

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 7th October 2019

**REPORT OF THE
BUSINESS MANAGER – DEVELOPMENT MANAGEMENT**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

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

Recommendations:

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

List of Background Papers

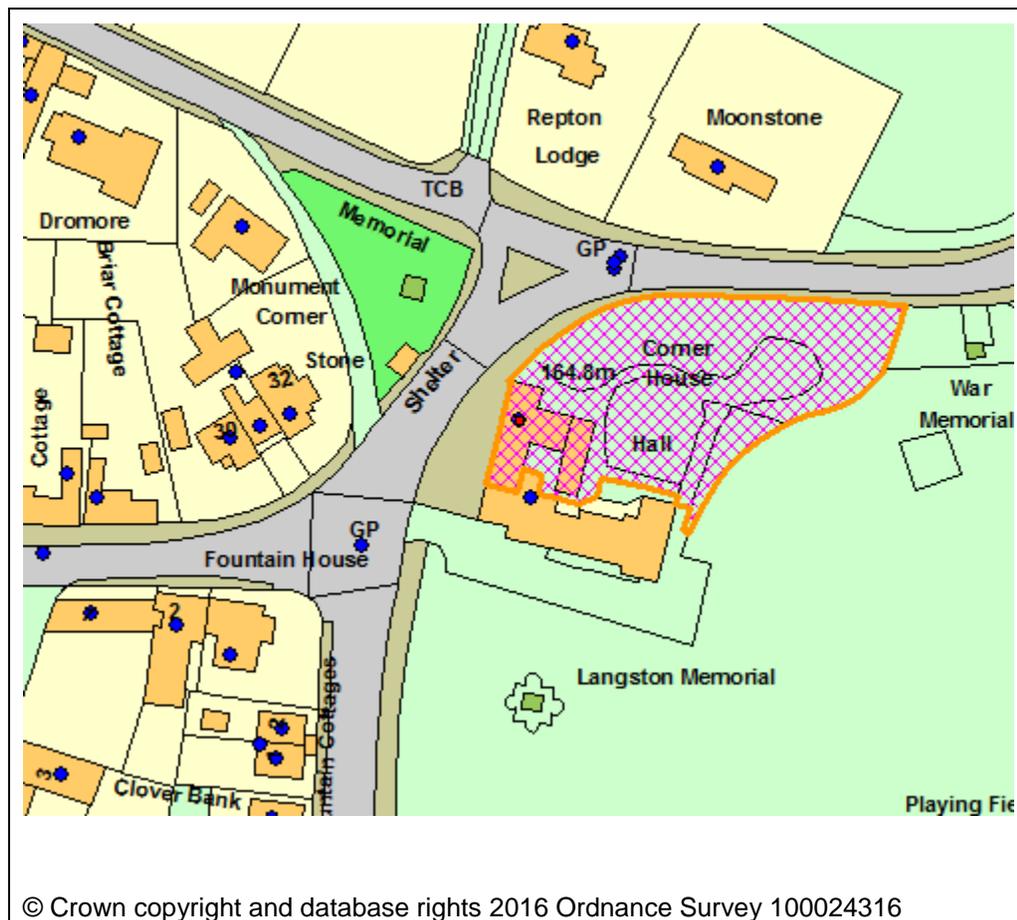
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Application Number	Address	Page
19/00920/FUL	<u>Corner House, Church Road, Churchill</u>	3
19/00991/RES	<u>Land South Of Oxford Road, Oxford Road, Enstone</u>	9
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19/01931/FUL	<u>Sunny Bank, Leafield Road, Shipton under Wychwood</u>	43
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Application Number	19/00920/FUL
Site Address	Corner House Church Road Churchill Chipping Norton Oxfordshire OX7 6NJ
Date	25th September 2019
Officer	Abby Fettes
Officer Recommendations	Refuse
Parish	Churchill Parish Council
Grid Reference	428282 E 224256 N
Committee Date	7th October 2019

Location Map



Application Details:

Removal of existing stables and erection of new single storey two-bed annex and detached garage/workshop.

Applicant Details:

Mr Peter Dunncliffe, Corner House, Church Road, Churchill, Chipping Norton, Oxfordshire, OX7 6NJ

I CONSULTATIONS

- | | | |
|-----|----------------------|--|
| I.1 | OCC Highways | The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network. |
| I.2 | Biodiversity Officer | No Comment Received. |
| I.3 | Parish Council | No Comment Received. |
| I.4 | Conservation Officer | Context: A Grade II listed building, prominently located on a main route through the Conservation Area, and also set on a nodal corner. |

Opinion: The two proposed buildings would have a combined footprint of some size, and whilst they are both of relatively low-lying form, they would both sit very near to the north boundary of the site, adjacent to the main northern approach to the settlement - and it is notable that the annex would also sit very near to the south-east boundary of the site. With respect to the impact on the northern approach, it seems that this development would be transformative - because at present the character of the corner on both sides is largely one of undeveloped greenery, giving a relatively soft transition from countryside to more urban forms. It is also notable that the site is raised somewhat above road level, increasing the prominence of the new buildings. And neither would we wish to rely on green screening to mask the development in perpetuity - particularly where the greenery is in such close proximity to the buildings. With respect to the impact on the land to the south-east of the site, I note that this is a peaceful and undeveloped tract, forming the setting of the fine Grade II* listed church, and with an important footpath running close to the site boundary. I also note that there are mature trees adjacent to the south-east site boundary, further contributing to the rural feel, and which would be very close indeed to the proposed annex building. Again, the development close to the south east boundary would be transformative, and again we would not wish to rely on green screening to mask the development. And in addition, it seems unlikely that the trees in such close proximity to the proposed annex would have a very secure future - even if they survived the building process - because trees and buildings make uneasy bedfellows. So, in summary, the principle of this is problematic, from our point of view. It seems that any new development on this site would have to be very low-lying, and set in the very centre of the site, well away from the boundaries; it also seems likely that there isn't room for buildings of the footprint that is currently proposed.

Recommendations: Advise withdrawal and resubmission with revised proposals, as above, and re-consult.

Reasons: Appears incompliant with policies OS4, EH10 and EH11.

1.5 WODC Landscape And Forestry Officer No Comment Received.

2 REPRESENTATIONS

No third party representations received.

3 APPLICANT'S CASE

- 3.1 The applicants Design and Access Statement and Use and Business Statement is available to view online. A summary of these are below.
- 3.2 The proposal is to remove the existing stables and construct a new L-shaped, single storey, two-bed annex and separate garaging for the main house. The proposed new buildings have been design to a scale to replicate traditional outbuildings typical of the Cotswold vernacular with low eaves, traditional natural slate roof pitch and natural stone walling. No works are proposed for the listed main house. Both the new buildings will be located in the rear garden of the listed building.
- 3.3 The proposal will involve demolition of an existing timber stables, three concrete bases, a rundown tree house and the removal of assorted small trees and hedges outlined in the accompanying tree report.
- 3.4 The new annex has been orientated to reduce its impact when viewed from either Church road or the playing field. To further reduce the impact of the new building it has been kept to a single storey with a new dry stone-wall located along the open boundary with the playing field. The new wall will give a more solid boundary to the fields and, as is traditional, has been incorporated within the rear wall of the proposed new annex.
- 3.5 The new garage will replace the existing single storey timber stables. The garage tallat steps access a roof storage area (only).
- 3.6 The new two-bed annex will be used as ancillary accommodation for the main house in the short term, primarily as accommodation for the owners elderly parents (see separate business statement provided by the owners) and as a holiday let in the future.
- 3.7 The new garage will serve the main house and will have three bays. Two of the bays will be open for vehicles and the third will be closed for use as a stable. Above the stables on the first floor will be a storage area accessed via stone tallet steps.
- 3.8 The new annex will have an internal floor area of approximately 95sqm spread over a single storey. The new garage will have an internal floor area of 56sqm.
- 3.9 Both the new annex and garage roofs will be slate to compliment the later rear extension to the main house. It should then be clear to read that stages of development from the original house through to the subsequent later extensions and annex. The walls will be a constructed of natural random coursed Cotswold stone and Waney edge timber board. For the doors and windows

we propose aluminium for the annex and timber for garage doors. Gutters and downpipes on both the annex and garage will be galvanised steel. These final details will give a modern twist to the annex and garage and aid legibility of the development. The new boundary wall will be made up of drystone walling from Brockhill Quarry grey and cream walling stone.

- 3.10 There is currently enough space to park 4 cars. The proposal is for two parking spaces in the garage and two spaces externally. There will be no loss or additional parking spaces required.
- 3.11 Wheelchair access will be provided via a level threshold to the front door of the annex. It is anticipated that wheelchair users would need a car to access local facilities.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

EH1 Cotswolds AONB

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH9 Historic environment

EH10 Conservation Areas

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks consent for the removal of existing stables and erection of new single storey two-bed annex and detached garage/workshop.
- 5.2 The application relates to the domestic curtilage of a Grade II listed detached dwelling located on Church Road, Churchill. It is located within Churchill Conservation Area and the Cotswold AONB.
- 5.3 This application was deferred for a Members site visit at the September meeting which will take place on the 3rd October.
- 5.4 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:

Design, scale and siting and impact on the Heritage Assets.

Principle

- 5.5 In terms of the principle of development, a proposed annexe building and outbuilding within the existing domestic curtilage in this location would be acceptable subject to compliance with relevant policies of the Local Plan including OS2, OS4, EH9, EH10, EH11 and H6.

- 5.6 Officers note the 2015 permission for an oak-framed garage on the site of a previous corrugated garage (ref: 15/01395/HHD). The previous garage has been demolished with the concrete base remaining. No other development has taken place in relation to this scheme.

Siting, Design and Form and Impact on the Heritage Assets

- 5.7 The proposed development, comprising two substantial stone and slate single storey buildings, would be of a substantial scale in an elevated and prominent location on the northern boundary. To the south east the site lies adjacent to a recreation area and is characterised by vegetation and an undeveloped character. Officers consider that the siting, scale and form close to the boundaries would result in an overly urbanised transformative development which would be contrary to Local Plan Policies OS2 and OS4. Officers have engaged with the applicants in pre-application discussions when officers gave both verbal advice and written advice. It is unfortunate this has been over a period of time and with different officers, however the documented written advice in discussion with the Conservation Officer, has been consistent. The applicants have been advised to move the development in from the boundaries, reconfiguring the development to give a similar amount of accommodation in a less harmful form and siting. The proposed sketches provided by the Conservation Officer have been declined and the applicants wish to pursue the current scheme without further amendments.
- 5.8 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 193 and 194 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation. 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. In this case the proposed buildings in their current form and siting, would result in less than substantial harm to the setting of the listed building failing to preserve the historic significance of the setting of Grade II listed Corner House or the Grade II* listed church without public benefit which would be considered to outweigh the harm, contrary to policies OS2, OS4, EH9, EH11 of the adopted Local Plan 2031, Design Guide 2016 and relevant paragraphs of the NPPF.
- 5.9 Within the Conservation Area the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to the consideration of the application. In terms of the advice in the National Planning Policy Framework paragraph 196, the harm to Churchill Conservation Area would be 'less than substantial' affecting the settings of the host dwelling and setting of the listed church. However, that would still represent a harmful impact, adversely affecting the conservation area's significance as a whole. The application has not demonstrated public benefit that would outweigh the harm.

