

Democratic Services

Reply to: Amy Barnes
Direct Line: (01993) 861522
E-mail: democratic.services@westoxon.gov.uk

27 August 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 7 SEPTEMBER 2020

TIME: 2.00 PM

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, Merilyn Davies, Ted Fenton*, David Jackson, Neil Owen and Alex Postan

(*Denotes non-voting Member)

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.

A G E N D A

1. **Minutes of the meeting held on 3 August 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. Progress on Enforcement Cases (Report of the Business Manager – Development Management – [copy attached](#))

Purpose:

To inform the Sub-Committee of the current situation and progress in respect of enforcement investigations.

Recommendation:

That the progress and nature of the outstanding enforcement investigations detailed in Sections A – C of Annex A to the report be noted.

6. Meeting of the Sub-Committee in January 2021 (Report of the Head of Democratic Services - [copy attached](#))

Purpose:

To consider a possible change in the date for the meeting of the Sub-Committee in January 2021.

Recommendation:

That the date of the meeting of the Sub-Committee scheduled for January 2021 be changed from Monday 4 to Tuesday 5 January.

7. Applications Determined under Delegated Powers and any Withdrawn Applications; and Appeal Decisions (Report of the Business Manager – Development Management - [copy attached](#))

Purpose:

To inform the Sub-Committee of applications either determined under delegated powers or withdrawn, together with appeal decisions.

Recommendation:

That the report be noted.



Giles Hughes
Chief Executive

This agenda is being dealt with by Amy Bridgewater-Carnall Tel: (01993) 861522
Email: democratic.services@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 3 August 2020**

PRESENT

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

Officers: Abby Fettes (Interim Locality Lead Officer Development Management), Stephanie Eldridge (Senior Planner), Keith Butler (Head of Democratic Services) and Amy Barnes (Strategic Support Officer).

11. MINUTES

Councillor Cotterill raised a query regarding Minute Number 9 relating to 19/02572/FUL 45 High Street, Burford. He felt that Condition 4 of the report should refer to a decibel level of 36dBA as he had requested. In response, the Chairman advised that officers were content that a figure of 47dBA was acceptable.

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 6 July 2020, copies of which had been circulated, be approved as a correct record and signed by the Chairman.

12. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

13. DECLARATIONS OF INTEREST

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

14. 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:-

(i) **20/008533/FUL – 49 Main Road, Long Hanborough**

The Senior Planning Officer, Stephanie Eldridge, introduced the application.

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

The Planning Officer then presented the report containing a recommendation of approval.

In response to a query from Councillor Davies, Miss Eldridge advised that the technical experts were satisfied that the view from the public right of way and the AONB was acceptable and the Highways Department had not raised an objection in relation to the parking. It was noted that cycle parking was provided.

Councillor Beaney asked if permitted development rights could be removed and queried the inclusion of Condition 9 which related to land contamination. Officers advised that permitted development rights could be removed and Condition 9 had been added by ERS officers, due to the land previously being used as a gravel pit. With regards to parking details, this was covered in Condition 4.

Councillor Chapple stated she was familiar with the site and felt that the proposal had been well thought out. She therefore proposed that the application be granted as per officers' recommendations, subject to a condition removing permitted development rights.

This was seconded by Councillor Bishop.

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

Approved

Subject to an additional condition removing permitted development rights.

(ii) 20/00991/FUL – Land North of Gas Lane and Ascott Road, Shipton under Wychwood

The Planning Officer, Stephanie Eldridge, introduced the application and reminded Members that the application had been deferred at the previous meeting to allow officers to liaise with the applicant regarding the size and location of Plot 2.

Public submissions had been received and were read out on behalf of; Alan Vickers objecting and Mike Gilbert, agent in support of the application. A summary of their submissions is attached as Appendices B and C to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of approval. She advised that the principle of development had been established previously, plot 2 had been moved a further nine metres away from the western boundary and the redesign had resulted in a more substantial landscaping belt being proposed. The footprint proposed in the revised plans was also reduced.

Councillor Haine felt that the applicant had moved plot 2 back as requested, was now in line with the plot at the front, as well as the garage being moved from the western boundary. The additional planting was also noted.

Councillor Jackson agreed and felt that the conditions were fairly detailed along with an ecological appraisal and a landscaping scheme. He therefore proposed that the application be granted as per officers' recommendations. This was seconded by Councillor Beaney who stated that this was a far better proposal.

Councillor Postan felt that the original proposal had had some attempt at a varied style and he felt this was a retrograde step in design and form.

Councillor Chapple queried if permitted development rights could be removed and was advised that this had already been covered in the conditions.

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

Approved

(iii) 20/011161/HHD – High Ridge, 46 High Street, Milton under Wychwood

The Planning Officer, Stephanie Eldridge introduced the report and highlighted the additional information contained in the follow on report.

This advised that two additional letters of representation had been received, objecting to the proposed scheme and a summary of the objections was included.

Public submissions had been received and were read out on behalf of; Charles Hugill objecting and Tasha and Oliver Early, in support of the application. A summary of their submissions is attached as Appendices D and E to the original copy of these minutes.

The Planning Officer then presented her report containing a recommendation of approval. She advised that applicants did not need planning permission to use the house as a holiday let. Officers felt that the principle of development had been established due to the existing construction, and the proposed dwelling was considered ancillary to the house. It was not felt that there would be an impact on neighbouring amenity due to the structure already being in existence and there would be no additional impact as the proposal was not felt to be adversely overbearing.

Councillor Haine addressed Members and provided some history to the area in question which had been used as a builder's yard and for the storage of building materials. There had not been any parking associated with the properties. He advised that the property was currently rented out on 'Air B&B' with the capacity for eight people to stay. With this additional construction, the capacity would increase to ten. He stated that parking had always been difficult in the area and the proposal would cause gross overlooking of neighbouring properties. He did not feel that the site was suitable for a building of this size and the height of the roof was overpowering. In summary, he concluded that the application was contrary to Local Plan Policies OS2, OS4, T4, EH1 and EH8.

Councillor Haine therefore proposed that the application be refused contrary to officers' recommendation.

This was seconded by Councillor Beaney who queried whether Policy H6 could also be included in the refusal reasons. Councillor Haine agreed that he was happy to include H6 in the refusal reasons.

Councillor Saul advised that he had visited the site and had noted that neighbouring gardens rose up behind the site, which he felt would result in overlooking.

Councillor Postan stated that tourism was an important sector and queried if any activities that may create noise could be curtailed to cease at certain times. Councillor Haine did not feel this would be possible due to the individuals only staying for long weekend stays.

A recommendation of refusal, contrary to officer's recommendations, was then put to the vote and was carried for the reasons outlined below:

Refused

- 1) The site was not suitable for a building of this size, would cause gross overlooking of neighbouring properties due to them being located 4 to 5 feet lower down and the height of the roof would be overpowering;
- 2) The historical design of the area restricted the parking provision and an increase from 8 to 10 inhabitants would exacerbate this; and
- 3) The application was contrary to Policies EH1, EH8, H6, OS2, OS4 and T4.

15. APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

The meeting closed at 3.15pm

CHAIRMAN

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 7th September 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.

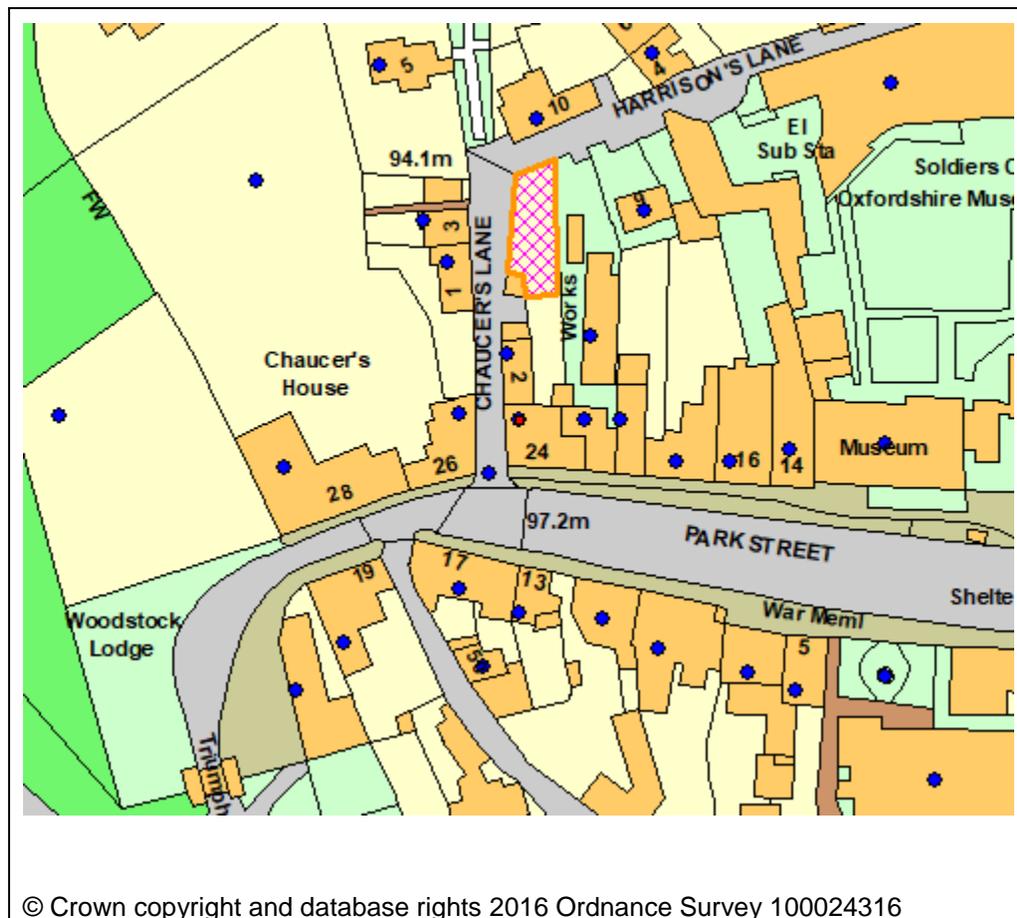
Please note that:

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 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

Application Number	Address	Page
20/01246/FUL	24 Park Street, Woodstock	3
20/01511/FUL	1 Farley Lane, Stonesfield	18

Application Number	20/01246/FUL
Site Address	24 Park Street Woodstock Oxfordshire OX20 ISP
Date	25th August 2020
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Woodstock Parish Council
Grid Reference	444315 E 216776 N
Committee Date	7th September 2020

