conversion of loft space to create second floor accommodation with addition of dormer windows to front and rear.  
**The Meadows Meadow Lane Shipton Under Wychwood**  
Mrs Victoria Martin
6. **20/00630/FUL** Milton Under Wychwood APP  
Construction of agricultural building.  
**Home Farm Barns Bruern Oxfordshire**  
Mr Henry Astor
7. **20/00733/FUL** Burford APP  
Affecting a Conservation Area  
Change of use of premises to Bakery/Cafe. (Retrospective).  
**53 High Street Burford Oxfordshire**  
Mrs Clare Keyte
8. **20/00805/FUL** Freeland and Hanborough APP  
Conversion of existing detached garage to create a self contained unit  
**12 Abelwood Road Long Hanborough Witney**  
Mr David Crawford
9. **20/00879/S73** Kingham, Rollright & Enstone WDN  
Variation of conditions 5 and 7 of planning permission 06/1674/P/FP to allow replacement windows to be recessed 125mm from the face of the building and colour changed to a dark green.  
**Flat 3 Kenelm Court Cleveley Road**  
Mr M B O'Brien
10. **20/00939/HHD** Burford WDN  
Affecting a Conservation Area  
Rear three-storey extension, new roof lights to front elevation, new side window.  
**Swan Lane House Swan Lane Burford**  
Mr And Mrs Price
11. **20/00959/HHD** Charlbury and Finstock APP  
Affecting a Conservation Area  
Reconstruction of porch and replacement of all existing windows and timber cladding, re-roofing of the existing flat roof to include the insertion of roof lights and the addition of an external flue.  
**Ralphland Crawborough Charlbury**  
Mr And Mrs Howes

12. **20/00967/LBC** Charlbury and Finstock APP  
 Affecting a Conservation Area  
 Various internal and external alterations to include changes to the first floor layout, re-thatching of property, alterations to windows and chimneys together with associated refurbishment, maintenance and repair works  
**The Thatched Cottage The Slade Charlbury**  
 Mr Robin Moffatt
13. **20/00972/HHD** Chadlington and Churchill APP  
 Part demolition of annex. Erection of single storey extensions to side and rear.  
**Cobblers Mount West End Chadlington**  
 Mr Tom Eaton
14. **20/01128/HHD** Charlbury and Finstock APP  
 Affecting a Conservation Area  
 To repair and refurbish existing chimneys with the addition of clay chimney pots with bird guards to each  
**The Thatched Cottage The Slade Charlbury**  
 Mr Robin Moffatt
15. **20/00973/HHD** Kingham, Rollright & Enstone APP  
 Construction of a replacement pool house with associated landscaping works.  
**Cornwell Glebe Cornwell Chipping Norton**  
 Mr And Mrs Wray
16. **20/00975/HHD** Woodstock and Bladon APP  
 Affecting a Conservation Area  
 Internal and external alterations to improve internal layout and accessibility, including some new windows and doors.  
**Moyallan 34 Park Street Bladon**  
 Mr & Mrs Fletcher
17. **20/00976/LBC** Woodstock and Bladon APP  
 Affecting a Conservation Area  
 Internal and external alterations to improve internal layout and accessibility, including some new windows and doors.  
**Moyallan 34 Park Street Bladon**  
 Mr & Mrs Fletcher
18. **20/01024/PIP** Woodstock and Bladon APP  
 Affecting a Conservation Area  
 Erection of three dwellings with associated parking (amended description and plan)  
**16 Heath Lane Bladon Woodstock**  
 Mr Peter Douglas
19. **20/01163/FUL** Freeland and Hanborough APP  
 Alterations to include conversion of hotel to holiday lets with the erection of first floor extension, changes to fenestration and two storey Northwest extension to create living space for Manager's Family with associated works.  
**Churchill Court Hotel Main Road Long Hanborough**  
 Ms Yan Tang

20. **20/01034/HHD** Kingham, Rollright & Enstone WDN  
 Affecting a Conservation Area  
 Erection of single storey extension together with works to create a parking area and new driveway (accessed from the main shared driveway).  
**Water Lane Cottage Waters Lane Little Tew**  
 Ms Fiona Carleton Paget
21. **20/01035/LBC** Kingham, Rollright & Enstone WDN  
 Affecting a Conservation Area  
 Internal and external works to refurbish existing cottage to include re-roofing, changes to fenestration and alterations to internal layout together with the erection of a single storey extension.  
**Water Lane Cottage Waters Lane Little Tew**  
 Ms Fiona Carleton Paget
22. **20/01061/FUL** Kingham, Rollright & Enstone APP  
 Change of use land to extend the domestic curtilage and the erection of a detached building  
**Maplewood Barn Great Tew Chipping Norton**  
 Mr Michael Ergatoudis
23. **20/01067/HHD** Stonesfield and Tackley APP  
 Erection of 4 bay garage with office above (amended plans)  
**Starveall Farm Woodleys Woodstock**  
 c/o Agent
24. **20/01068/HHD** Charlbury and Finstock APP  
 Affecting a Conservation Area  
 Erection of single storey rear extensions Extend drop kerb. Modifications to approved plan 19/02256/HHD  
**30 Woodfield Drive Charlbury Chipping Norton**  
 Mr And Mrs Frankum
25. **20/01071/FUL** Ascott and Shipton APP  
 Erection of single storey dwelling with associated works.  
**Milton Service Station Shipton Road Milton Under Wychwood**  
 Mr Andrew Prew
26. **20/01089/HHD** Charlbury and Finstock APP  
 Affecting a Conservation Area  
 Erection of new detached double garage with store above. Conversion of existing garage to new kitchen. Single storey side extension.  
**Field End Woodstock Road Charlbury**  
 Mr And Mrs Callaway
27. **20/01092/HHD** Brize Norton and Shilton APP  
 Affecting a Conservation Area  
 Alterations to the fenestration of the dwelling and coach house  
**Vicarage Swinbrook Burford**  
 Mr and Mrs D Golding
28. **20/01101/HHD** Chipping Norton APP  
 Erection of single storey rear extension  
**15 Parkers Circus Chipping Norton Oxfordshire**  
 Mrs Susi Dillon