Impact on the AONB

- 5.10 The property is within the Cotswold AONB. Paragraph 172 of the NPPF has regard to the weight to be given to conserving the landscape and scenic beauty of the AONB. In this instance

the proposal is an addition to a dwelling in a residential area and therefore it is not considered it would be harmful to the wider AONB.

Highways

- 5.11 Officers do not consider that the proposed development will have a detrimental impact on highways safety or the local road network due to the available off street parking provision on the site.

Residential Amenities

- 5.12 In terms of residential amenity officer consider the proposed buildings and use as an annexe would not have an unacceptable impact on neighbouring amenity, and could be conditioned appropriately.

Conclusion

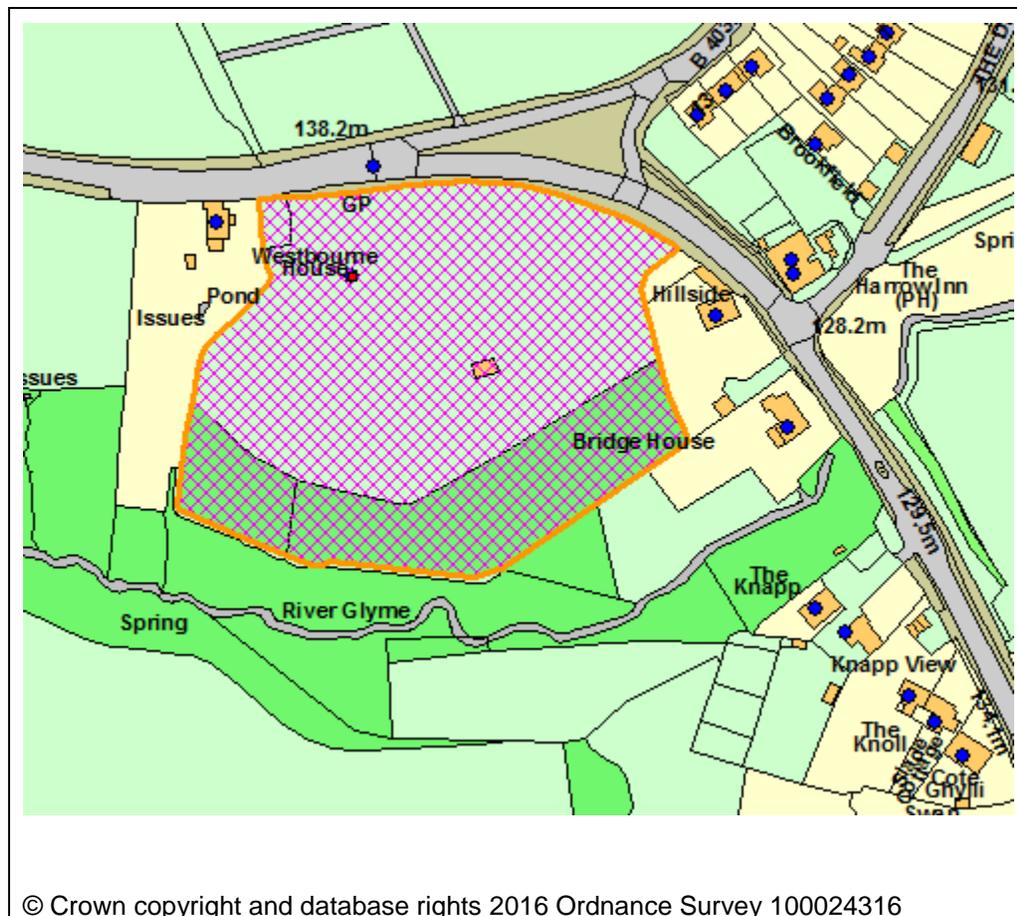
- 5.13 In light of the above assessment, the application is recommended for refusal being considered contrary to the provisions of policies OS2, OS4 EH9, EH10, EH11 and H6 of the adopted Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

6 REASON FOR REFUSAL

- 1 By reason of their siting, scale and form, the detached annexe and separate garage and workshop, located in an elevated position adjacent to the highway on the northern boundary and within the setting of the Grade II* listed church to the south east, will visually extend built development into an area of the village characterised largely by undeveloped greenery. As a result, the proposed buildings would have a transformative and urbanising impact on the rural character and appearance of the area, which fails to preserve or enhance the character of the Conservation Area, fails to conserve and enhance the natural beauty of the Cotswold Area of Outstanding Natural Beauty and adversely affects the rural setting of the adjacent public footpath. As such, the development is considered contrary to policies BE2, BE5, NE4 and TLC1 of the West Oxfordshire Local Plan 2011 and relevant paragraphs of the NPPF.

Application Number	19/00991/RES
Site Address	Land South Of Oxford Road Oxford Road Enstone Oxfordshire
Date	25th September 2019
Officer	Chris Wood
Officer Recommendations	Approve
Parish	Enstone Parish Council
Grid Reference	437392 E 224574 N
Committee Date	7th October 2019

Location Map



Application Details:

Erection of 29 dwellings along with the associated infrastructure.

Applicant Details:

Mr Dan Hatcher, Rosconn House, 1 Grove Road, Stratford upon Avon, CV37 6PE

I CONSULTATIONS

- I.1 Parish Council Enstone Parish Council submitted the following comments regarding this planning application (Land South of Oxford Road, Enstone, 19/00991/RES):-
1. Hydrology Reports and a Flood Routing plan - these will be essential - the field contains natural springs and there is much concern regarding this. What plans are in place should the water pipes become blocked? Where would the water go?
 2. It is imperative that the builders, developers and architects are aware that the private water supply to one of the houses comes from the top of the hill, across the main road also under the road. In addition, the natural spring in the field adjacent supplies water to six houses and a farm.
 3. What protection will be in place for the houses placed at the bottom of the proposed site - they are at serious risk of flooding.
 4. Sewerage - Thames Water is currently undertaking tests on the current pipes at Enstone's pumping station following two episodes last year when the pipes burst. There is, therefore, concern regarding this.
 5. Materials of the houses - it is stated that there will be a variety of materials used to "add interest to the development" - natural stone, reconstituted stone, yellow bricked garages and rendering - Enstone Parish Council opposes this and asks that materials are used in keeping with the village of Enstone in order that the houses blend in with the rest of the village.
 6. Nature reserve - who will be responsible for looking after this following completion of the development?
 7. Electricity supply - the house next to the development has not been allowed to connect to the Enstone electricity supply but had to be connected to the Lidstone supply - please confirm where this development will be connected to as this needs to be thoroughly investigated.
 8. There is concern that there is no parking available for visitors - the roads are also very narrow and if a car parks, how will lorries get down.
- I.2 ERS Env. Consultation Sites I have looked at the application in relation to contaminated land and risk to human health. We have previously submitted comments relating to the application on 17th April 2019. Since this time I see that an amended site layout has been submitted. The road layout appears to have remained the same and as such the comments submitted in April remain applicable.
- I.3 WODC Env Health - Uplands No objection - comments submitted in April remain valid.
- I.4 WODC Housing Enabler No objection.
Specified details of desired split and levels of local need.

There are currently 2269 households registered on the Council's Homeseeker Plus System as wishing to rent an affordable home in West Oxfordshire that could benefit from this development. Of these, there are 68 applicants that have indicated a wish to rent a home in Enstone.

The bedroom requirement of these 68 households is as follows:
 43 x 1-bed 14 x 2-bed 9 x 3-bed 2 x 4-bed

Of these 68 households, 4 have indicated a local connection to the settlement. It should be noted that applicants are able to select up to 3 three locations when selecting their areas of preference. Only when an applicant makes a successful bid to the Homeseeker Plus System will their full connections to areas within and the whole of West Oxfordshire be picked up.

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| I.5 | WODC Landscape And Forestry Officer | No Comment Received. |
| I.6 | TV Police - Crime Prevention Design Advisor | No objection but recommended increased natural surveillance of parking areas. |
| I.7 | Major Planning Applications Team | <p>Flood Risk Engineer - No Objection to the layout on the basis that:</p> <ul style="list-style-type: none"> • The Spring head location is exactly as it emerges on the topographic survey, and; • A swale where feasible or filter edge drain from the northern garden boundary of Plot I, along the north edge of the turning head which connects into the Spring head at the Plot II. <p>If the land drains network proposed previously is still required, connecting pipes from properties should be directed straight out to communal areas. Any outfall pipes from the land drains will not be acceptable under adopted highway unless adopted by Thames Water. However maintaining the spring head should minimise the requirement for the land drains.</p> <p>Transport Planner - No Objection.</p> |
| I.8 | Conservation Officer | No Comment Received. |
| I.9 | ERS Env. Consultation Sites | <p>The environmental assessment report has sampled and tested soils and monitored for soil gases, in view of nearby infilled former quarries. Little of concern was found although the report recommends removal or capping of a "hotspot" in the vicinity of sample location WS04. I note that this test location appears to fall beneath either the roadway or within the public open space area, and thus may receive "capping" by default, as a matter of course.</p> |

I also note that the report recommends full radon protection

measures should be installed to dwellings, and concur that this proposed development is in an area where full radon protective measures are required.

My comments are not related to any specific condition covering land contamination matters for this application.