Location Map



Application Details:

Erection of a new dwelling

Applicant Details:

Ms C Beaumont
24 Park Street, Woodstock, Oxfordshire, OX20 ISP

I CONSULTATIONS

- I.1 Town Council Woodstock Town Council objects to this application on the grounds that it contravenes the following planning policies: OS2, OS4, EH9, E10, E11, EH13 and T4 in the West Oxfordshire Local Plan. Around 600 new dwellings are already planned for Woodstock so there is no housing need for this development. It is an unnecessary additional dwelling in the garden of a listed building. It is a contrived building to fit into the available space and does not conserve or enhance this corner of Woodstock. It creates a new access into what is an old wall that lends particular character to this area of old, some of which are listed, buildings. The structural inspection report on this boundary wall states that construction will have an impact on the existing wall's footing and discusses the challenge to the building foundations and their implementation in order to protect the wall. Further, will the small space between building and wall cause issues such as damp and inaccessible vegetation, leading to unnecessary deterioration of the wall?
WTC fully support the objections submitted by - at the time of writing - nearly sixty objections from local residents. At this point there are no supportive letters from residents. In particular WTC draws attention to the extremely articulate objection submitted by Mr John Webley on behalf of neighbouring properties which would be directly affected by the erection of the new dwelling.
WTC also draws attention to WODC's refusal of the application for an additional dwelling in the garden of 28 Park Street (Ref: 15/00836/FUL) as this is a nearby property and the proposal had similarities with this one.
- In conclusion, WTC fully support local residents' objections to this proposal on the planning grounds quoted at the beginning of this submission.
- I.2 Town Council No Comment Received on amended plans.
- I.3 Conservation Officer Dealing first with the general idea of a house on this site, I note that this more historic part of the Conservation Area is fairly densely developed - both along the streets and lanes, and also in the various back-land areas. And with respect to this particular site, I note that there are indeed existing two-storey structures to north, south, east and west. I also note that there is a tall stone wall to the west and north roadside boundaries of the site, itself a good storey high, behind which much of the proposed house would nestle. And it is particularly notable that the wall already confers a built-up feel to the streetscene, with no public views of the garden land within. So, it seems to me that a new house here, if handled well, would not be uncharacteristic.
- Turning to the massing of the proposed dwelling, we note that the design has been subject to pre-application advice - and that as a result, the taller parts of the building have been lowered and pulled

back from the boundary, whilst the lower elements would be concealed by the boundary wall, except in the vicinity of the gateway. It seems that in views from the roads around the site, which are narrow, and which thus limit longer views, the proposed dwelling would not be overly dominant. This seems to be demonstrated by the submitted 3D images.

With respect to the design, I note that a more contemporary approach has been taken. In principle this is perfectly acceptable - and we note that in the immediate vicinity of the site there are a range of relatively recent modern structures, including, inter alia: the Blenheim estate office; the Soldiers of Oxfordshire Museum; the extension to the Oxfordshire County Museum (connected to a Grade II listed building); the arch-roofed dwelling just off Oxford Street, opposite Brookside Court; the development on Oxford Street opposite Upper Brook Hill. And in this case I note that the approach has been used with some restraint, relating more to details such as fenestration - whilst the primary visible massing has reassuring traditional duo-pitched forms, with chimney stacks.

In summary, considerable thought and care has gone into the design of this dwelling which, whilst not uncharacteristic, would nonetheless add another layer of architectural interest to an already rich Conservation Area. From our point of view, it is supportable.

- | | | |
|-----|---------------------------|--|
| I.4 | OCC Highways | <p>Given the vehicle speeds/traffic flows on the adjacent highway the proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network</p> <p>Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following condition</p> <ul style="list-style-type: none"> • G28 parking as plan |
| I.5 | WODC Env Health - Uplands | I have no objection in principle and no conditions to recommend. |
| I.6 | WODC Drainage Engineers | No objection subject to drainage conditions. |
| I.7 | Biodiversity Officer | Having reviewed the Design and Access Statement and Planning Statement and recent photographs of the site, I recommend biodiversity conditions and an informative be attached to any permission granted. |
| I.8 | Thames Water | No Comment Received. |
| I.9 | Newt Officer | No Objection: Informative relating to great crested newts (GCN) |

provided.

2 REPRESENTATIONS

- 2.1 55 letters have been received objecting to the application. A summary of the concerns raised are detailed below. A full copy of the representations received can be viewed on the Council's website.
- Daylight and Sunlight assessment is deficient.
 - The proposed House is too high and seriously adversely impacts on this part of the Historic Centre of the Town.
 - Overlooking and loss of privacy and overshadowing
 - Not in keeping with surrounding development and would adversely affect the setting of listed buildings
 - Would erode the quality of the street scene and spoil the character and appearance of Chaucer's Lane and Harrison's Lane and would be out of character with the historical appearance of the area and would be highly visible to views within the Conservation Area
 - Would affect visual amenity and loss of light.
 - Over development and loss of a Grade II listed garden which results in an adverse impact on the character of the neighbourhood and on the amenity of the residents in this Conservation Area.
 - Inadequate parking
 - Increased congestion
 - Noise, dust and inconvenience during construction
 - Oversized and unsympathetic construction project
 - Lane too narrow for extra traffic
 - Inadequate amenity areas for new dwelling and existing property
 - No public benefit
 - Loss of burgage plot
 - Harmful to both designated and non-designated heritage assets
 - Contrary to Local plan policies
 - No housing need
 - Undesirable addition to the ambiance, ecology and lighting of Chaucer's and Harrison Lanes.
 - Would set an unacceptable precedent
- 2.2 2 letters have been received in support of the application on the following grounds:
- Good design and would blend in well. Its design is very in keeping with the surroundings conservation area.
 - Optimises the amount of sunlight and daylight available throughout the year.
 - The light survey shows that the impact on adjoining properties falls within acceptable standards defined within the current planning framework.
 - Being small scale, with a roof height similar to those surrounding it, this modest development wouldn't compete or have a domineering effect upon the surrounding properties.
 - Adequate amenity space is provided
 - The burgage plot would be preserved and unharmed
 - This development is keeping in character and would cause no harm to the heritage site.
 - Seeks to enhance and preserve the historic boundary wall therefore sustaining the streetscape for the future.

2.3 Amended plans

BDLA Consultancy - Reiterate the strong opposition to the proposal, raised by all the neighbours and Woodstock Town Council. The view that the proposed development will cause an adverse impact on the current levels of daylight and sunlight enjoyed by the neighbouring properties is, therefore, maintained.

A letter has been received reiterating their previous concerns raised (as detailed above). The overall impact of this change is derisory. There is no change in the impact this development would have on the sensitive site as a whole, the neighbouring properties or the listed buildings affected. The impact on overshadowing and the daylight/sunlight assessment is also negligible. All the arguments already advanced setting out the reasons why this application should be categorically refused remain as strong as ever. A further letter has also been submitted pointing out deficiencies in the response from the Design and Conservation Architect.

3 APPLICANTS CASE

3.1 A Design and Access Statement, Planning Statement and Heritage Impact Assessment have been submitted in support of the application and a full copy of these documents can be viewed on the Council's website.

3.2 The Planning Statement concludes:

The principle of residential development on previously developed land in the built up area of Woodstock, identified as a rural service centre is considered acceptable and in accordance with the locational strategy set out in the Local Plan. The principle of partial demolition of the existing curtilage listed wall is deemed acceptable due to the works having no minimal on the value or character of the heritage asset. This takes into account the restorative works the applicant is proposing to strengthen and protect the heritage asset. The proposal offers a contemporary yet respectful design that enhances the character and heritage of the setting whilst being truthful to today's construction standards. The site is in a sustainable location, the proposed transport arrangements and support of sustainable transport are deemed acceptable for the proposed safe access for pedestrians, cycles and vehicles. This proposal is therefore in accordance with NPPF and local Plan policy relating to sustainable transport. The proposed residential use is appropriate in this sites location where there is a mix of residential and town centre uses and will not have a detrimental impact on the surrounding residential properties. An appropriate level of amenity space is provided given the location and site constraints. There are no technical issues which would result in planning permission being refused. Overall, it is demonstrated that the proposal is in accordance with the policies of the Development Plan and has addressed the principles and guidance of the NPPF.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H2NEW Delivery of new homes

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling
T4NEW Parking provision
EH9 Historic environment
EH10 Conservation Areas
EH11 Listed Buildings
EW10 Eynsham- Woodstock sub area
DESGUI West Oxfordshire Design Guide
NATDES National Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the erection of a new dwelling with the demolition of a garage and partial demolition and remedial works to a curtilage listed wall and with the provision of associated amenity space and facilities. The applicant has been notified of the requirement to obtain listed building consent for the demolition works proposed.
- 5.2 The scheme has been evolved following pre-application advice and consultation with the local community.
- 5.3 The site lies within the town of Woodstock and comprises land to the rear of No 24 Park Street. No 24 Park Street is a Grade II listed building as are a number of adjoining properties along Park Street. The site lies within the Woodstock conservation area.
- 5.4 The application is to be heard before the Members of the Lowlands Area Planning Sub-Committee as the Town Council has objected to the application. Cllr Cooper has also requested that the application be referred to Committee as the recommendation is for approval.
- 5.5 An extension of time has been agreed to enable the application to be reported to Committee.
- 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 scale
 - Impact on Heritage Assets
 - Neighbouring amenity
 - Highway/Parking issues

Principle

- 5.7 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The

current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2031 which was adopted on 27 September 2018 and must therefore be given full weight.