29. **20/01112/HHD** Brize Norton and Shilton APP  
 Affecting a Conservation Area  
 Erection of a detached timber framed outbuilding  
**Orchard House Asthall Burford**  
 Mr And Mrs Maitreyi
30. **20/01179/HHD** Woodstock and Bladon APP  
 Affecting a Conservation Area  
 Erection of single storey extension and detached carport and outbuilding.  
**Pine Cottage 46 Hill Rise Woodstock**  
 Mr Barry Ward
31. **20/01170/HHD** The Bartons APP  
 Affecting a Conservation Area  
 Erection of single storey rear extension and installation of an additional dormer window in the West elevation together with additional roof lights.  
**The Manor House Mill Lane Sandford St Martin**  
 Mr And Mrs R Rittson-Thomas
32. **20/01171/LBC** The Bartons APP  
 Affecting a Conservation Area  
 Renovation and reconfiguration of property to include erection of single storey extension, installation of additional dormer window and roof lights with changes to internal layout and staircases.  
**The Manor House Mill Lane Sandford St Martin**  
 Mr And Mrs R Rittson-Thomas
33. **20/01181/HHD** Ascott and Shipton APP  
 Affecting a Conservation Area  
 Demolition of an existing conservatory and shed, new lean-to side extension, new chimney and conversion of the internal garage into living accommodation. Amendment to 19/01405/HHD  
**Stonecroft Fiddlers Hill Shipton Under Wychwood**  
 Mr Peter Ward
34. **20/01207/LBC** Chadlington and Churchill APP  
 Affecting a Conservation Area  
 Various internal and external alterations to include the removal of chimney stack, replacement fenestration and a new window in place of existing kitchen door and porch over. Changes to internal layout and installation of new boiler (amended plans).  
**Fountain House 1 Kingham Road Churchill**  
 Messrs John Fordham and David Brown
35. **20/01214/HHD** Kingham, Rollright & Enstone APP  
 Erection of single storey rear extension, internal alterations and addition of two new dormer windows to roof on the rear elevation.  
**Elms Farmhouse Upper End Salford**  
 Mr And Ms Lake And Apthorp
36. **20/01218/HHD** Chipping Norton APP  
 Alterations and erection of single storey rear extension with lantern roof light. Erection of detached summerhouse in rear garden.  
**Chase House 52 Over Norton Road Chipping Norton**  
 Mr And Mrs J Catling

37. **20/01224/LBC** Hailey, Minster Lovell & Leaffield APP  
 Affecting a Conservation Area  
 Remedial work to three of the existing chimneys.  
**Old George House The Green Leaffield**  
 Mr And Mrs Burns
38. **20/01225/HHD** The Bartons APP  
 Affecting a Conservation Area  
 Erection of single storey side extension.  
**10 South Street Middle Barton Chipping Norton**  
 Mr David White
39. **20/01329/HHD** Freeland and Hanborough APP  
 Erection of greenhouse and shed  
**The Limes 2 Blenheim View Park Lane**  
 C/O Agent
40. **20/01234/HHD** Ascott and Shipton APP  
 Erection of single storey rear extension and addition of front porch.  
**9 Priory Road Lyneham Chipping Norton**  
 Mr And Ms Colonel And Holifield
41. **20/01243/HHD** Milton Under Wychwood APP  
 Alterations and erection of first floor extension above existing study.  
**Spring Cottage Green Lane Milton Under Wychwood**  
 Mr Fergus Wessel
42. **20/01353/PNT** Charlbury and Finstock P2NRQ  
 Installation of BT wooden pole (7.2m above ground) in relation to fixed line broadband electronic communications apparatus.  
**Fieldmans Farm House Ditchley Road Charlbury**  
 Ms Julie Calladine
43. **20/01359/PN42** Freeland and Hanborough P2NRQ  
 Erection of single storey rear extension (5.9m x 2.5m, height to eaves/3.1m, max height).  
**52 Church Road Long Hanborough Witney**  
 Mr Groves
44. **20/01373/HHD** Kingham, Rollright & Enstone APP  
 Erection of timber framed conservatory  
**Stoney Bridge House Bicester Road Enstone**  
 Mr William Yates
45. **20/01277/HHD** Kingham, Rollright & Enstone APP  
 Insertion of 2. no rooflights on rear elevation.  
**Stable Cottage Church Enstone Chipping Norton**  
 Mr Jarrod Murphy
46. **20/01294/HHD** Ascott and Shipton APP  
 Affecting a Conservation Area  
 Erection of front porch  
**23 Sinnels Field Shipton Under Wychwood Chipping Norton**  
 Ms Carmen Hillier

47. **20/01318/LBC** Woodstock and Bladon APP  
Affecting a Conservation Area

Replacement of front doors to main entrance with new doors to match existing.

**Tatham House 8 Oxford Street Woodstock**

Mrs Anne Strahan

48. **20/01350/NMA** Chipping Norton APP

Erection of single storey side and rear extensions and construction of front entrance porch.  
Erection of detached outbuilding to front of property (non-material amendment to allow the use of render in place of oak cladding).

**39 Worcester Road Chipping Norton Oxfordshire**

Mr Stuart Banyard

49. **20/01559/PDET28** Hailey, Minster Lovell and P2NRQ  
Leaffield

Erection of an agricultural storage building.

**Side Farm Witney Lane Leafield**

Mr Jonathan Holloway