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| I.10 | WODC Env Health - Uplands | I have reviewed the application and the technical noise report. I agree with the detail and its conclusions. On the basis of this assessment, and providing the recommended mitigation measures are implemented, I consider that noise does not represent a constraint to the proposed development, and the planning condition can be discharged. |
| I.11 | WODC Housing Enabler | No Comment Received. |
| I.12 | WODC Landscape And Forestry Officer | No objection to amended plans providing the detailed layout drawing shows no development (including footpath and road) within the RPAs of retained trees along roadside boundary and working space provision beyond those. In addition, an additional 6-8m clearance from the RPA to nearest dwelling as mentioned earlier. |
| I.13 | TV Police - Crime Prevention Design Advisor | No objection but recommended improvements to security aspects of the proposed layout. |
| I.14 | Thames Water | <p>Waste Comments</p> <p>"We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."</p> <p>With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of</p> |

surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices> Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

2 REPRESENTATIONS

2.1 Five letters of objection have been received, relating to all of the following matters:

1. Highway safety concerns relating to access near a bend at an accident "black spot" on the busy A44 main road in the absence of traffic lights (which would cause queues, pollution and noise). Other concerns include speed of traffic on the A44, which often exceed the 30mph limit and whether there are adequate splays for service vehicles and cars at the same time.
2. Cumulative impact on character and neighbourliness in the village
3. Impact on local services (including services in Chipping Norton), such as schools and medical services, including adverse effect on already long waiting times at Chipping Norton Health Centre.
4. Potential impact on water supply to other dwellings nearby to the south of the Glyme, including Litchfield Farm and related dwellings and Bridge house, which depend on springs in an adjoining field. Concerns in this area are increased due to inaccuracies in Travis Baker report, reliance on probabilities in relation to the source that feeds these springs. Lack of clear acknowledgement of legal duty not to "deprive properties of water supply" and inadequate information about hydrological conditions.
5. Impact on route of historic spring that served the "Enstone Marvels", which may be affected by the development (further investigations requested)
6. Risks of flooding to proposed dwellings (particularly on the lower bank in wet winters) from the numerous springs on the site; and to existing dwellings (including Hillside) and/or related land due to underlying geological conditions and the existence of primary and secondary aquifers, as described in the geo-environmental assessment. Possible

- displacement of spring water arising in the site into neighbouring land (including Hillside); or flooding arising from culverts blocked or damaged during building/ excavations.
7. Foul water drainage concerns, especially as some houses appear to be lower than the road. Also concerns about risk of contamination or damage from new sewer piping (and perhaps other services) crossing close to existing culverts used by existing spring water.
 8. Preference for natural stone rather than a variety of materials, including yellow brick and render.
 9. Impact on trees and/or wildlife, including loss of access to Lower nature reserve; and impact on grass snakes that normally bask in the sunshine on the Westbourne house boundary. Also possible impact of proposed swale and land drain on ground conditions in nearby properties (including Hillside and related land) and adverse impacts on trees and/or wildlife; and impacts of possible encroachment of residents into the woodland areas and thence into adjoining private land.
 10. Possible impact on electricity supplies.
 11. Affordable housing units welcomed by one resident but another resident thought they should be primarily designed for parish residents.

3 APPLICANT'S CASE

3.1 The Summary & Conclusions of the Design Statement submitted in support of the Reserved Matters application reads as follows:

- 29 dwellings at Land South of Oxford Road, Enstone, Oxfordshire.
- The scheme proposals will bring forward housing to meet local needs, including 51% affordable housing.
- The proposal is of a scale that is proportionate to the size of the settlement, and will not have any adverse affects in terms of highway safety, amenity of neighbours, flood risk, heritage, ecology or any other environmental requirements.
- The scheme complies with all relevant national and local planning policies and guidance.
- The scheme proposes a high quality development of 29 dwellings which respects and complements the existing character of the surrounding area and local village context.

3.2 The Conclusion of the submitted Planning Statement reads as follows:

The application along with the supporting documents and plans follows the principles established in the Outline Permission, complies with the relevant planning policies and seeks to meet other relevant guidance to ensure an overall high-quality development. As such in accordance with NPPF Paragraph 11 c) that proposals should be approved without delay.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

H3NEW Affordable Housing

H4NEW Type and mix of new homes

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH2 Landscape character

EH3 Biodiversity and Geodiversity
EH4 Public realm and green infrastructure
EH5 Sport, recreation and childrens play
EH9 Historic environment
EH11 Listed Buildings
CN2 Chipping Norton sub-area Strategy
DESGUI West Oxfordshire Design Guide
NPPF 2019

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal is a reserved matters application for the erection of 29 dwellings and associated works on 1.7 ha of land to the north west of the polyfocal village of Enstone. This is pursuant to an outline application for up to 29 dwellings and a new access off Oxford Road granted on appeal on 30 April 2018 (17/00426/OUT). The principle of the development has therefore already been established, and matters such as the access, general highways impacts, drainage and infrastructure have been considered in broad terms. The consideration of the current application relates only to: appearance; landscaping; layout; and scale (the reserved matters). A range of supporting information and detailed drawings have been provided. The approved vehicular access is from the main A44 Oxford Road as it leaves the village heading broadly northwest towards Chipping Norton, just to the east of Westbourne House.
- 5.2 The site is effectively a single greenfield pasture field that is bounded for the most part by stone walling, hedgerow and trees, providing varying density of screening. It is bounded to the north and east by the A44, with allotments beyond to the north and parts of the village (including the grade 2 listed Hillside and Bridge House, the Artyard Cafe and 20th century housing in Bankside and The Drive further to the east. There is open countryside to the west; and marshy land and then the River Glyme to the south.
- 5.3 There are no public rights of way within or adjoining the site, but a public footpath runs north of the site from the A44, joining with Shakespeare's Way.
- 5.4 The proposed scheme would generally follow the indicative layout submitted at outline stage and discussed at the recent appeal (ref. APP/D3125/W/17/3282718); with the design of the 29 dwellings reflecting some of the main aspects of Cotswolds architecture and their overall heights generally lower than those indicated in the parameter plan, as also discussed at appeal.
- 5.5 The recent Appeal (which was determined at a time when the LPA could not demonstrate a full deliverable housing land supply) clarified inter alia that:
-the proposed dwellings could be designed to be of a high quality and of an appropriate scale, and that the palette of materials of the buildings could reflect those of the existing locality. In my judgement, there is no reason to suppose that new residential development would not blend with the other existing houses in the locality. [para 29]
 -according to the illustrative drawings, substantial structural planting is proposed along the eastern boundary of the site, with the new housing located beyond. Once established, this planting would reduce the visibility of the new dwellings and provide a wooded

backdrop to Hillside, thereby minimising the impact on this listed building's setting..... [para 33]

- One of my site visits took place during the hours of darkness, and I witnessed the absence of light pollution in the vicinity of the site. I am satisfied, however, that any new lighting could be designed so as to avoid excessive light spillage, thus ensuring that light pollution does not impair the existing dark skies. This could be secured by condition. [para 40]
- The site is largely located within Flood Zone 1 which is at the lowest risk of flooding, with small areas on the southern part of the site within Flood Zones 2 and 3. Although the Council's reason for refusal relating to drainage has been addressed, local residents still remain concerned. In response, the appellant has produced a note specifically dealing with flooding, drainage, groundwater and water supply matters that supplements the revised Flood Risk Assessment and - - Drainage Strategy. On the basis of all this evidence, I am satisfied that flood and drainage matters can be appropriately dealt with by a condition. [para 41]
- In terms of ecology, the site is not subject to any statutory designations. I am satisfied that appropriate mitigation measures could be undertaken, secured by condition, to ensure there is no negative effect on nature conservation interests, or any protected species present within the site. - - There is also the opportunity for ecological enhancement and habitat creation through new planting. [para 42]
- The submitted planning obligation dealt adequately with affordable housing and necessary contributions towards infrastructure and services;

5.6 Officers take from the above that the LPA is fully entitled to require high standards for this development at reserved matters stage, with particular reference to (a) design, including external appearance, scale, materials and layout; (b) landscaping; (c) external lighting; (d) surface water and other drainage systems; and (e) protection and enhancement of ecology/ biodiversity.

5.7 The proposal has been subject to amendments that have resulted in:

- Altered house designs in certain locations, particularly in the northern half of the site
- A wider planting bed along the northern boundary that I now a minimum of 6-9m wide and is considered acceptable
- Relocation of the means of managing the spring that emerges into the site so that it is redirected away from housing via an external culvert

5.8 Prior to the recent Appeal decision, there had been no previous relevant planning history associated with the site.

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

Principle
Siting, design and form
Trees, landscaping and ecology Heritage
Highways Safety
Drainage

Principle

- 5.10 The principle of development has been accepted as a result of the allowed appeal granting outline planning permission. The access was also approved under the outline permission.

Siting, Design and Form

- 5.11 Condition 1 of the outline appeal decision referred to the reserved matters needing to be in general accordance with the submitted illustrative layout and parameters plan. To that end the plans now submitted reflect the intentions at the outline stage and in your Officers opinion are a suitable basis on which to proceed. All houses would be 2-storey and the maximum heights indicated when the proposal was discussed at the appeal have been adhered to.
- 5.12 The scheme shows that 30 dwellings can readily be accommodated on the site, whilst leaving areas of open space and landscaping that are both acceptable in terms of overall amount for a development of this size (which does not justify an equipped area for play) and improve management of floodwater via a swale. There would thus appear to be no need to seek to reduce the number of units. Making the best use of land is important in reducing the pressure to release further sites.
- 5.13 The amended layout respects the discussions at appeal that emphasizes the need to provide natural screening to the north and to retain existing trees as far as possible. The proposal is now considered acceptable by the Council's Trees and Landscape Officer.
- 5.14 The built form would be relatively low density with all plots having a suitably sized garden area in relation to the size of the dwelling. Plots do not encroach into peripheral areas of the site.
- 5.15 All houses would be 2-storey and a mix of house types is proposed all of which follow a similar design approach that (as amended) reflects traditional vernacular forms found in Enstone and elsewhere in the District, whilst retaining a degree of individuality.
- 5.16 The buildings are laid out informally in an amended layout that reflects the outline proposal; and house 1 is pulled back from the northern boundary and, especially when the screening on this boundary is established, will minimize visual impact approaching the site from public rights of way from the north and from vehicles approaching on the A44 from, the northwest
- 5.17 As specified in the submitted design statement, four facing materials would be used: natural stone, buff brick and rough cast render and reconstituted stone, with natural stone properties to the northern edge of the site facing Oxford Road to complement the existing character of the village. Roofs would be natural slate. Notwithstanding the plan, Officers have some reservations about the materials and therefore samples of all materials would need to be provided and agreed by condition.
- 5.18 There is some integration of open market and affordable units but the Council does not have a policy requiring affordable units to be distributed throughout a development, and social housing providers tend to find properties easier to manage where they are grouped together.
- 5.19 There would therefore be no grounds to seek a different arrangement from that proposed.

Trees, Landscaping and Ecology

- 5.20 The site currently has a significant numbers of large mature trees (including many tall non-native pines) and in the established hedgerow that runs along its northern edge and there are generally smaller trees along its other boundaries. The majority of trees within the site would be retained other than along the northern edge where a combination of the need for visibility splays to the east of the access, the topography within this part of the site and a desire to reinstate a better quality stone boundary wall mean that most of the trees near the access will have to be removed. The amended proposal provides an adequate planting belt to enable mature trees to become established in future and the relatively low ridge heights close to this boundary will reduce adverse impacts in the short term. The amended layout also maximizes the opportunity to retain trees further to the east and provides a greater space between trees and houses that is intended to reduce pressure ion these trees in future.
- 5.21 A landscaping scheme has been provided and this shows that large numbers of trees of varying species and size would be planted, as well as hedgerow and shrubs. In order to break up the built form, trees would be planted in rear gardens, broadly along contours.
- 5.22 The Council's Ecologist has reviewed the landscape plans which include ecological enhancements and is content that these are appropriate.

Heritage

- 5.23 The effect of the development on the grade 2 listed buildings Bridge House and Hillside to the east was discussed in detail at the appeal; and the Inspector determined that the level of harm to both heritage assets would be limited and should therefore be placed at the lower end of the 'less than substantial' spectrum. In accordance with the Framework, the harm to heritage assets, although less than substantial, needs to be weighed against the public benefits of the proposal.
- 5.24 In this context, the Inspector concluded that in this case, the harm to heritage assets would be outweighed by the scheme's public benefits.
- 5.25 As the layout has retained a similar degree of separation between the housing and the listed buildings and the layout has followed a similar approach to that discussed at the appeal, there would appear to be no reason to reach a different conclusion in relation to the proposal.
- 5.26 In this context, having regard to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, officers consider that the settings of the Listed Buildings would not be significantly affected; and the public benefits of the proposal, principally its contribution to the overall housing land supply and provision of affordable housing, would outweigh this limited harm.