5.8 Woodstock is classified in the Local Plan 2031 as a rural service centre, which is considered suitable for a reasonable scale of development, whilst recognising the need to protect its important historic character (policy OS2). Housing Policy H2 states that new dwellings will be permitted in certain circumstances including on sites allocated for housing and on undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2. These general principles include that all development should:

- Be of a proportionate and appropriate scale to its context
- Form a logical complement to the existing scale and pattern of development and/or the character of the area
- Not have a harmful impact on the amenity of existing occupants
- Conserve and enhance the historic and built environment
- Provide safe vehicular and pedestrian access

As such, given the location of this site within the built up area of the town, the principle of development on this site is considered to be acceptable. The detail of the proposal as assessed against the general principles of Policy OS2, as outlined above, are considered in more detail in the relevant sections below:

Siting, Design and Scale

- 5.9 Paragraph 127 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflect this advice and encourage development of a high quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the recently published National Design Guide.
- 5.10 The proposal seeks to erect a new 2 storey dwelling immediately adjacent to the garden face of the existing boundary wall and extending down to a level similar to the ground levels on the road verge. The excavation works will lower the levels by up to a metre. As a result of these excavation works the proposed dwelling will be sited at a lower level reducing its visibility from Chaucer's Lane and from Harrison's Lane. The first floor of the dwelling is to be stepped further back from the boundary wall. The dwelling would have a similar ridge height to the surrounding buildings and will be lower in height than the existing vernacular building.
- 5.11 The dwelling is to be constructed in coursed stone with stone roof tiles. Traditional gables are proposed for the ends of the first floor elements which would be in keeping with the context. The dwelling has a contemporary appearance including a first floor cantilever at the entrance and eave-less gable with a concealed gutter. Concerns have been raised in respect of the limited amenity space provided but the proposal does include the provision of an internal courtyard area and in Officers view the proposal would be acceptable in this town centre context.

- 5.12 The proposed development has taken into consideration the site, context, character and heritage of the conservation area and has undergone several iterations to ensure that it is in keeping with the context as much as possible. This includes the use of traditional materials and breaking up the volume of the structure to reduce its overall massing. The design is simple in form with contemporary detailing. The siting, design and scale of the proposed development is considered to be acceptable.

Impact on Heritage Assets

- 5.13 No 24 Park Street (Hoggrove House) is a Grade II listed building which lies within the Woodstock conservation area and to the northeast of Blenheim Palace World Heritage Site (which is Grade I Registered Park and Garden). A number of other properties along Park Street are also listed. The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses while section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Policies EH9, EH10 and EH11 of the Local plan reflect these duties.
- 5.14 Paragraph 193 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. It continues that significance can be harmed or lost through alteration. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits.
- 5.15 The submitted Heritage Impact Statement identifies that the site of Hoggrove house, 24 Park Street, has early origins, being part of the early burgage plot arrangement when the new town of Woodstock was planned and developed during the 12th and 13th centuries. Its streetscape setting is densely occupied with high walls to the boundary of the plots defining this tight street. The curtilage boundary wall is recognised as being a significant feature of the site and streetscape and has been used to conceal the site and provide a definite boundary. The structural integrity of the wall has been evaluated and, as a result, will benefit from a new sub-structure to sustain the wall for the future, therefore preserving the setting. A small section (1.3m) of wall, set further back within the plot, is proposed to be removed to accommodate parking for the new dwelling and existing property (A separate listed building consent application for the removal of the wall and attached garage will need to be submitted). The Statement concludes that the chosen materials and design seek to provide a harmony between this new dwelling and pre-existing. The character of the area is dense and careful consideration has been given to ridge and eaves detail to ensure the dwelling is subservient and does not compete with its surroundings. This proposal seeks to do no-damage to the plot, but to build a 'fairly' quiet new dwelling in local materials of a subservient scale and form, retaining the plot boundaries ensuring this burgage plot, and those adjacent, are readable for future generations.
- 5.16 The detailed comments of the Council's Design and Conservation Architect (DCA) are set out in the Consultations section of the report. Given the fairly densely developed nature of the area and existing boundary wall which already confers a built-up feel to the streetscene, with no public views of the garden land within, a new house on this site would not be uncharacteristic. Following pre-application advice, the taller parts of the building have been lowered and pulled back from the boundary, whilst the lower elements would be concealed by the boundary wall, except in the vicinity of the gateway. In views from the roads around the site, which are narrow,

and which thus limit longer views, the proposed dwelling would not be overly dominant. The more contemporary design approach taken is acceptable and in the immediate vicinity of the site there are a range of relatively recent modern structures. The contemporary approach relates principally to details such as fenestration, whilst the primary visible massing has reassuring traditional duo-pitched forms, with chimney stacks. In summary, the DCA considers that the new dwelling would add another layer of architectural interest to an already rich Conservation Area and raises no objection to the application.

- 5.17 In conclusion, it is considered that there would be less than substantial harm to heritage assets arising from the proposed works, which includes the removal of a small section of wall. This less than substantial harm would be outweighed by the public benefits of the proposal through the provision of a new dwelling on an undeveloped site together with economic benefits from both the construction phase and through bringing new residents to the town. It is also noted that the Structural Inspection Report on the listed boundary wall advises that the resulting new integrated sub-structure will improve the foundation of the existing wall and ultimately increase the walls robustness and longevity.

Neighbouring Amenity

- 5.18 The site comprises a corner plot at the junction of Chaucer's Lane and Harrison's Lane and is surrounded by neighbouring residential properties. Concerns have been raised by neighbouring residents in respect of overlooking, loss of light and overshadowing resulting from the proposed development.
- 5.19 In terms of neighbouring property, Leathercraft House is located to the south east of the site with access off Harrison's Lane. They have raised concerns relating to loss of privacy and overshadowing of their front garden. The first floor window on the south elevation which will face onto the parking area of the new dwelling will serve a bathroom and as such will be required to be obscure glazed. There are no windows on the east elevation facing this property. The submitted sunlight and daylight assessment, detailed below, which assessed the impact of the development on this garden area, concludes that the proposed development would have a negligible effect on the area.
- 5.20 Nos 1 and 3 Chaucer's Lane are located on the opposite side of the lane to the west of the site. There are two bedrooms at first floor level on the street facing elevation (west). These windows have been recessed and angled so that direct views out from the bedrooms are not towards the properties opposite. No 2 Chaucer's lane is located to the south of the plot and adjoins No 24 at the rear. This property has no windows on its end elevation facing the plot and has no amenity space. As such there would be no overlooking of this property resulting from this development.
- 5.21 No 5 Chaucer's Lane has objected on the grounds that windows will directly overlook what is currently a private walled garden. As detailed above, the bedroom window on the west elevation will be recessed and angled so there is no direct view into neighbouring properties. The first floor window on the northern elevation which faces onto Harrison's Lane serves a bathroom and as such will be conditioned to be obscure glazed.
- 5.22 A sunlight and daylight analysis has been undertaken to assess the impact of the proposed development on neighbouring properties in terms of daylight and sunlight and to assess predicted daylight and sunlight within the proposed development. The assessment is based on

applying the tests set out in BRE 209 published by the BRE Trust: Site Layout Planning for Daylight and Sunlight - A guide to good practice (Second edition). The results show that due to the site's orientation and the positioning of the proposed dwelling daylight and sunlight standards for the adjoining properties are comfortably met and as such the impact on adjoining properties falls within acceptable standards defined within the current planning framework. Given the physical constraints on the site, the tests show that it is possible, with careful design, to create indoor and outdoor living spaces that optimise the amount of sunlight and daylight available throughout the year.

- 5.23 An independent assessment has been undertaken by a Consultancy (BDLA) on behalf of the owners/occupants of the properties surrounding the proposed development. This assessment identifies inaccuracies and inadequacies in the way the assessment was carried out and its results presented. A technical assessment has been carried out to form a view on the acceptability of the likely effects which the proposed development will cause. A laser scan measured survey of the site and neighbouring buildings has been undertaken. In terms of modelling the development itself, it is claimed that due to lack of accurate dimensions on the submitted drawings, manually adjustments have been made to the massing, which it is felt fairly represents what is being proposed. This assessment concludes that the proposed development will cause an adverse impact on the current levels of residential amenity enjoyed by the occupants of the dwellings surrounding the site. While the Development's effects on the levels of sky visibility and direct sunlight may be considered overall acceptable in a more urban area in accordance with the BRE guide; the historic more rural setting of the development site should be taken more into consideration.
- 5.24 Whilst it acknowledges that the neighbouring windows are 'compliant' with the BRE target values for VSC (vertical Sky Component), it argues that the vast majority of the windows will still experience reductions to their current levels of sky visibility and several windows will experience more noticeable differences to what is being currently enjoyed. Therefore, it is considered that, in the specific historic context of the site and neighbouring buildings, the proposed development will result in an adverse impact on the current levels of natural light and more specifically on the levels of visual amenity enjoyed by the occupants of the neighbouring buildings. It is also stated that the current levels of sunlight will be adversely affected by the proposed development and the occupants of the neighbouring buildings will notice a detrimental effect to their current enjoyment of this amenity. It is also argued that the results of the transient overshadowing assessment have shown that the proposed development will cause noticeable additional shadowing effect onto the neighbouring properties and their open spaces.
- 5.25 In response to this assessment the agent has noted that BLDA confirm that the BRE guidance needs to be treated with flexibility. It is argued that the point on flexibility (i.e. that it relates more to higher density urban areas) is subjective. Within the local context, this town centre location is high density with its own unique idiosyncrasies. Accurate scaled plans have been submitted as part of the application. The BRE guide is clear that north-oriented windows are exempt from testing for annual sunlight hours, however in good faith and in the spirit of openness and transparency, these tests were run in any case. These tests demonstrated that the building could be both higher and closer to the boundary and still pass the tests. In terms of windows to 10 Harrisons Lane and 3 Chaucer's Lane the ground floor windows achieved a clear pass. 3 Chaucer's Lane is north-oriented however all of the windows tested met the guidelines. Given the density of the built up area and that the main facades affected are north-oriented, the winter solstice test is largely irrelevant. The level of testing carried out is fully compliant with the BRE guide. It is also noted that BLDA confirm that their own results are 'more or less'

similar to those of the application assessment and that it is stated "...the windows are compliant with the BRE target values". Whilst BDLA state that there will be an increase in overshadowing, which is correct, those increases remain within the BRE guidelines. The purpose of the guide is to control increases in overshadowing and loss of daylight/sunlight, not to completely prevent it.