Highways

- 5.27 The principle of the means of vehicular access from the A44 was established as part of the outline consent (despite the issue being raised again by some local; residents). The details of the highway layout for the development now considered by OCC are generally acceptable and the Highways Officer has no objections to the proposal.

- 5.28 The pedestrian links through the site are considered desirable in providing a degree of connectivity to the existing village and public rights of way.
- 5.29 Matters in relation to adequacy of the access (which was specified under the approved outline application) and impacts on the local highway network were considered under the outline application and do not need to be revisited under reserved matters as there has been no change to the number of dwellings.

Drainage

- 5.30 Drainage is a major concern of several of the objectors due to the presence of a spring within the site and others in nearby fields, some of which are used to supply drinking water locally, leading to a number of concerns about impact on water flows within the site and possible damage to existing culverts.
- 5.31 Concerns relating to this issue were raised and discussed in some detail at the appeal; some of these concerns do not appear to relate to planning matters and a number of them are likely to be resolved under the surface water drainage condition applying to the outline approval.
- 5.32 In any event, the layout has been altered to relocate the spring head location so that it is located where it emerges on the topographic survey and a swale or filter edge drain will take any excess water away from the dwellings in compliance with the request of the County Council Flood Risk Engineer, who no longer objects to the scheme.

Conclusion

- 5.33 The applicant is seeking reserved matters approval for appearance, landscaping, layout, and scale. All matters of principle, including means of access, were addressed at the outline stage and dealt with by the appeal Inspector.
- 5.34 The layout and design are acceptable, but the use of materials would be subject to conditional approval. There would be no unacceptable impact on residential amenity arising from the scale, layout and design proposed.
- 5.35 Surface drainage is dealt with in existing conditions attached to the outline approval which requires among other things an assessment of the hydrological and hydro-geological context of the development.
- 5.36 Built form and hard surfaces are set away from boundaries and there would be no unacceptable loss of trees and hedgerow subject to replacement planting in an appropriately sized planting strip along the northern boundary. Appropriate ecological enhancements are provided.
- 5.37 The proposed 29 dwellings can be comfortably accommodated on the site without significant detriment to the character and appearance of the area, or substantial harm to the significance and setting of heritage assets. The less than substantial harm in heritage terms is outweighed by the public benefits of delivering new housing (including affordable housing) and the economic and social benefits that are associated with new development and an increased resident population.

5.38 The proposal is considered acceptable and is accordingly recommended for approval subject to conditions.

6 CONDITIONS

1 The development shall be commenced within either five years from the date of the outline permission granted under reference 17/00426/OUT, or two years from the date of this approval, or where there are details yet to be approved, within two years from the final approval of those matters.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out to houses numbered 2, 3, 4, 5, 6, 7, 13, 14, 15, 16, 19 and 20 on Proposed Site Layout Plan ref. 3445-02 rev. P other than that expressly authorised by this permission.

REASON: Control is needed to avoid overlooking and to ensure adequate remaining amenity space.

4 Prior to first occupation of any dwelling, all bathroom/WC windows to that dwelling shall be fitted with obscure glazing and shall be retained in that condition thereafter.

REASON: To safeguard privacy in the neighbouring properties.

5 The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

6 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows, doors, chimneys and garage doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

7 Notwithstanding the submitted materials plan Ref 3445-04 Rev D the materials are not approved. Prior to the commencement of construction, samples of all external walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed fully in accordance with the approved details. Prior to commencement of the construction of any external walls, a sample panel of external walling for each of the proposed walling materials shall be erected on site and approved in writing by the

Local Planning Authority. Thereafter the external walls shall be constructed in accordance with the approved panels which shall be retained on site until the development is completed.

REASON: To ensure appropriate use of materials and ensure that the mix and colour of mortar, and coursing of the walling, is satisfactory in order to safeguard the character and appearance of the area.

- 8 Notwithstanding the submitted plans, prior to the occupation of any part of the development, full details of the proposed location, layout and any means of enclosure of the bin collection areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

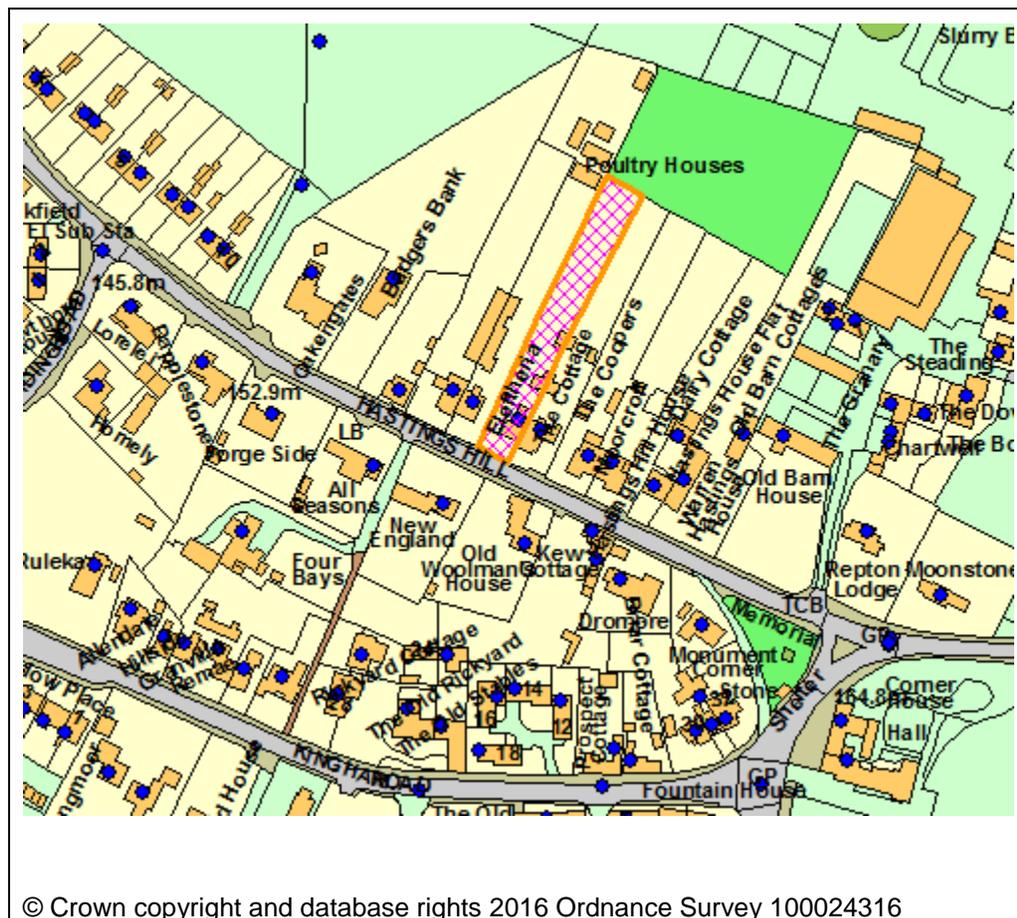
REASON: In the interests of amenity and highway safety.

NOTE TO APPLICANT

- I For the avoidance of doubt, the application shall adhere to the conditions and legal agreement associated with the outline permission 17/00426/OUT.

Application Number	19/01067/HHD
Site Address	Eleftheria Hastings Hill Churchill Chipping Norton Oxfordshire OX7 6NA
Date	25th September 2019
Officer	Abby Fettes
Officer Recommendations	Refuse
Parish	Churchill Parish Council
Grid Reference	428175 E 224356 N
Committee Date	7th October 2019

Location Map



Application Details:

Erection of two storey side and rear and single storey rear extensions. Alterations to enlarge existing vehicular access and provide additional off-street parking (amended).

Applicant Details:

Mr Thomas Burdett, Eleftheria, Hastings Hill, Churchill, Oxfordshire, OX7 6NA

1 CONSULTATIONS

- 1.1 Parish Council The only reservation which the Councillors have to this application is the removal of the front wall. The plan shows three parking spaces at the rear so is it necessary to create more at the front by removing the wall? It spoils the street scene.
However, on a positive note, any move to encourage less car parking on Hastings Hill has to be a benefit.

2 REPRESENTATIONS

- 2.1 One neighbour objection as follows:
- 2.2 I live in the adjoining property. It is semi-detached with the Applicant's property. Every one of the architect's drawings has omitted to show our dining room window which is positioned at the rear of our property, next to the Applicant's proposed kitchen wall. That proposed new kitchen wall would block out virtually all of the light into our dining room, which is already a dark room. The Applicant's new kitchen wall would extend above the height of our dining room window and continue beyond our conservatory. And so our dining room would become very dark indeed.
- 2.3 My second concern is that of evening sunlight into our conservatory. The Applicant's proposed two storey extension would totally block out any evening sunlight we currently benefit from in the conservatory, making it redundant for its purpose at that time of the day

3 APPLICANT'S CASE

- 3.1 The application is accompanied by a design and access statement which is concluded as follows:
- The proposed works will not affect the character of the property or its setting.
 - There will be no significant impact on the special character of the conservation area.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

EH9 Historic environment

EH10 Conservation Areas

T4NEW Parking provision

DESGUI West Oxfordshire Design Guide

NPPF 2019

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 This application seeks consent for the erection of a two storey side and rear and single storey rear extensions. Alterations to enlarge existing vehicular access and provide additional off-street parking.
- 5.2 The application relates to an unlisted semi-detached dwelling located on Hastings Hill, Churchill. It is located within Churchill Conservation Area.
- 5.3 This application was deferred for a members site visit at the September meeting which will take place on the 3rd October.
- 5.4 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:

Design, scale and siting and impact on the Conservation Area
Residential Amenities

Principle

- 5.5 In terms of the principle of development, a proposed extension in this location would be acceptable subject to compliance with relevant policies of the Local Plan including OS2, OS4, EH10 and H6.

Siting, Design and Form and Impact on the Conservation Area

- 5.6 The proposed extension would be of a substantial scale in relation to the existing dwelling. Policy OS2 of the adopted West Oxfordshire Local Plan 2031 requires any development to be of a proportionate and appropriate scale to its context and the local area. Policy H6 states that extensions which unacceptably dominate the original dwelling which would be of detriment to the original character of the building will be refused. In this case, Officers consider that the proposed extension which projects to the rear and wraps around in a two storey form with single storey element up to the adjoining boundary, is of substantial scale which dominates the original dwelling. By reason of its siting, excessive scale and massing, the proposed extension would fail to appear as a secondary or subservient addition to the host dwelling. As such, the proposed extension will appear overly dominant and will form a contrived relationship with the existing dwelling.
- 5.7 Within the Conservation Area the Council must have regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to the consideration of the application.
- 5.8 In terms of the advice in the National Planning Policy Framework paragraph 196, the harm to Churchill Conservation Area would be 'less than substantial' affecting only its immediate surroundings. However, that would still represent a harmful impact, adversely affecting the

conservation area's significance as a whole. The application has not demonstrated public benefit that would outweigh the harm.

Highways

- 5.9 Officers do not consider that the extension will have a detrimental impact on highways safety or the local road network due to the existing available off street parking provision on the site.

Residential Amenities

- 5.10 In terms of residential amenity, the neighbouring property has raised concerns regarding loss of light and appearing overbearing. Officers agree that the ground floor windows are not shown on the plans. By reason of its siting and scale, Officers consider that the single storey extension will have an overbearing, oppressive and dominant impact on the neighbouring property, creating a tunnelling affect to the dining room window. As such, the application is considered to be unacceptable in terms of neighbouring amenity.

Conclusion

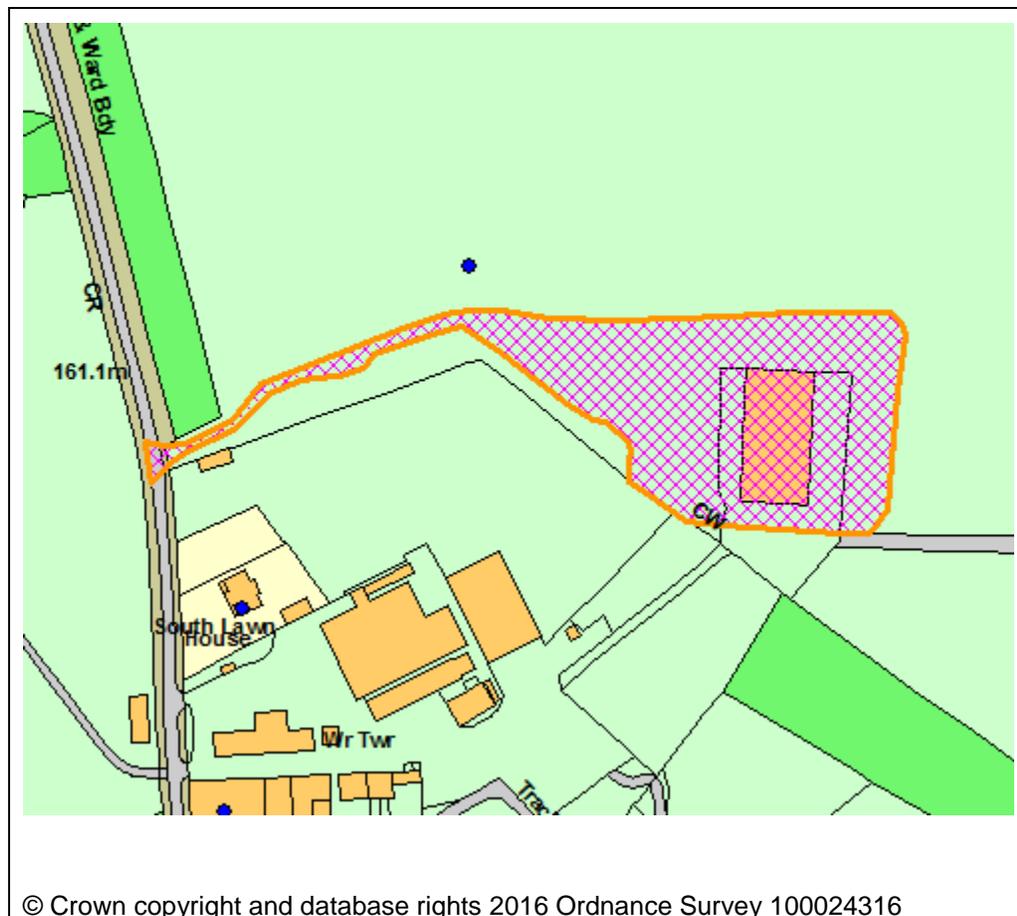
- 5.11 In light of the above assessment, the application is recommended for refusal being considered contrary to the provisions of policies OS2, OS4 EH9 and EH10 and H6 of the adopted Local Plan; WODC Design Guide 2016 and the relevant paragraphs of the NPPF 2019.

6 REASONS FOR REFUSAL

- 1 The proposed extension, by reason of its design, scale and form would be unduly dominating and insufficiently secondary or subservient to the host dwelling and fails to respect the character and form of the host dwelling. In addition, the property is within the Churchill Conservation Area and would have a harmful impact on the significance of the heritage asset without public benefit to outweigh the harm. As such the proposed extension would fail to constitute good design and would be contrary to the provisions of policies OS2, OS4, EH9, EH10 and H6 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Residential Design Guide 2016; and relevant paragraphs of the NPPF 2019.
- 2 The proposed extension, by reason of its scale and siting, would result in a loss of light to, and have an oppressive and overbearing impact on, the neighbouring attached dwelling. Consequently the development as proposed would be contrary to the provisions policies OS2, OS4 and H6 of the adopted West Oxfordshire Local Plan 2031 and the provisions of the NPPF 2019.

Application Number	19/01310/FUL
Site Address	Land East Of South Lawn Swinbrook Oxfordshire
Date	25th September 2019
Officer	Joan Desmond
Officer Recommendations	Approve
Parish	Swinbrook Parish Council
Grid Reference	428754 E 214818 N
Committee Date	7th October 2019

Location Map



Application Details:

Provision of a facility for rural pursuits comprising stables, forage/machinery stores, hound kennels, and key staff accommodation.

Applicant Details:

THHK (Ltd), C/O Agent

I CONSULTATIONS

I.1 Major Planning Applications Team No Comment Received.

I.2 Parish Council The Swinbrook and Widford Parish Council OBJECTS to the plan to develop the land to the east of South Lawn, Swinbrook, as currently proposed, due to inadequacies in the planning application as set out below:

The PC is supportive of the maintenance of rural jobs directly in Swinbrook and indirectly in the area, and of development of the Estate farm buildings at South Lawn for an equestrian centre, however, we note that this is essentially a transfer of existing jobs from the Chipping Norton area, where they have existed for more than a century, to Swinbrook, in an entirely new, more rural context. We have significant objections to aspects of the current plan (set out below) and we look forward to these being addressed more thoroughly, through a potential referral to the Uplands Planning Committee.

The PC has taken great lengths to examine all aspects of this proposal and to take into account the many comments we have received, both for and against the Application. The PC has conducted a private visit to the site in Swinbrook for members of the PC, and also has arranged for a public visit to the site. PC members also visited the existing Hunt kennels in Chipping Norton to understand more about its operation. Finally, in the interest of thorough consultation, the PC conducted a poll of local residents to inform its decisions. Based on the information assembled, the PC has compiled a number of objections and comments on the proposal as it is currently constituted.

We have organised our response into the categories of relevance to planners according to the WODC website, however we would point out that this application is the most significant to come before the Parish Council in many decades. The Application has proved divisive and the subject of much debate in Swinbrook, a small tranquil, hamlet of less than 70 households. Chipping Norton has a population of over 6,300 people. The result of our poll (based on households responding either support or object) suggests that Parishioners are exactly 50:50 split between those supporting and those objecting to this Application.

Traffic generation - OBJECTION

No data has been provided on the number of vehicle movements expected each day and we regard increased car traffic, horse boxes and HGVs, as a major concern for Swinbrook.

1. We note in the application that the development expects, vets, farriers, feedstock merchants, agricultural suppliers, and mechanical jobs all to be supported by the business and therefore using the site.

2. We are unclear whether 'fallen stock' will be taken in, stored and disposed, of as is the case at the current kennel (see separate comment on fallen stock in Noise and Disturbance) generating, at

certain times, a significant amount of farm traffic

3. If there is an expectation that the public events (hound/horse shows and open days) that currently take place at the Chipping Norton site will continue, these too will generate substantial unwelcome traffic. Whether these will, or will not occur has not been made clear, nor has the provision of car parking facilities at the site, if they do.

4. We have been advised, that the Heythrop hunting area is to the north and west of Swinbrook and this will mean few cars or horseboxes will need to approach the development from the South and East through the Swinbrook lane. However, there is no provision in the plan to ensure that access to the site will only, or primarily be, from the B4437 on the northern end of the Swinbrook lane. We regard this as very important and would like to ask how this can be achieved, particularly with the forthcoming potential, long-term, closure of Burford Bridge to HGVs?

5. Because of the increased traffic in recent years, and because road users are using the Swinbrook lane, as a cut through to avoid congestion in Burford, we have just spent three years reducing the speed in our Village from 30mph to 20mph. The new signage was installed in 2019. During early mornings and late afternoons, it is not a "quiet lane". The lane through Swinbrook is a narrow, single-track road with many blind bends, and no roadside pavements. Residents and many tourists, and also cyclists and horses often use the middle of the lane itself. The local authorities

actively promote this lane as a tourist walk and have a duty of care to vulnerable road users. We do not wish to see yet more traffic coming through the village. This is an important safety consideration that can be mitigated by ensuring all hunt kennel visitors, horseboxes and heavy goods traffic enter and leave the site, via the B4437 on the northern end of the Village. The lane from this end here is wider and straight. We would like to see a plan the enable this, within the Application.

6. We already have a sign at the north end of the lane stating that it is unsuitable for HGVs, yet we continue to receive visits by 12 wheel HGVs, perhaps some associated with Estate business, and very large agricultural vehicles attempting to go North- South or the reverse through our village. Damage to walls and buildings has resulted when these vehicles then try to navigate corners. Should the application go ahead, we would insist that all vehicles weighing more than 7.5t be prohibited from travelling through the south end of the village.

7. We also support the OBJECTION raised by the OCC, that the entrance to the site should be modified to ensure that there is no 'overhang' into the lane caused by very long vehicles being unable to get through the gates and waiting for them to be opened.

Scale of development - OBJECTION

New Build Accommodation

1. We feel the scale of new-build residences represents overdevelopment of the site especially with a number of vacant Estate owned houses nearby.

2. Should it be felt necessary to build some new accommodation in this AONB, we recommend that its use be tied directly to the operations of the kennels so that repurposing shall be avoided. Water provision and management. No strategy has been offered in the plan or that we are aware of, to manage surface drainage and to prevent pollution from the site potentially entering the Swinbrook watershed. Given the development seeks to accommodate up to 100 hounds and 10 horses at the site, permanently, we are concerned about containment of contaminated foul surface water and would like to see a plan for this, and for the management of sewage and other waste water.