- 5.26 BDLA have responded reiterating their concerns and maintain their view that the Proposed Development will result in an adverse impact on the current levels of natural light and more specifically on the levels of visual amenity enjoyed by the occupants of the neighbouring buildings. Particularly, the current levels of sunlight will be adversely affected by the Development and the occupants of the neighbouring buildings will notice a detrimental effect. Furthermore, in terms of the overshadowing effects, the Proposed Development will cause a noticeable additional shadowing effect onto the neighbouring properties and their open spaces. Specifically, there will be an additional shadow onto Nos. 1 and 3 Chaucer's Lane in the early morning hours all year-round, as well as onto No. 10 Harrison's Lane where the shadow will be particularly felt within the living room in the winter months. Furthermore, the Development will cast additional shadow over Leathercrafts House all year-round, and particularly onto its open/amenity area in the summer afternoon hours and additionally onto the conservatory well into the summer long evening hours. Therefore, the shadowing effect caused by the Development will be detrimental to the current levels of amenity enjoyed by the immediate neighbours.
- 5.27 In considering the concerns raised, it is noted that the BDLA assessment is not based on the scaled plans submitted and seeks to argue that the site should be viewed in a 'suburban/rural context' when it lies within the town and has a more dense urban grain. Notwithstanding, these points, their assessment still concludes that the daylight results are similar and pass the relevant tests and that the sunlight results are still mostly compliant with BRE guidelines. The submitted daylight and sunlight assessment in support of the application, undertaken using recognised BRE guidelines, concludes that in terms of overshadowing, the results show that due to the site orientation and the positioning of the proposed dwelling that daylight and sunlight standards for the adjoining properties are comfortably met. It is also noted that the height of the building has also been further reduced since that assessment.
- 5.28 In conclusion, it is not considered that the development will have a significant adverse impact of the amenity of neighbouring residential properties to warrant refusal.

Highway/Parking Issues

- 5.29 There is an existing vehicle access to a garage from Chaucer's Lane. It is proposed to retain this access and widen it (from 4.5m wide to 5.8m wide) to provide parking for two vehicles, one for No. 24 and one for the new dwelling. The car parking area would have an electric charging point. The widening works will also involve the removal of a section of stone wall as detailed in the heritage section above.
- 5.30 OCC Highways has advised that given the vehicle speeds/traffic flows on the adjacent highway the proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network. As such OCC Highways raises no objection to the application subject to a condition requiring the provision of the proposed parking spaces.

Conclusion

- 5.31 The principle of residential development on previously developed land in the built up area of Woodstock, identified as a rural service centre is considered acceptable and in accordance with the locational strategy set out in the Local Plan. The proposed development is considered to be of an appropriate size, scale, siting and design that would not harm the character and appearance of the surrounding area or significantly adversely impact neighbouring amenity. The less than substantial harm to heritage assets would be outweighed by the public benefits of the proposal.
- 5.32 Therefore, having regard to the above it is considered the application proposal would accord with the design considerations of policies OS2, OS4, H2, EH9, EH10, EH11 and EW10 of the local plan 2018. As such the recommendation is that planning permission be Approved.

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 external walls shall be constructed of natural local stone in accordance with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before any external walls are commenced and thereafter be retained until the development is completed.
REASON: To safeguard the character and appearance of the area.
5. 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.
6. 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.

7. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed in accordance with details to be submitted to and approved by the Local Planning Authority in writing 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.
8. No dwelling shall not be occupied until cycle parking and bin storage has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The cycle parking so approved shall thereafter be permanently retained and kept available for cycle parking.
REASON: In the interests of promoting sustainable transport and to protect the visual amenities of the area.
9. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated 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) within the walls of the new building 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.
10. Prior to the commencement of development, 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.
11. Before first occupation of the building hereby permitted the en-suite bathroom window(s) shall be fitted with obscure glazing and shall be retained in that condition thereafter.
REASON: To safeguard privacy in the adjacent property.
12. Before the development hereby authorised is brought into use, the electric charging point shall be installed.
REASON: In the interests of air quality and to reduce greenhouse gases

13. 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.

NOTES 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. 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.

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.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

With regard to the condition for nest boxes, it is recommended that at least 3 no. swift bricks are integrated into external walls on the northern or eastern elevations. The applicant and their architect should note the advice of Swift Conservation with regard to the installation of the swift bricks available at <https://www.swift-conservation.org/Nestboxes&Attraction.htm#Built%20in>

2. There is a low risk that great crested newts (GCN) may be present at the application site. West Oxfordshire District Council considers it would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within an amber impact zone as per the modelled district licence map, which indicates that there is suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or

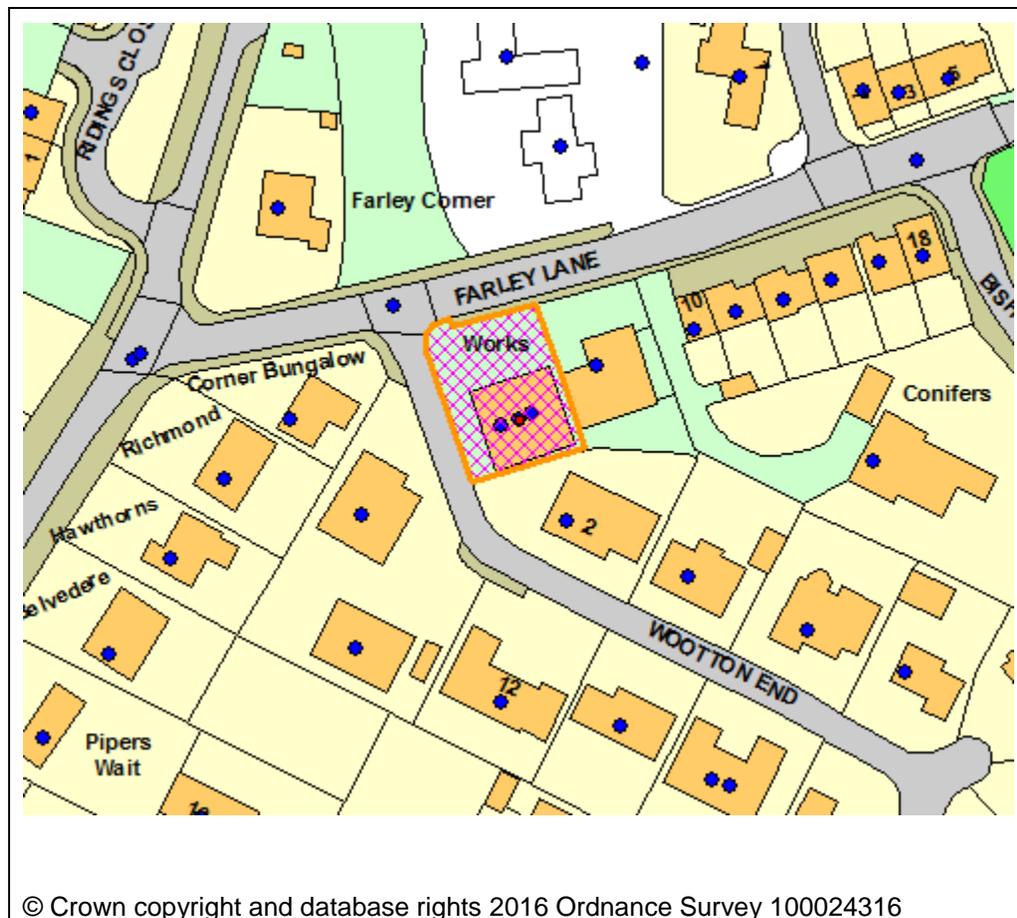
construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence.

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

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

Application Number	20/01511/FUL
Site Address	1 Farley Lane Stonesfield Witney Oxfordshire OX29 8HB
Date	25th August 2020
Officer	Stephanie Eldridge
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stonesfield Parish Council
Grid Reference	439487 E 217726 N
Committee Date	7th September 2020

Location Map



Application Details:

Conversion of existing office premises to six residential apartments

Applicant Details:

Mr Richard Dennis
Amberley, Pitts Lane, Hailey, Witney, Oxfordshire, OX29 9UT

I CONSULTATIONS

- I.1 OCC Highways No objection subject to conditions.
- I.2 WODC Drainage Engineers As the application is for conversion of an existing building with apparently no increase in footprint, it would usually be acceptable for the existing drainage connection to the main sewer to remain in place; however there are no public sewers in Farley Lane according to the Thames Water plans. Can the present drainage arrangement please be confirmed (connection to OCC surface water sewer?).
- I.3 ERS Env. Consultation Sites No objection.
- I.4 WODC Env Health - Lowlands I recommended a scheme for protecting the proposed dwellings from noise, which would include a boundary noise barrier/fence and all works which form part of the acoustic scheme shall be completed before occupation. I still believe that such a condition is proportionate to the circumstance and setting and to protect residential amenity. I think a condition along the same lines would still be appropriate. You will note that I have based this view in the absence of the applicant providing a noise assessment report. I think I could only retract the recommendation for a condition if a noise assessment was commissioned and the results of which demonstrated very low or no noise impact.
- I.5 Parish Council Stonesfield Parish Councillors had concerns over additional parking with the planning application 20/01511/FUL. It is felt there is too many dwellings on this site although six affordable dwellings would be beneficial for youngsters or single persons in this area. The council OBJECTS to this planning application of six developments on the basis of over development but feel it would be more acceptable to have a smaller development of these apartments with a better design (current design with laundry room downstairs could cause noise for neighbouring properties, there are concerns over fumes entering the building from the neighbouring business, lack of windows in room upstairs is of a concern to the council). The current proposal will cause an increase in parking which will be a problem in this particular area which is currently congested and would already be a problem particularly if emergency vehicles required access.

2 REPRESENTATIONS

25 letters of objection have been received. The key points raised are as follows:

- Emergency access not sufficient;
- Increase in traffic will adversely impact road use and safety of drivers and pedestrians;
- Six parking spaces insufficient and parking on the street impacts amenity and safety of residents;
- Noise and disturbance caused by a residential use will adversely impact neighbours;

- Shared garden would adversely impact the amenity of neighbours;
- Development will add pressure to waste water and sewage services;
- Not in character with the village;
- Infrastructure such as village school and GP services are already at capacity;
- Could adversely impact the neighbouring business;
- Farley Lane has already been subject to number of new dwellings;
- One bed flats are not in character with the village.

3 APPLICANT'S CASE

The Design and Access Statement is concluded as follows:

This is a sensible, ingenious and practical proposal to provide and enhance the stock of much needed compact residential properties in Stonesfield.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H3NEW Affordable Housing

H6NEW Existing housing

E1NEW Land for employment

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

T4NEW Parking provision

NPPF 2019

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

5 PLANNING ASSESSMENT

- 5.1 This application seeks consent for the conversion of an existing office building to six one-bed residential apartments at 1 Farley Lane in Stonesfield. The site falls within the Cotswold AONB.

Background Information

- 5.2 Planning permission was granted under ref. 18/00031/FUL for the demolition of the existing commercial unit and the erection of two dwellings with garages and associated parking.
- 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

- 5.4 Given that the extant consent, ref. 18/00031/FUL, permits the demolition of the existing commercial unit and redevelopment of the site for residential housing, the loss of the employment space has been accepted in principle.