There is no data or a plan for satisfying potentially increased water demand. We understand that the current water supply to South Lawn is via water drawn by a pump from springs close to the Swinbrook. We are concerned that the scale of the development will significantly increase the requirement for water from these springs. Safe and plentiful water provision is essential, to keep the kennels clean and to meet the standards of best animal welfare practices, whilst ensuring no reduction in quality or provision of water to the Estate cottages. We would like to see the development access mains water supplies for the following reasons:

1. In 2018/19, the springs and upper part of the Swin Brook virtually dried up. This affected some residents who no longer were able to enjoy the brook flowing through or close to, their properties and created risks to local ecology. Evidence from a local consultant indicated lack of rain was a primary cause. Due to climate impacts, uneven rainfall is expected to increase, so that these drying incidents will become more common. Any increased abstraction caused by this development will potentially exacerbate this problem

2. We understand that some rainwater harvesting is now practiced by the Estate. We would like to be reassured that this mitigation strategy is in place, as the demand for water may be higher than in the past. The Met Office suggests that past rainfall, may become a poor indication of future rainfall, so a mains system may future-proof the development.

3. It is possible for the mains supply to be extended to the site e.g. from Langley to fully mitigate these issues, albeit at some cost.

Noise and disturbance - OBJECTION

We and many local residents, are concerned that the noise created by 100 hounds kept at the site will cause a significant barking and howling noise and nuisance, especially to occupants of the residences immediately to the north and south of the development.

1. The Application offers no means of assessing the potential noise impact on Swinbrook. It would be helpful to have a sound survey and noise map created, similar to that created for an S278 requirement, offering contours of expected sound impact. Clearly, this will depend on a number of factors including wind direction.

2. Visits were made to the current site for the purposes of listening to noise generated in the early morning. Standing at a distance of 1.5 miles, the sound of the hounds was easily audible, despite the much

noisier backdrop of the built up area and main roads. Without a thorough assessment of noise impact on residents and a plan for noise reduction, we cannot support the current application.

Fallen Stock - OBJECTION

1. We notice that the application makes no mention of facilities for the management of fallen stock but we are aware that it is collected, stored and disposed of at the current site. We object to these activities taking place at Swinbrook because of environmental health concerns (the smell and attracted flies among others) as well as the increased pressure this service would place upon our roads (see comments in traffic generation). We understand this could amount to deliveries filling three containers of fallen stock, being delivered each week. However, we do recognise that the collection and disposal of fallen stock is a very valuable service to local farmers provided by the Heythrop, and we recognise that this should continue.

However, we understand it may be possible to continue providing this service at another site. We would like clarification on this issue.

Design, appearance and layout - COMMENT

1. The design of accommodation at the site is in keeping with the style of the development as a whole, but not in keeping with the style of domestic residences in the village (Cotswold stone). We are concerned that this should not set a new precedent for domestic residences and whilst we do not object to this design in context of the proposed scheme, we recommend that should these buildings cease to be utilised for the purpose outlined, this should not set a precedent for any future housing development at the site or anywhere else in our Parish.

Affects on local ecology - COMMENT

Many Parishioners have raised concerns about the potential impact of the development on the ecology of the area. This is an especially sensitive topic in Swinbrook owing to the Village being within an Area of Outstanding Natural Beauty and also a Conservation area that is enjoyed for its tranquility and wildlife, by both residents and visitors. We offer these comments in the context of The Cotswold AONB Management Plan: Policy LPI - key characteristics, principal elements, and special qualities (including tranquility), which for the natural beauty of the Cotswold landscape are conserved and where possible enhanced.

1. Development of the site: We note that the ecological survey regarding the impact of the new buildings was a very brief assessment, undertaken in September 2018. At this time there would be few nesting animals on the site and the surveyors themselves have noted this and have recommended that due consideration be given to conducting a survey of the site at another time. This should be conducted across all areas to be affected by the construction activities, at a suitable time prior to work commencing.

2. Exercising the hounds: The impact of 100 hounds being exercised daily around Swinbrook, is unlikely to be beneficial to local wildlife, due to repeated noise, physical disturbance and potential predation in a particular area. However, there is no information in the Application

on what this impact might be or how it might be mitigated. We do understand the hounds will be well controlled. We consider that the hounds will have a new and material impact on the area, both positive and negative, and careful consideration needs to be given to mitigating any negative impacts. Otters and voles have at last started to make a comeback on the Windrush river and the Swinbrook stream, after decades of absence. The upland areas of the Swinbrook estate are important habitat for Skylarks, the population of which has declined by 75% in the last 40 years on UK farmland. Other ground nesting species, such as lapwings, now rarely seen around Swinbrook, may be affected, along with other species.

3. Exercise routes: We would like to see a broader Ecological Risk Assessment indicating the potential exercise routes to be used by the hounds each day, and embracing the need to minimise any negative impact on wildlife, especially on threatened or declining species, that also use the proposed exercise area. This will be most important during the nesting or breeding season. We recommend a consultation is held where residents can provide input from local knowledge and local experts are consulted, to build a picture of the most sensitive areas and times of year, to assist in drawing up such an assessment.

4. Domestic pets: Concerns have been raised about the potential for escaped or poorly controlled hounds, entering properties in Swinbrook and endangering or harming pets. The Application offers no plan to mitigate these potential incidents and no data on how frequently they occur in their current location. We are therefore unable to assess this risk and would like to see information on this.

Character of the Area - COMMENT

There is no question that the physical and social character of the village would change should it effectively become the "Headquarters of the Heythrop Hunt". Based on our poll of the village it is impossible for us to pronounce upon the 'good or bad' of such a change. We have therefore offered the following comments for consideration.

1. It is likely that the business and reputation of the Hunt, will come to define Swinbrook in a way that it could not, in a large town, such as Chipping Norton. Whilst up to half of the village may welcome the Hunt in the Village, the remainder may not. This divisiveness will unfortunately be regularly revisited, if Hunt public events were to take place at the site.

2. We have been provided with no independent reassurances about the possibility of hunt saboteurs creating conflict at the site or in the village (see response from Thames Valley Police). We would like to be reassured on this matter by the police, including those who have knowledge of the history of incidents at the Chipping Norton site, from 2012, when the Hunt received a great deal of adverse publicity following its conviction for illegally hunting foxes. For a number of villagers safety and security is a real concern, especially as some have already been targeted with leaflet propaganda from anti-hunt groups advocating against this Application. We are simply unable to assess what impact this kind of attention from hunt saboteurs may have on

		the security of our currently quiet and tranquil village life.
I.3	Major Planning Applications Team	<p>Highways - No objection subject to:</p> <ul style="list-style-type: none"> - An obligation to enter into a S278 agreement as detailed below. - Planning Conditions relating to means of access and vision splays. <p>Lead Local Flood Authority -Objection on the grounds that no Surface Water Drainage Strategy has been provided.</p> <p>County Archaeological Officer - No objection subject to conditions to safeguard the identification, recording, analysis and archiving of heritage assets.</p>
I.4	Conservation Officer	No Comment Received.
I.5	Biodiversity Officer	No Comment Received.
I.6	ERS Env. Consultation Sites	The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions.
I.7	WODC Env Health - Uplands	Following a site visit yesterday to the above site and a further site visit to view the existing kennel in Chipping Norton, of which we don't receive noise complaints; I have No Objection in principle and have no justifiable conditions to recommend.
I.8	WODC Env Services - Landscape	<p>Overall, I support the general mitigation strategy.</p> <ul style="list-style-type: none"> - I suggest relocating the belts of trees much further away from the buildings. In many cases there are some potentially very large ones proposed within 2m of the buildings. It is likely that this would cause maintenance problems in the future and may lead to their loss. This is particularly so along the eastern boundary where very large trees are proposed within a few metres of residential properties and domestic windows. The woodland belts are more likely to achieve their intended function if they were relocated well away from the residential units and areas of buildings and operations. At the very least they should be located at a distance where their ultimate height and spread will not impact on operational requirements. - Bearing in mind the most prominent views of the site are from the north I suggest extending the tree belt to the west to link in with the Horse Chestnut avenue, the idea being to link with existing woodland and to ensure the new complex is placed in a better setting. - Taking into account the width of tree belts around the existing property and the visualisation accompanying the application the proposed belts do look to be rather mean.
I.9	Natural England	No comments.

- | | | |
|------|---|---|
| I.10 | WODC Planning Policy Manager | No Comment Received. |
| I.11 | TV Police - Crime Prevention Design Advisor | The only advice I can offer at this juncture is to refer the applicants to the principles and standards of the police's Secured by Design (SBD) scheme. |
| I.12 | Thames Water | No objection. |
| I.13 | Adjacent Parish Council | No Comment Received. |

2 REPRESENTATIONS

2.1 41 letters received objecting to the application are summarised below with reference to relevant planning issues.

- Increase in traffic
- Harmful to Cotswolds AONB
- Noise/disturbance nuisance
- Inadequate ecological appraisal
- Will increase demand for water
- Health and safety risks
- Harm to ecology
- Contrary to NPPF as will create a fear of crime
- New homes/development will set a precedent
- Pollution concerns

2.2 63 letters in support of the application are summarised below:

- Suitable location
- Will benefit local economy
- Design in keeping with local environment
- Secures future of a traditional rural activity
- Design of buildings will mitigate noise from hounds
- Could be argued that it will generate less traffic than previous livery use
- Will enhance character of the area
- Better site than that at Chipping Norton

2.3 Oxfordshire Badger Group - Object on following grounds:

- Development incompatible with the Cotswold Area of Outstanding Natural Beauty (AONB)
- Inadequate Ecological Appraisal
- Danger and Nuisance from pack of hunting hounds.

2.4 Full comments can be found on the council's website

3 APPLICANT'S CASE

- 3.1 Several supporting documents were submitted with the application and are available to view online. The Planning Statement concludes as follows:
- 3.2 This Statement has provided a detailed assessment of the proposed development against the development plan, National Planning Policy Framework (NPPF, 2019). The principle of providing an employment-led development, incorporating essential agricultural worker accommodation, in this location should be considered in line with the NPPF and the presumption in favour of sustainable development, alongside policies OS2 and H2 of the Local Plan 2031.
- 3.3 The proposed design scheme and technical reports have afforded consideration and assessment to matters relating to amenity, drainage, ecology, heritage, highways and landscape matters. The submitted proposal responds appropriately to comments and suggestions discussed previously with officers during earlier pre-application discussions. The proposal offers significant planning benefits, including the provision and retention of an employment generating rural enterprise, with both direct and indirect economic benefits to the District.
- 3.4 On balance, the proposed development constitutes an appropriate scale and type of development suitable to this location, to assist in the retention of an existing rural business in the District.

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
E2NEW Supporting the rural economy
E3NEW Reuse of non residential buildings
T1NEW Sustainable transport
T3NEW Public transport, walking and cycling
EH1 Cotswolds AONB
EH3 Biodiversity and Geodiversity
EH8 Environmental protection
NPPF 2019
DESGUI West Oxfordshire Design Guide
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 BACKGROUND

Background information

- 5.1 The application seeks planning permission for the provision of a facility for rural pursuits comprising stables, forage / machinery stores, hound kennels, and key staff accommodation. The site is situated within open countryside within the Cotswolds AONB, to the north east of South Lawn in Swinbrook. Access is proposed via an existing gated entry from Swinbrook Road.

- 5.2 The site currently comprises an existing range of modern farm buildings forming part of the Swinbrook estate. A public right of way passes through the southern end of the site running east to west.
- 5.3 Whilst the site itself has no relevant planning history, this application to relocate the hunt yard, follows the approval of planning permission for the existing hunt yard in Chipping Norton to convert to residential use in July 2016. Part of the rationale for that application was to allow the relocation of the THHK premises and activities to a more appropriate rural location elsewhere in the District. The redevelopment of this site for residential use was nevertheless, acceptable on its own merits in planning policy terms.
- 5.4 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

Layout, design and scale

Impact on the Cotswolds AONB

Highway Issues

Neighbouring amenity

Biodiversity

Principle

- 5.5 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. In the case of West Oxfordshire, the Development Plan is the West Oxfordshire Local Plan 2031 adopted in September 2018.
- 5.6 The hunt business operates in a geographical area totalling 550 square miles within the counties of Oxfordshire and Gloucestershire. The site at Swinbrook has been chosen due to its remote location which would meet operational needs including good access to the main arterial routes that cross the business areas of operation; provision and enhancement of current standards of animal husbandry, safety and welfare and opportunities to exercise both hounds and horses. Policy OS2 of the Local Plan seeks to locate development in the right places. This policy recognises that certain types of development is acceptable in the open countryside where it is limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area.
- 5.7 It is accepted that a hunt yard reasonably 'requires' and is 'appropriate' for a rural location. The existing hunt business would remain an important employment generating activity, particularly in the context of the rural economy. The proposed development would employ 10 employees, including 6 fulltime and up to 4 seasonal staff. The business would also support a number of local businesses and trades and as such would have both direct and indirect benefits for the rural economy as supported by policy E2 of the Local Plan.

Need for on-site accommodation

- 5.8 The proposed development seeks permission for the erection of 4 no key worker accommodation units, comprising 1 three bed unit and 4 one bed dwellings. Policy H2 of the local plan considers new residential development. It states that in the open countryside, new dwellings will only be permitted where there is an essential operational need. This is consistent with the revised NPPF, which advises that isolated homes should be avoided in the countryside unless there is an 'essential need' for a rural worker to live permanently at or near their place of work.
- 5.9 The Planning Statement submitted in support of the application states that the key worker on-site accommodation is justified by the nature of the proposed development, specifically from an animal welfare perspective. The proposed operation would employ 10 members of staff, 6 full time and up to 4 seasonal staff. An additional note to further explain the operational need for the accommodation advises that to ensure the highest standards of animal welfare for the hounds it is essential that there is a member of the kennel team on site at all times. The Head of Department (Hounds) & the Kennel Person ('assistant') are both permanent members of staff. It is essential that they are both located on site and in close proximity to the kennels as the hounds are located at the site year round. Having staff present on site provides security and overseeing of the site at all times. The two additional studios would be occupied by seasonal staff working in the stables. It is important that whilst there are horses stabled on site that those staff are in immediate proximity to the stables enabling them to tend and monitor the horses' needs as well as be on hand in the case of emergencies. Mixed ages, status and gender of the team means that house sharing is seldom possible or appropriate. The personnel mix changes from year to year driving the need for flexible on site accommodation solutions. In order to attract the best quality staff and ensure the highest standards of animal welfare the provision of good quality discrete accommodation is needed.
- 5.10 By its very nature, it is recognised that the hunt yard would require a number of both full and part time workers to care for the horses and hounds and to maintain the facilities. It is officers opinion that sufficient justification has been provided for the need for the proposed accommodation for operational purposes in compliance with policy H2 and the NPPF.

Layout, Design and Scale

- 5.11 The submitted Design and Access Statement (DAS) advises that the configuration of the proposed site has been informed by the existing grain store to be retained and the layout of the field tracks which shape the area surrounding the site. An existing three barrel vaulted open storage building will be demolished and the resultant area used a yard around which all the other buildings would be arranged. The DAS states that the over-arching design strategy is to produce a group of buildings with a coherent design code.
- 5.12 The existing grain store will be the largest building and will house the stables. It has a rectilinear footprint with gable ends and pitched roof. This simple form is proposed for all of the new buildings; with the exception of the kennels which will have an open sided projecting gable forming a T shaped building in line with the agricultural vernacular. The storage barn will have mainly single sided open bays with one enclosed bay. The range of buildings which will house the staff accommodation and facilities runs approximately north to south down the sloping site. These buildings are narrow in width (6.5m) with steeply pitched roofs. Following discussions

with the applicant amended plans have been received to give the main dwelling element a more vertical emphasis to reflect its rural context.

- 5.13 The material palette for the new buildings will reflect that of the existing buildings on site using blockwork, metal sheeting and vertical timber cladding. The existing grain store (proposed stables) will have a new profiled metal sheet roof with new trapezoidal rooflights. Profiled metal roofing panels will be used throughout to consolidate the design. All of the new buildings will be vertical timber cladding throughout, where ventilation through the building is required 'Yorkshire Boarding' will be used. Windows and doors will be uPVC in a dark grey/black colour. The boundary fencing will be a hit and miss construction which will allow discreet views both into and out of the site, but restrict direct viewing.
- 5.14 The proposed design strategy which seeks to respect the rural character of the area is considered to be appropriate.

Impact on the Cotswolds AONB

- 5.15 The site lies within the Cotswolds AONB, a nationally important designation, where great weight should be given to conserving and enhancing landscape and scenic beauty. This duty is reflected in policy EHI of the local plan and the NPPF which require great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. This duty is also embodied in the Countryside and Rights of Way Act 2000. The Cotswolds Conservation Board's Management Plan and guidance documents are also material considerations in decision making relevant to the AONB.
- 5.16 A Landscape and Visual Impact Assessment (LVIA) submitted with the application concludes that that the proposed development can be accommodated within this setting without resulting in a significant, long term, adverse impact upon the character of the site, its immediate context, and the wider Cotswolds AONB landscape. While this assessment identifies that the site would give rise to a number of potentially significant effects, these are primarily attributed to the sensitive nature of the AONB landscape that automatically qualifies as a Very High sensitivity receptor. It concludes that the magnitude of change experienced as a result of the site's development remains limited to one of medium magnitude overall; a magnitude of change which is considered acceptable given the sensitivity of the receiving landscape and visual environment. It concludes that any adverse impact arising from the site's development can be successfully managed and mitigated through sensitive design and the inclusion and correct implementation and management of the proposed landscape mitigation measures. These measures will, over time, establish and mature to not only integrate the development into the receiving landscape, but also to provide a positive beneficial addition to the AONB landscape. The LVIA concludes that the proposed development can be successfully integrated into this location, is supportable from a landscape and visual perspective, and meets the requirements of both national and local planning policy in landscape and visual terms.
- 5.17 The Council's Landscape Officer considers there is scope for additional buildings in this location from a landscape perspective and following discussions with the Landscape Consultant improvements have been made to the proposed landscape mitigation and enhancement plan. This includes bolstering the landscape belt planting, by increasing its depth and making it more contiguous with the horse chestnut belt, and also increasing the separation distance of trees from the dwellings to avoid issues later. Given the design, form and revised mitigation measures,

it is considered that the proposed development would not have a significant impact upon the landscape character and qualities of the Cotswolds AONB.

Highway Issues

- 5.18 The access to the site will be via an upgraded existing farm access off Swinbrook Road. It is proposed to adjust the access location and improve both its width and visibility splays. The access would run along the site's southern boundary, broadly consistent with the current access layout. A new Aco drain leading to a soakaway will be installed at the position of the new gates so that no run-off from the site will reach the highway. The road will be 3.7m wide with sufficient provision of passing spaces to allow large vehicles to wait /pass without the need to reverse. The site is designed to allow vehicular access to all areas with turning heads so that all vehicles can enter and exit the site in a forward gear. Parking will be provided in line with parking standards.
- 5.19 County Highways have advised that given the nature of the development it is unreasonable to expect that it could have been located at a site that has existing public transport connections and, therefore, do not consider it appropriate to object on the basis of the unsustainable location (in transport terms). County Highways has raised no objection to the application on highway safety grounds subject to conditions requiring the provision of a satisfactory access and visibility splays.

Neighbouring Amenity

- 5.20 Concerns have been raised in respect of potential noise nuisance from the proposed use. Following these concerns, a noise and disturbance analysis has been submitted which concludes that:
- Staff accommodation is required adjacent to the kennels to ensure that hounds welfare are monitored
 - 24/7 - this also ensures noise is kept to a minimum
 - Hounds don't bark and yap like domestic dogs when locked in a kennel or left alone at home.
 - Hounds are pack animals and are generally at their most content left alone on their runs in kennels
 - Generally any noise from the hounds will be for short periods of time at defined times of the day
 - The current kennels are located in a residential area and we are not aware that there have been any complaints in regard to hound noise.
 - Where possible noise absorbing materials will be used in the kennel build
- 5.21 Following a site visit to the site and the existing hunt yard in Chipping Norton, where there are no records of any noise complaints, the Environmental Health Officer has no objections to the proposed development.

Biodiversity

- 5.22 Policy EH3 of the local plan seeks to protect and enhance biodiversity in the district to achieve an overall net gain in biodiversity and minimise impacts on geodiversity. This includes protecting and mitigating for impacts on priority habitats, protected species and priority species, both for

their importance individually and as part of a wider network, and that all developments retaining features of biodiversity value on site and incorporating biodiversity enhancement features.

- 5.23 A Preliminary Ecological Appraisal submitted with the application indicates clearly that there are no sites designated for their ecological value within or bordering the site and it is not considered likely that any proposed development of the site will impact any designated sites in the surrounding area. Two badgers setts were identified 130m and 260m south-east from the site and a pond was identified 265m to the south-east. It is considered unlikely, however, that the proposed work will have an impact upon badgers or great crested newts. The trees were assessed as potentially supporting nesting birds and roosting and foraging bats and the barn was assessed as potentially supporting nesting birds.
- 5.24 The report prepared by Ridgeway Ecology reflects the need to provide for ecological mitigation measures to protect trees and precautionary working measures are provided for badgers, great crested newts, reptiles, hedgehogs and nesting birds. Ecological enhancements are proposed, and will be incorporated through detailed design. This includes for improved bat roosting potential through installation of bat boxes, retention and planting of trees, and brash piles for reptiles.
- 5.25 Natural England has raised no objection to the application and conditions are recommended to ensure a net gain in biodiversity.

Other Matters

Water provision and management

- 5.26 The Parish Council has raised concerns relating to water provision and management. In terms of surface water drainage, the Local Lead Flood Authority had raised concerns relating to the lack of a surface water drainage strategy. Such a strategy has now been submitted which advises that the additional runoff arising from the development site will be managed in accordance with sustainable drainage principles. A condition is recommended to ensure the implementation of an appropriate drainage scheme.
- 5.27 In respect of the concerns raised in relation to water provision, the agent has commented that the comments about depletion of the aquifer are anecdotal and unsubstantiated in respect of the activities of the Swinbrook Estate. In fact the consumption of water by the Estate's agricultural activities will have reduced substantially over the years. It is understood that the reduction in aquifer levels has been caused by how water is being drawn by Thames Water and development in the direction of Fulbrook and Burford. A sustainable water supply is of serious concern and the applicant is reviewing the opportunity for a separate borehole or the provision of a potable water feed from elsewhere.