- 5.5 Stonesfield is identified as a village in the settlement hierarchy in the West Oxfordshire Local Plan 2031.
- 5.6 Policy H2 of the adopted Local Plan states that new dwellings will be permitted on previously developed land within or adjoining the built up area of Stonesfield 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 Policy H3 of the Local Plan states that within the Cotswolds AONB, housing schemes of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000m² will be required to make a financial contribution towards the provision of affordable housing off-site within the District. This commuted sum will be deferred until completion of the development to assist with viability.
- 5.8 Therefore, subject to its compliance with the other plan policies and a legal agreement to secure a contribution towards affordable housing, your officers consider that the development is acceptable in principle.

Siting, Design and Form

- 5.9 The application proposes to convert the existing commercial unit with alterations to upgrade the building so that it is more suitable for residential use. Externally the existing ground floor stone will be retained, but the first floor metal cladding will be replaced with stained vertical lap larch boarding, and the roof replaced with weathered zinc insulated roofing. The curved eaves would also be replaced with traditional domestic eaves. A number of new window and roof light openings will also be introduced. The access into the site will remain the same and the parking is proposed on the existing hardstanding to the front of the building.
- 5.10 There are four low quality cherry trees to the west which will be removed leaving three large trees to be retained on the site which are considered to contribute to the character of the streetscene along Farley Lane and Wootton End. The site does not fall within the Conservation Area so these trees do not come under control and their removal would not require consent from the LPA.
- 5.11 By virtue of the mixed residential context of the site, the nature of the alterations, and the design and materials proposed, your officers are of the opinion that the conversion works would respect the character and appearance of the area.

Impact on the Cotswold AONB

- 5.12 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, and the nature of the conversion works, your officers are of the opinion that the development would conserve the landscape and scenic beauty of the Cotswold AONB.

Highways

- 5.13 The access into the site will remain the same and there are six car parking spaces proposed to serve the six one-bed apartments. With regard to the impact on highways safety and

convenience, the Local Highway Authority has raised no objections to the application subject to two conditions.

Residential Amenities

- 5.14 The site is adjacent to an existing car repair workshop. The Council's Environmental Health Officer has advised that with the provision of an acoustic barrier the development is acceptable. Therefore, a condition has been recommended requiring the submission of a scheme to protect the apartments from noise prior to first occupation.
- 5.15 The proposed change of use would arguably lessen the amenity impact of the adjacent occupiers as a residential use would be less disruptive by reason of noise and disturbance compared with certain employment uses of the site.
- 5.16 In terms of direct impacts, your officers note that there are no first floor windows proposed in the South elevation so there will be no direct overlooking of no.2 Wootton End. Further, given that the building already exists and will not be altered or extended to increase the scale, the development will not be anymore overbearing or overshadowing.
- 5.17 The proposed apartments are set over two floors served by their own staircases and are considered to be of an acceptable size. The Parish Council have raised concerns over the lack of windows in the first floor rear flats. These are served by rooflights which are considered to be sufficient for providing light and ventilation to these rooms. Concerns have also been raised over the proposed laundry room on the ground floor. However, your officers are of the opinion that given the residential context of the area and the level of noise associated with laundry appliances, it is not unreasonable for the apartments to be served by this facility and it would not result in an adverse level of noise or disturbance to the detriment of neighbours.
- 5.18 Your officers note that there is a limited area of outdoor amenity space provided. However, it is not unusual for flats to not have private garden space. Therefore, this is considered to be acceptable.

Drainage

- 5.19 The Council's Drainage Engineer has advised that as the application is for conversion of an existing building with no increase in footprint, it would usually be acceptable for the existing drainage connection to the main sewer to remain in place; however there are no public sewers in Farley Lane according to the Thames Water plans. Therefore, your officers have requested confirmation of the present drainage arrangement so that the Drainage Engineers can have consideration of this. Your officers will update Members on this matter either verbally during the meeting or within the additional representations report which will be circulated to Members before the meeting.

Conclusion

- 5.20 In light of the above, the application is considered to be acceptable, subject to conditions and a legal agreement, and is compliant with policies OS2, OS4, H2, H3, H6, E1, EH1, EH3, and T4 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, the National Design Guide 2019, and the relevant provisions of the NPPF 2019.

6 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 first floor section of the external walls of the building shall be constructed with stained larch lap boarding, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To safeguard the character and appearance of the area.
5. 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.
6. 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.
7. A scheme for protecting the proposed apartments from noise which shall include a boundary acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority; and all works which form part of the acoustic scheme shall be completed before any of the permitted dwellings are occupied.
REASON: To protect the amenity of future occupants
8. Before the commencement of the external alterations approved, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated 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) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or 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 dwelling/s hereby approved is/are first occupied and thereafter permanently retained.
REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with paragraphs 170, 174 and 175 of

the National Planning Policy Framework, Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

9. A scheme of hard and 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.
10. 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.
11. 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.
12. 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.
13. Prior to the commencement of development above ground level, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbps). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.
REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

14. Before the development hereby authorised is brought into use, Rapid EV charging points shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of air quality, to reduce greenhouse gases and to encourage sustainable travel modes of transport in accordance with paragraph 110 (e) of the NPPF 2019.



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Uplands Area Planning Sub-Committee: Monday 7 September 2020
Report Number	Agenda Item No. 5
Subject	Progress on Enforcement Cases
Wards affected	As specified in Annex A
Accountable officer	Phil Shaw, Business Manager, Development Management Email: phil.shaw@publicagroup.uk
Author	Kim Smith, Principal Planner (Enforcement) Tel: 01993 861676 Email: kim.smith@westoxon.gov.uk
Summary/Purpose	To inform the Sub-Committee of the current situation and progress in respect of enforcement investigations
Annex	Annex A – Schedule of cases (Sections A to C)
Recommendation	That the progress and nature of the outstanding enforcement investigations detailed in Sections A – C of Annex A be noted.
Corporate priorities	N/A
Key Decision	N/A
Exempt	No

I. BACKGROUND AND MAIN POINTS

- 1.1. [Section A](#) of Annex A contains cases where the requirements of a formal notice have not been met within the compliance period ([page 3](#)).
- 1.2. [Section B](#) contains cases where formal action has been taken but the compliance period has yet to expire ([page 5](#)).
- 1.3. [Section C](#) contains cases which are high priority but where the expediency of enforcement action has yet to be considered ([page 6](#)).
- 1.4. The Sub-Committee should be aware that the cases included in this update constitute only a small number of the overall enforcement caseload across the District, which at the time of writing consists of 256 live cases. The high priority cases for both Uplands and Lowlands constitute approximately 20% of the total caseload.

2. FINANCIAL IMPLICATIONS

- 2.1. There are no financial implications resulting from this report.

3. ALTERNATIVE OPTIONS

- 3.1. Not applicable, as the report is for information.

4. BACKGROUND PAPERS

- 4.1. None

SECTION A – PROGRESS ON CASES WHERE THE REQUIREMENTS OF A FORMAL NOTICE HAVE NOT BEEN MET WITHIN THE COMPLIANCE PERIOD

The cases listed in the following section are those where a notice has been served and the requirements have not been met within the compliance period or there has been an unauthorised display of advertisements. This means that an offence is likely to have been committed and that the Council need to consider the next steps to secure compliance. In some cases this will entail the initiation of legal proceedings to bring about a prosecution.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Unicorn Public House, Great Rollright	Listed Building allowed to fall into a state of disrepair	The pub has been closed for many years and the subject of on-going complaint regarding its appearance/state of repair.	<p>Since the last enforcement progress report in Jan 2019 and following the report to Cabinet in November 2018 where Officers recommended that if the building is to be secured it will be necessary to enact the resolution to compulsorily purchase it and make budgetary provision for such action a full report was put to Council on 23 January 2019 and agreed.</p> <p>Since then:</p> <p>Building Control has continued inspections to review safety of the structure. Officers have met specialist external consultants to clarify CPO process/next steps Estates have commenced discussions with the owner to ascertain whether a negotiated purchase can be secured without the need for formal CPO action. An update on progress in respect of a negotiated purchase has been requested from Estates who are now dealing with the case. At the time of writing no update has been provided. Your Officers hope that by the date of the Planning Sub Committee meeting a response will have been provided such that Members can be updated verbally.</p>
The Bull Inn, Sheep Street, Charlbury	Unauthorised flue and extraction system.	<p>Applications were refused for the same extraction flue at a different location on the building (Ref nos. 17/00790/FUL and 17/00791/LBC).</p> <p>In light of the refused applications and the fact that the existing system that is in situ was considered to adversely impact on both the architectural character and appearance of the listed</p>	<p>The Enforcement Notice was the subject of an appeal which was dismissed on 30 October 2018 and the enforcement notice upheld.</p> <p>Listed Building Consent was approved for an alternative extraction unit and flue on 30 May 2019. Whilst listed building consent has been approved for an alternative flue the parallel planning permission which would consider issues of noise and odour from such systems has only recently been received for consideration.</p> <p>Following discussions with the Manager of the premises it is anticipated that once planning permission is granted the unauthorised flue will be removed and replaced expeditiously with the approved unit.</p>

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
		building and the Conservation Area, your Officers prepared an enforcement report with a recommendation to take formal enforcement action. Members resolved to approve such action and an Enforcement Notice was issued requiring removal of the unauthorised flue.	
45 High Street, Ascott Under Wychwood	Unauthorised pergola and first floor balcony.	<p>Planning permission for the retrospective works was refused and subsequently dismissed at appeal.</p> <p>A later planning permission was approved for an amended pergola and balcony detail that was considered to address the concerns raised by the Planning Inspector.</p> <p>Despite repeated confirmation from the owner that the amended approved scheme would be implemented in order to address to the breach, the pergola and balcony remained unaltered .An Enforcement Notice was subsequently issued.</p>	<p>An Enforcement Notice seeking removal of the unauthorised pergola and balcony was issued in June 2019 with a short compliance period.</p> <p>The pergola and balcony have been remodelled in accordance with the planning permission. CASE CLOSED.</p>
Unit A, Farm Buildings, Farley Lane, Stonesfield	Breach of condition 1 of planning permission 07/1871/P/S73 which restricted	Given that this consent was only granted for one year the business has been operating from the site for nearly 10 years without consent and conditions controlling the use(hours of operation, noise	<p>Once the breach came to light and given the very tight timeframe in respect of the unfettered use becoming lawful, your Officers issued an enforcement notice requiring the use to cease within 6 months of the notice coming into effect.</p> <p>The Enforcement Notice was the subject of an appeal which was subsequently dismissed on 14 October 2019 and the Enforcement Notice upheld .The period of</p>

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
	the use of the building for the purposes of a welding business for one year only.	etc).In addition to the above in the interim period a small housing estate has been constructed in close proximity to the building	compliance given with the notice is 6 months thus requiring cessation of the use by 13 April 2020. A recent site visit has confirmed that the use as ceased in accordance with the requirements of the Enforcement Notice. CASE CLOSED.
Manor Farm, Great Rollright	Unauthorised storage of caravans on land	The landowner was advised that the storage of caravans on the land is a breach of planning control and that it is considered expedient in this case to proceed to formal Planning enforcement action.	An Enforcement notice was issued requiring cessation of the unauthorised storage use. It was not the subject of an appeal and the date for compliance has now expired. The next step is to consider the initiation of legal proceedings to secure compliance with the notice.

SECTION B – PROGRESS ON ENFORCEMENT INVESTIGATIONS WHERE FORMAL ACTION HAS BEEN TAKEN.

The cases listed in Section B are ones where a notice has been served but the compliance date has not yet passed.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Manor Farm, Great Rollright	Alleged non - compliance with an agricultural tie on the farmhouse.	The house is being let for holiday let purposes in breach of condition 5 of planning permission 04/1203/P/RM which restricts occupancy of the dwelling to a person/persons solely or mainly working in agriculture/forestry. The owner has advised officers that the use of the dwelling as a holiday let has been going on for in excess of 10 years and as such is lawful. Despite this claim no lawful development certificate has been submitted to date in order to evidence the alleged lawful use.	In the absence of a planning application or a lawful development certificate in an attempt to seek to regularise the breach an Enforcement Notice (Breach of Condition) has been issued requiring cessation of the holiday let use. The compliance date with the notice has yet to expire.

SECTION C – PROGRESS ON OTHER ENFORCEMENT INVESTIGATIONS IDENTIFIED AS BEING HIGH PRIORITY

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
The Heyes, Churchill	Unauthorised Storage and processing of logs The Heyes, Churchill	As reported to Members in the last update report the landowner is claiming that the use under investigation has been going on for in excess of 10 years and is therefore lawful. Officers have advised that in order to evidence this claim a CLEUD application needs to be submitted for consideration. No such application has been received however a planning application for the use has been submitted in an attempt to seek to regularise the use.	The application is still under consideration at the time of writing but a recent visit to the site has confirmed that the site has been significantly cleared with only a very limited amount of storage remaining on the land.
The Beeches, Old London Road, Chipping Norton	Car park extension. Additional caravans located on the periphery of the site.	Officers have noted that a number of plots on the periphery of the site have additional caravans on them. Further that there is a car park extension to the south east of the site. Whilst Officers do not consider the car park extension to be harmful, the peripheral expansion of the site does result in the site appearing more visually prominent within the AONB.	As there are likely to be a number of issues relating to the alleged breaches of planning control on the land that are not planning matters, Officers are seeking to liaise with other relevant Services within the Council and possibly other agencies in order to discuss the best way to approach the investigation. Progress on the alleged breaches on this site has been protracted due to the complexity of the issues and the change in working practice/site visit protocols as a result of Covid 19. Officers have recently revisited the site in order to re-assess any harms resulting from the breaches that have been identified and have concluded that in terms of the peripheral expansion that has taken place on some of the plots that further action is required.
26 High Street, Ascott under Wychwood	Unauthorised change of use of land from agricultural to	Planning application 16/03240/FUL was submitted in an attempt to regularise the breach. It was refused on the grounds that the extension of the garden curtilage	In light of the refusal of planning permission and in the absence of an appeal your officers anticipated that if the unauthorised change of use was not resolved voluntarily that it would be expedient to issue a Planning Enforcement Notice in respect of the breach.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
	garden.	adversely intrudes into and urbanises the open countryside thus failing to conserve and enhance the Cotswolds AONB.	It has however been difficult to date to confirm whether or not the contravener has ceased using the land as garden because of the ability to move goal posts, trampolines etc very easily on to and off of the land. In light of the above periodic monitoring of the site has been undertaken and a recent site visit has identified that the land in question appears to be being used as a garden. Also it has been noted that the adjoining property appears to have extended its garden. At the time of writing further investigation and planning assessment is to be undertaken.
Burford House 99 High Street	Alterations to listed building	Unauthorised works have been undertaken to a Grade II listed building	Applications for part retrospective works have been approved under 19/01293/FUL and 19/01294/LBC. A recent site visit has confirmed that the above noted permissions do not appear to have been implemented in order to address the breach of planning control. Your Officers will be contacting the manager of the premises to ascertain when the works will be carried out.
20 Taynton	Listed building at risk	Dwelling and barn both Grade II listed	Six months ago Officers reported to Members that over the preceding six month period the owner of the property had had repair and maintenance work carried out to the roof of the cottage and has confirmed that there has been no spread of the thatched roof on the outbuilding in the garden. The Condition of building is being monitored by officers and a site visit by the Council's architect to re- assess the issue of 'spread' of the thatched roof on the listed outbuilding is to take place over the next few weeks.
Track at Tracey Lane Great Tew	Unauthorised track created	Planning permission refused retrospectively	Amended application seeking to address archaeological and landscape issues has been approved under reference 18/02236/FUL. A recent site visit has confirmed that the landscaping and surface finish of the track do not accord with the planning permission that has been granted. At the time of writing Officers are liaising with the landowners agent in an attempt to resolve the breaches without the need for formal action.
19 Tilsley Road Chipping Norton	Erection of enclosure and	Advice given to remove or submit retrospective application but no	At the time of writing the fence remains in situ and no planning application has been submitted in an attempt to regularise the unauthorised development.

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
	change of use of verge to garden	application received.	Following a recent site visit Officers are of the opinion that the relocated fence by reason of both the mellowing /ageing of the means of enclosure and the retention of a wide verge and trees is not so harmful as to justify formal planning enforcement action in the absence of a retrospective planning application. It is recommended by Officers that no further action is taken and the case be closed. CLOSE
I Lords Piece Road Chipping Norton	Close boarded fence and change of use OCC land to garden	No retrospective application received but close boarded fence removed voluntarily and replaced with a post and wire fence and hedgerow.	OCC were contacted in order to ascertain whether or not the County wish to pursue the enclosure of land alleged to be in its control and ownership. The County has confirmed that it does not intend taking any action. CLOSE
I Washington Terrace Middle Barton	Fence and Garden in floodplain	CLEUD application submitted for a change of use of land to garden and retention of fence.	Lawful Development Certificate granted for the change of use to garden but fence not considered lawful. A recent site visit has been carried out in order to consider the planning merits of the retained fence. In light of the fact that the fence is not visible in the public domain and that such features are transient by way of construction, Officers consider that it is not expedient to take any further action in respect of the fence and the case be closed. CLOSE
Enstone Airfield	Unauthorised waste storage; Unauthorised erection of a building; Change of use of one agricultural building to a commercial use Non- compliance with conditions attached to the extension of the	There are a number of breaches on the airfield which involve various landowners. Officers have been in discussions with one landowner and have advised on how to progress the breaches that have been identified to date. There are however more potential breaches on the land which are self - evident when visiting the airfield.	<ol style="list-style-type: none"> 1. A CLEUD application has been submitted in respect of the unauthorised building. The application was refused on the grounds that the use of the building was the subject of the application as opposed to the operational development (time frames for construction of the building itself).It is anticipated that a further application for a lawful development certificate will be submitted in due course together with an application for a change of use of an agricultural building on the land to a commercial use. 2. Officers had a meeting on site with OCC and the Environment Agency in respect of the waste storage on the land which has been imported in order to create bunds associated with the expansion of the Shooting School. The EA has advised the landowner that the material must be removed from the airfield and as such cannot be used for the creation of the bunds. The storage of waste comes under the remit of OCC and the EA. 3. Officers will visit the site to consider whether or not is expedient to pursue

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
	Shooting Ground; Potentially unauthorised hangers.		formal action in respect of further alleged breaches of planning control on the airfield which include the construction of a number of additional hangars.
Land at Church End, Swerford	Development not in accordance with the approved plans	A stone storage building presently being constructed on land the subject of a number of refusals for a dwelling, is being constructed at variance with the approved plans. Additional door and window openings.	Planning permission granted for the variances. CLOSE
Orchard Barn, Pomfret Castle Farm	Unauthorised fence and outbuilding	The outbuilding has been located to an alternative location which is considered acceptable on its planning merits. The fence however remains in situ.	A recent site visit has been undertaken in order to consider the expediency of formal enforcement action in respect of the unauthorised fence. Given the sites context and the fact that the fence has silvered down over time your Officers consider that formal enforcement action in order to seek to remedy the breach is not expedient in this instance and as such the case can be closed . CLOSE
Castle Corner, Church Street, Wootton	Non compliance with condition 3 of planning permission 478/83	Condition 3 precludes the garage accommodation attached to the property being adapted for living purposes. Under 19/00110/HHD planning permission was recently refused for conversion of the garage on the grounds that given the geometry of the road and the lack of appropriate street parking spaces it would be detrimental to the safety and convenience of highway users.	On the basis of evidence gathered to date it appears that the garage has been adapted for use as a utility, storage and garage to serve Castle Corner. It has a linoleum floor, a wall hung radiator, kitchen units and a sink and worktop. As a matter of 'fact and degree' Officers consider that this is a breach of the planning condition. In light of OCC highways concerns about the loss of off street parking on the site your Officers need to consider the expediency of taking formal action in an attempt to remedy the breach.
The Thatched Cottage, The Slade,	Replacement fence	The landowner is of the opinion that the replacement fence is like for like in terms of both its	At the time of writing your Officers are considering this assertion. However, the replacement fence appears to be higher and more visually intrusive than the former means of enclosure. Given the building is listed and the site is located within the

Site Address and Case No.	Unauthorised Development	Notes	Update/Action to be taken
Charlbury		alignment, materials and height.	Conservation Area the test of preserve or enhance character and appearance of the area is key to the acceptability or otherwise of the replacement fence.
Wychwood Grange, Fordwells	Alleged unauthorised material change of use from two dwellings to a single 'party house'	The site formerly consisted of two dwellings which are now occupied as a single unit accommodating up to 30 people	At the time of writing your Officers are about to issue a Planning Contravention Notice in order to establish the facts regarding the actual use of the property and to help identify the nature of the alleged planning breach.
Doggetts House, Churchfields, Stonesfield	Non- compliance with planning conditions attached to 11/1252/P/FP which relate to access, parking and a turning area that has not been installed.	OCC Highways has advised that in this instance on-site parking should be provided in accordance with the planning conditions for highway safety reasons.	Officers have invited the present occupier to submit a retrospective application in an attempt to regularise the breach. No such application has been submitted to date. In the absence of any attempt to seek to regularise the breach and given OCC Highways concerns the expediency of taking formal action to remedy the breach is under consideration at the time of writing.
Lower Farm, Witney Lane, Leafield	Alleged unauthorised change of use of land to garden and construction of a hard surfaced tennis court.	Planning permission for the alleged unauthorised development was refused and dismissed at appeal under 15/01884/FUL	A Planning Contravention Notice has been issued in order to obtain information about land ownership and interests together with time frames in respect of the change of use and the creation of the hardstanding.
Land adjoining The Old Quarry, Ledwell Road Great Tew Oxon	Alleged change of use of land to motocross. Construction of motocross track	This is a recent complaint for which no planning permission has been granted. The site is located within the open countryside abutting a right of way and in close proximity to a residential use.	It is anticipated that a Planning Contravention Notice will be issued in order to obtain information about land ownership and interests



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Uplands Area Planning Sub-Committee Monday 7 September 2020
Report Number	Agenda Item No. 6
Subject	Meeting of the Sub-Committee in January 2021
Wards affected	All in the Uplands Area
Accountable member	Councillor Jeff Haine, Chair of the Uplands Area Planning Sub-Committee Email: jeff.haine@westoxon.gov.uk
Accountable officer	Keith Butler, Head of Democratic Services Tel: 01993 861521 Email: keith.butler@westoxon.gov.uk
Summary/Purpose	To consider a possible change in the date for the meeting of the Sub-Committee in January 2021.
Annexes	None
Recommendation	That the date of the meeting of the Sub-Committee scheduled for January 2021 be changed from Monday 4 to Tuesday 5 January.
Corporate priorities	N/A
Key Decision	N/A
Exempt	No
Consultees/ Consultation	None

1. BACKGROUND

- 1.1. This report requests consideration of a change in the date for the meeting of the Sub-Committee currently scheduled to take place at 2 pm on Monday 4 January 2021.

2. MAIN POINTS

- 2.1. In January 2020 the Council approved a programme of meetings for the period from May 2020 to May 2021. That programme, as usual, scheduled meetings of this Sub-Committee for the first Monday in the month, where possible, and also where possible for the Lowlands Area Planning Sub-Committee on the second Monday.
- 2.2. It has recently been confirmed that the Council/Publica offices will be closed throughout the Christmas/New Year period, meaning that Monday 4 January will be the first day the offices will have been open since 23 December. In order to ensure that officers have the opportunity to take stock prior to the Sub-Committee holding a meeting, and to allow time for the production of a list of additional representations, it is suggested that the date of the meeting be changed to **Tuesday 5 January 2021**.

3. FINANCIAL IMPLICATIONS

- 3.1. This report has no financial implications.

4. LEGAL IMPLICATIONS

- 4.1. The report has no legal implications.

5. ALTERNATIVES/OPTIONS

- 5.1. The Sub-Committee could choose to leave the date as scheduled, or to look for a different alternative. Because the Lowlands Area Planning Sub-Committee is scheduled to meet the following week, on Monday 11 January 2021, the possibility of moving Uplands by one week has not been pursued because of the subsequent impact on the following months.

6. BACKGROUND PAPERS

- 6.1. None

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 19th August 2020

Application Number.	Ward.	Decision.
1. 19/02470/FUL	Kingham, Rollright & Enstone	APP
Conversion of existing barns to form four residential properties, the conversion of a barn to form ancillary accommodation and the erection of a car port and ancillary works (Amended). Chapel House Farm Chipping Norton Oxfordshire Ms V Main		
2. 20/00118/FUL	Kingham, Rollright & Enstone	APP
Change of use of premises from light industrial/workshop (class B1 use) to cafe/farm shop (class A3 use) with associated outdoor seating and vehicle parking spaces. Unit 1 The Old Coal Yard Gagingwell Mr And Mrs C Park		

- | | | | |
|----|---|------------------------------|-----|
| 3. | 20/00410/FUL | Kingham, Rollright & Enstone | REF |
| | Erection of a new office building
The Long Barn Oxford Road Old Chalford
Empire Homes | | |
| 4. | 20/00419/HHD | Chadlington and Churchill | APP |
| | Erection of single storey front extension and addition of front porch.
Old School West End Chadlington
Mr Jon Cook | | |
| 5. | 20/00685/FUL | Woodstock and Bladon | APP |
| | Temporary installation of art work
Blenheim Park Oxford Road Woodstock
Blenheim Art Foundation | | |
| 6. | 20/00724/FUL | Chipping Norton | APP |
| | Affecting a Conservation Area

Alterations and reconfiguration to create four additional dwellings including changes of use of Beauty Salon, retail use and offices and change of use of part of Beauty Salon to retail use at ground floor (Class A1). Provision of parking spaces (Amended).
4 West Street Chipping Norton Oxfordshire
Chipping Norton Ventures LLP | | |
| 7. | 20/00832/FUL | Burford | APP |
| | Affecting a Conservation Area

Refurbishment and improvements to existing converted barn including construction of glazed link to ancillary farm buildings which are to be converted to form extension to the existing dwelling and provide staff accommodation (amended plans)
The Standing Barn Taynton Burford
Mr And Mrs P J Fennessy And G R Kemsley | | |
| 8. | 20/00833/LBC | Burford | APP |
| | Affecting a Conservation Area

Internal and external alterations to refurbish and improve existing converted barn including changes to internal layout, fenestration and entrance doors and construction of glazed link to ancillary farm buildings which are to be converted to form extension to the existing dwelling and provide staff accommodation (amended plans)
The Standing Barn Taynton Burford
Mr And Mrs P J Fennessy And G R Kemsley | | |
| 9. | 20/00863/FUL | Chipping Norton | APP |
| | Erection of one two storey and two single storey buildings for office support and sales administration with associated parking and landscaping (AMENDED PLANS)
Land At Cromwell Park Banbury Road Chipping Norton
Gareth Elvidge | | |

10. **20/01033/S73** Chipping Norton APP
Affecting a Conservation Area
- Variation of condition 2 of planning permission 19/01808/FUL to allow changes to car parking layout, provision of sun terrace and insertion of a set of french doors in gable (east) elevation of building 2. (Amended plans and description)
25 High Street Chipping Norton Oxfordshire
Mr G Besterman
11. **20/01065/FUL** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Erection of single storey extension to North elevation with glass linked entrance lobby and improved access with upgraded paths and the discharge of samples for stone walling, zinc roofing and window details.
St Michaels And All Angels Church New Road Great Tew
Rev Ginny Thomas
12. **20/01100/FUL** Chadlington and Churchill APP
- Refurbishment of three cottages to include erection of single storey extension to North elevation (to provide garaging for Westbridge and Centre Cottage), erection of two storey and single storey rear extensions (to enlarge all three properties) and construction of front entrance porch and detached double garage with store (to serve The Old Forge Cottage) together with associated works and change of use to extend domestic curtilage.
Westbridge Cottage Green End Chadlington
G Bailey
13. **20/01104/FUL** Chadlington and Churchill REF
- Change of use of existing hardstanding to commercial use for the parking of vehicles in connection with a small haulage business.
The Sidings Station Road Kingham
Mr D Griffin
14. **20/01105/FUL** Milton Under Wychwood REF
- Demolition of a large detached garage and erection of a dwelling with attic accommodation
Hoplads Shipton Road Milton Under Wychwood
Iona Foster
15. **20/01150/FUL** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Erection of a stone barn for agricultural use
Duck End Hook Norton Road Great Rollright
Mr and Mrs Philip and Catherine Mould

16. **20/01151/LBC** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Removal of the remnants of the former stone barn. Erection of new stone barn in existing footprint for agricultural use.
Duck End Hook Norton Road Great Rollright
Mr and Mrs Philip and Catherine Mould
17. **20/01154/FUL** Chipping Norton APP
Partial change of use of agricultural building to a residential dwelling (retrospective)
New Chalford Farm London Road Chipping Norton
Mr Glyn Pearman
18. **20/01161/HHD** Woodstock and Bladon APP
Alterations and erection of first floor front extension and insert rooflights over rear kitchen single storey roof.
Damson House 18B Hensington Close Woodstock
Ms Debi-Jo Milner
19. **20/01164/FUL** The Bartons APP
Affecting a Conservation Area
- New dwelling
35 North Street Middle Barton Chipping Norton
Mrs Olivia Hazell
20. **20/01184/FUL** Charlbury and Finstock APP
Change of use of land for the siting of a static caravan to provide year round residential accommodation for a site warden
Caravan Site Spelsbury Road Charlbury
Mr And Mrs Keith And Carol Dighton
21. **20/01199/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Replacement single storey rear extension.
Doggetts Thames Street Charlbury
Ms Susan Dunstall
22. **20/01200/LBC** Charlbury and Finstock APP
Affecting a Conservation Area
- Internal and external alterations to include replacement single storey rear extension insertion of a window and changes to internal layout and construction of a low level infill garden wall
Doggetts Thames Street Charlbury
Ms Susan Dunstall

23. **20/01210/OUT** Burford APP
Outline application for provision two self build/custom housebuilding plots with new driveway on land to the rear of Lantern House following demolition of the existing attached garage. All matters reserved except for access.
Lantern House 15 Shilton Road Burford
Mr And Mrs Richard And Barbara Allen
24. **20/01231/FUL** Stonesfield and Tackley APP
Affecting a Conservation Area
Change of use from an office to a beauty and well-being studio
Unit 2 Manor Farm Ball Lane
Miss Rachel Davis
25. **20/01249/HHD** Burford APP
Affecting a Conservation Area
Erection of front porch
15 Frethern Close Burford Oxfordshire
Mr Simon Chandler
26. **20/01272/HHD** Burford APP
Affecting a Conservation Area
The construction of a double garage with studio above (amended plans)
The Mead House Taynton Burford
Mr And Mrs Robin Pinchbeck
27. **20/01520/FUL** Chipping Norton APP
Affecting a Conservation Area
Alterations to shop front to include awning and erection of single storey rear extension. (Retrospective).
The Old Mill Restaurant 7 West Street Chipping Norton
Mr Selahattin Kaya
28. **20/01278/FUL** Kingham, Rollright & Enstone APP
Erection of dwelling and garages ancillary to Glyme Bank, Lidstone, Chipping Norton, Oxfordshire OX7 4HL (Amendments to existing approval ref:19/01066/FUL to include, porch & alterations to fenestration & roofs).
Glyme Bank Lidstone Chipping Norton
Mr M Baggaley
29. **20/01282/HHD** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
Alterations to include insertion of new roof lights and replacement of utility room roof (amended plans and description)
The Old Post Office Main Street Over Norton
Mr Dipak Kalra

30. **20/01283/LBC** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Alterations to include the insertion of new rooflights and replacement of utility room roof (amended plans and description)
The Old Post Office Main Street Over Norton
Mr Dipak Kalra
31. **20/01286/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Erect a small seating arbour in the back garden and a retractable sun awning.
2 Graces Court The Slade Charlbury
Mrs Sheila Glen
32. **20/01300/LBC** Burford APP
Affecting a Conservation Area
- Removal of internal wall in non-period rear extension
The Little House 178 The Hill Burford
Mr B R Marshall
33. **20/01301/HHD** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Alterations to include erection of replacement front porch and installation of new entrance gate
Freemans Cottage West End Kingham
Mr And Mrs Lofthouse
34. **20/01302/LBC** Kingham, Rollright & Enstone APP
Affecting a Conservation Area
- Internal and external alterations to include replacement front porch, installation of new entrance gate, alterations to fenestration and doors to include new French doors to replace existing bay window to lounge together with general refurbishment works.
Freemans Cottage West End Kingham
Mr And Mrs Lofthouse
35. **20/01308/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Alterations and erection of two single storey side extensions.
Gladstone House 2 Wychwood View Woodstock Road
Mr Mark Cowan
36. **20/01311/HHD** Chadlington and Churchill APP
Affecting a Conservation Area
- Erection of a single storey rear extension.
Laburnum Cottage Green End Chadlington
Mr And Mrs Pauling

37. **20/01335/CLP** Woodstock and Bladon REF
 Certificate of lawfulness (single storey side extension).
23 Oxford Road Woodstock Oxfordshire
 Mr And Mrs N Hiscock
38. **20/01536/S73** Hailey, Minster Lovell & REF
 Leaffield
 Affecting a Conservation Area
 Variation of condition 2 of planning permission 20/00675/S73 to allow amended plans which include habitable rooms in the loft, the addition of a basement and provision of storage space above the garage together with the removal of conditions 11 (relating to the installation of protected species measures), 12 (relating to boundary treatment), 13 (relating to water consumption) and 14 (relating to permitted development rights).
Roselyne 60 Lower End Leafield
 Mr Mikael Armstrong
39. **20/01367/FUL** Kingham, Rollright & Enstone APP
 Construction of five new guest cabins with associated new landscaping and infrastructure.
Soho Farmhouse Great Tew Chipping Norton
 Soho House UK Limited
40. **20/01368/FUL** Kingham, Rollright & Enstone APP
 Change of use of land to extend residential curtilage and installation of pond together with associated landscape scheme.
Maplewood Barn Great Tew Chipping Norton
 C/O Agent
41. **20/01510/PN56** Chipping Norton P4REF
 Change of use of building from light industrial to dwelling.
Heythrop Hunt Kennels Kennels Lane Chipping Norton
 THHK Ltd
42. **20/01381/LBC** Chadlington and Churchill APP
 Internal alterations to refurbish existing rooms to the central section of the second floor (main house).
The Mansion Ditchley Park Enstone
 Mr Montagu
43. **20/01385/FUL** Kingham, Rollright & Enstone WDN
 Affecting a Conservation Area
 Erection of detached annexe associated with 2 Timber Yard Cottages (amended plans)
Land At Enstone Road Little Tew
 Mr Justin Parker

44. **20/01397/HHD** Charlbury and Finstock APP
Affecting a Conservation Area
- Erection of single storey rear extension.
19 Hughes Close Charlbury Chipping Norton
Miss Tracey Jones
45. **20/01401/HHD** Chadlington and Churchill APP
- Erection of single storey rear and two storey side extensions.
Chilson Hill House 3 Chilson Hill Chilson
Mr And Mrs Graham Lifely
46. **20/01403/HHD** Chadlington and Churchill APP
- Conversion of loft space to create third floor accommodation, with the addition of new roof lights.
14 Stonelee Close Chadlington Chipping Norton
Mr And Mrs Saeton
47. **20/01411/HHD** Hailey, Minster Lovell & Leafield APP
Affecting a Conservation Area
- Replacement of shed with timber garden office/shed. Alterations to main house lean-to structure (amended plans)
Church Row Witney Lane Leafield
Mr Charlie Clews
48. **20/01412/FUL** Kingham, Rollright & Enstone APP
- Re-cladding and re-roofing of existing building
Farm Building At E426163 N224706 Kingham Oxfordshire
Mr W Morris
49. **20/01416/HHD** Stonesfield and Tackley APP
- Erection of bike store with car port and EV charge point
Adina Woodstock Road Stonesfield
Mr James Wiltshire
50. **20/01443/S73** Chadlington and Churchill APP
Affecting a Conservation Area
- Non compliance of condition 2 of planning permission 19/00206/HHD to allow adjustments to the two storey extension roof height and alterations to fenestration.
Moonstone Hastings Hill Churchill
Ms Sarah Shearer

51. **20/01467/HHD** Milton Under Wychwood APP
 Alterations and erection of single and two storey rear extension and single storey front extension
Moyle Cottage Stow Road Fifield
 Mrs Catherine Brotherton
52. **20/01770/HHD** Chipping Norton WDN
 Affecting a Conservation Area
 Reinstate front elevation
19 West End Chipping Norton Oxfordshire
 Mr P Fischer
53. **20/01494/FUL** Milton Under Wychwood APP
 Conversion of existing two flats into a single house to include single storey side extension, removal of external staircase and changes to fenestration.
Waverly House 77 - 79 High Street Milton Under Wychwood
 Ms A Clarke
54. **20/01498/HHD** Kingham, Rollright & Enstone WDN
 Erection of detached garage and storage building
The Hayes Churchill Road Kingham
 Mr L Foster
55. **20/01504/HHD** Woodstock and Bladon APP
 Alterations and erection of single and two storey rear extension.
7 Vermont Drive Woodstock Oxfordshire
 Mr And Mrs Moore
56. **20/01519/HHD** Kingham, Rollright & Enstone APP
 Affecting a Conservation Area
 Demolition of a single storey detached garage and erection of single storey rear extension. Erection of detached storage sheds(amended).
Duck End West End Kingham
 Mr Richard Harris
57. **20/01572/OHL** Burford RNO
 Upgrade the existing 11kV Overhead line from Whitehills Farm (Pole 8) to Pole 13 from a two-wire line to a three-wire line
Whitehills Farm Shilton Road Burford
 Southern Electric Power Distribution Plc

58. **20/01584/PN56** Milton Under Wychwood P2NRQ
 Change of use of one ground floor bay of Unit 7 from class A1 use to class A3 use to allow the sale of light refreshments.
Unit 7 Groves Business Centre Shipton Road
 Ms K McFall
59. **20/01535/HHD** Kingham, Rollright & Enstone APP
 Affecting a Conservation Area
 Alterations and erection of new front porch, addition of second dormer to front elevation and new glazing.
11 Manor Farm Close Kingham Chipping Norton
 Mr A Boyd
60. **20/01708/HHD** Woodstock and Bladon APP
 Affecting a Conservation Area
 Alterations and erection of single storey rear extension
27A Union Street Woodstock Oxfordshire
 Mr And Mrs T Bronock
61. **20/01554/S73** Chadlington and Churchill APP
 Non compliance of condition 3 of planning permission 17/03860/FUL to replace drawings 2536.05 Rev A and 2536.06 Rev A with drawing 2536 01 Rev A
Sarsden House Sarsden Chipping Norton
 Mr And Mrs AC And RP Gallagher
62. **20/01568/HHD** Chadlington and Churchill APP
 Alterations and erection of single and two storey rear extension.
Vale Cottage 1 Daisy Bank Green End
 Mr And Mrs Weeks
63. **20/01570/HHD** Hailey, Minster Lovell & Leafield APP
 Affecting a Conservation Area
 Alterations to existing first floor roof and gable end with addition of two new dormers. Alterations to existing loft to include new front facing conservation roof light.
Studley View 113 Lower End Leafield
 Mr And Mrs Holland-Crump
64. **20/01608/PN56** Chadlington and Churchill P2NRQ
 Affecting a Conservation Area
 Change of use of units 6-8 from light industrial to dwelling.
Units 6-8 Mount Farm Junction Road
 Mr Thomas Heywood-Lonsdale

- | | | | |
|-----|--|---------------------------|-------|
| 65. | 20/01609/PN56
Affecting a Conservation Area | Chadlington and Churchill | P2NRQ |
| | Change of use of units 1-5 from light industrial to dwelling.
Units 1-5 Mount Farm Junction Road
Mr Thomas Heywood-Lonsdale | | |
| 66. | 20/01674/HHD | The Bartons | APP |
| | Erection of single storey rear timber orangery
Wortons Ground Farm Deddington Banbury
Mrs Maddan | | |
| 67. | 20/01796/HHD
Affecting a Conservation Area | Ascott and Shipton | APP |
| | Construction of potting shed.
16 Littlebrook Meadow Shipton Under Wychwood Chipping Norton
Mr Anthony Slater | | |
| 68. | 20/01896/PDET28 | Chipping Norton | P2NRQ |
| | Creation of pond 75 m x 25 m x 2 m deep to enhance wildlife habitats within grass field
Westfield Farm Churchill Road Chipping Norton
Mr Glyn Pearman | | |

APPEAL DECISIONS

APPLICATION NO: 19/02217/FUL

Development proposed is the erection of two new detached 4 bed dwellings, parking and associated work – land on Witney Road, **FINSTOCK**.

APPEAL DISMISSED

APPLICATION NO: 19/00500/OUT

Development proposed retirement dwellings, community building and communal recreational facilities, access roads and pedestrian/cycle links, hard and soft landscaping, foul and surface water drainage systems and other works – Barmead, Church Enstone, **CHIPPING NORTON**.

APPEAL DISMISSED

APPLICATION NO: 19/02314/FUL

Development proposed is the change of use and adaption of a redundant agricultural building to create a single storey dwelling – Greensleeves, Lyneham Road, **MILTON UNDER WYCHWOOD**.

APPEAL DISMISSED