Fallen Stock

- 5.28 The agent has confirmed that it is not intended to run a fallen stock service from the new site.

Conclusion

- 5.29 In light of the above, the proposed development is considered to be appropriate for this rural location and will benefit the local economy. The design strategy will respect the rural character

of the area and given its design, form and revised mitigation measures, the proposed development would not have a significant impact upon the landscape character and qualities of the Cotswolds AONB. The development would not have an adverse impact on highway safety or amenity of nearby properties. The development will also provide a net gain in biodiversity.

5.30 Therefore, the application is recommended for approval in accordance with the policies listed.

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 The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plan(s) deposited on 10th and 17th September 2019.
REASON: The application details have been amended by the submission of revised details.
- 3 The living accommodation hereby permitted shall only be occupied by staff employed at the new hunt yard for THHK (Ltd).
REASON: Permission is granted only because of the need for the residential units in connection with the hunt yard.
- 4 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.
- 5 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.
REASON: To safeguard the character and appearance of the area.
- 6 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows (including roof lights) and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.
- 7 All soft landscape works shall be carried out in accordance with the submitted details show on plan 19-0628 V3 and 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.

- 8 A full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate the details shall include a management plan setting out the maintenance of the drainage asset. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010.

The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

- 9 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

- 10 Vision splays shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.9 metres above the level of the access they are provided for.

REASON: In the interests of road safety.

- 11 Before the development hereby authorised is brought into use details of the exercise yard enclosure shall be submitted to and approved in writing by the Local Planning Authority and the fencing installed shall accord with the approved details.

REASON: To protect the visual amenities of the area.

- 12 The development shall be carried out in accordance with the recommendations and suggested mitigation measures set out in the Preliminary Ecological Appraisal dated 29th September 2018 prepared by Ridgeway Ecology.

REASON: In the interests of biodiversity.

- 13 Before the erection of any external walls, details of the provision of bat and bird nesting boxes shall be submitted to the local planning authority for approval. The details shall include a technical drawing showing the types of features, their locations within the site and a timetable for their provision. The development shall be completed fully in accordance with the approved details and the approved features shall be retained in accordance with the approved details thereafter.

REASON: To provide additional bird nesting and bat roosting potential as a biodiversity enhancement, in accordance with the EC Wild Birds Directive, Policy EH3 of the West Oxfordshire District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework and Part 3 of the Natural Environment and Rural Communities Act 2006.

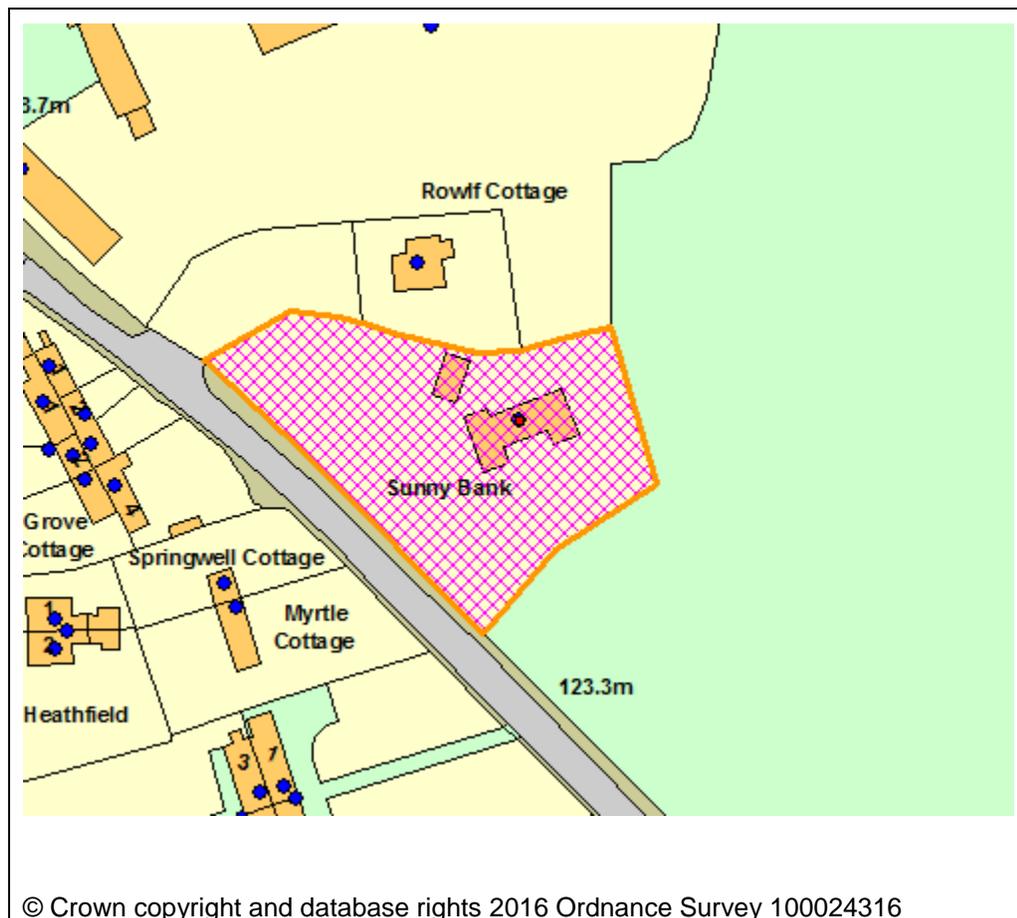
- 14 No development (including demolition) shall be commenced until:
- a) an archaeological written scheme of investigation has been submitted to and approved in writing by the local planning authority;
 - b) a staged programme of archaeological evaluation and mitigation has been carried out in accordance with the approved written scheme of investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication, which shall be submitted to the local planning authority.
- REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF.
- 15 No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.
- REASON: To safeguard the character and appearance of the area.

NOTES TO APPLICANT

- 1 A S278 agreement will be required. Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreement. S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.
- 2 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application Number	19/01931/FUL
Site Address	Sunny Bank Leaffield Road Shipton Under Wychwood Chipping Norton Oxfordshire OX7 6EA
Date	25th September 2019
Officer	Chloe Jacobs
Officer Recommendations	Approve
Parish	Shipton Under Wychwood Parish Council
Grid Reference	428199 E 217327 N
Committee Date	7th October 2019

Location Map



Application Details:

Demolition of the existing dwelling and outbuilding. Erection of replacement dwelling and detached double garage with attached log store and store room above. Close existing access and provision of new vehicular access in revised position with entrance gates and boundary walling together with associated landscaping works.

Applicant Details:

Mr And Mrs Humphrey, Sunny Bank, Leafield Road, Shipton Under Wychwood, Oxon, OX7 6EA

I CONSULTATIONS

- I.1 Thames Water No Comment Received.
- I.2 WODC Drainage Engineers No objection subject to all comments above being taken on board and pre-commencement surface water condition being adhered to in full.
- I.3 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- Recommendation:
Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following conditions
- I.4 WODC Env Health - Uplands I have no objections and no conditions for this application.
- I.5 Conservation Officer The proposed location and footprint are not too different from those of the existing building - and whilst I am inclined to think that the new building is still a little too tall (remembering that the existing building is low-lying and that this is a very prominent site), it is probably not refusably so. With respect to the design, it seems to me that it falls somewhat uneasily between traditional and more contemporary forms, lacking a clear identity. Note that the basic massing is traditional, with steeply pitched gables, but the amount and proportion of the fenestration is more modern - particularly notable to the prominent south elevation, where the sheer amount of glazing subverts the load-bearing masonry walling. The use of timber cladding also seems somewhat arbitrary, and is again not particularly well suited to the overall form. I suggest that the most straightforward way forward with this would be to root it more securely in the vernacular - reducing the amount of glazing (to include narrowing the three-light windows), and reducing the amount of timber cladding, perhaps using it for modelling smaller areas, rather than cladding whole elevations.
- Recommendations: Negotiate for revised proposals, as above, and re-consult.
- I.6 Parish Council Shipton under Wychwood Parish Council welcomes in principle, the application to build an attractive four- bedroom house in place of the rather tired bungalow that currently occupies the site. The Council however has a number of detailed concerns. The application site is

not only within the Conservation area, it also occupies a prominent location at the entrance to the village and as such signifies to those entering the village the way the Parish Council believes that the Conservation Area should be managed.

In this connection, materials have great significance and two materials proposed give rise to concern. First the use of Siberian Larch cladding will be eye catching (in the wrong sense) and is contrary to the West Oxfordshire Design Guide Chapter 4 subsection(ii). This sets out acceptable wall treatment is this area of which the use of wooden cladding is not one. Wooden walling is said to be acceptable in other areas set out in the Guide but not here and using native species only. Similar considerations, but possibly to a lesser extent, apply to zinc roofing which again does not feature in the design guide and is again alien to our Conservation Area.

The Parish Council, whilst welcoming the development of a more attractive property on the site, asks that particular attention is given to these two issues relating to materials either by way of reserved issues or as conditions.

Further clarification from the PC

Shipton PC does not object to the development on the site but it does object to the use of larch as a material. This is because there is no other wood cladding in the village and as it is a Conservation area it would be completely out of place. There is also concern that if allowed this would set a precedent for further developments.

2 REPRESENTATIONS

- 2.1 2 letters of representation have been received. These state:
- 2.2 (1) I live almost opposite the site and have been awaiting the plans with interest. I have studied them thoroughly and approve of both the site layout and the design of the house. It is quite a modest dwelling and looks as if it will fit the site and the area well. Moving the driveway entrance will improve the integrity of the site and shouldn't impact adversely on the rest of the dwellings on Leaffield Road. I would like to support this application wholeheartedly.
- 2.3 (2) The design of the house is an improvement upon the existing dwelling and increased landscaping will shield the larger property from the road in summer. My only concern is the construction of a very high stone wall along the boundary of Leaffield Road. It appears that it may be six foot high. A similar wall on the corner of Fiveways made a previous development appear like a fortified "Fort Knox", very much out of context with the location of traditional low Cotswold stone walls. I have no objection to the wall being increased in height a little, but not to the height suggested by the new gates.

3 APPLICANT'S CASE

- 3.1 The applicant submitted a Planning, Heritage and Design and Access Statement which concludes the following:

- 3.2 This Planning, Heritage and Design and Access Statement accompanies an application submitted to West Oxfordshire District Council for full planning permission and conservation area consent for the demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling with new access, detached garage/parking and associated landscaping, including a new dry stone wall along the site frontage at Sunny Bank, Leafield Road, Shipton Under Wychwood, Oxfordshire,
- 3.3 Having regard to the terms of the Development Plan policies outlined and all other material considerations, the Statement has demonstrated -
- That there are no heritage constraints or limitations to the demolition of the existing buildings on the site;
 - That the proposed development would, in its design, scale, siting, form and external materials, respect and enhance the special character and appearance of this part of the Shipton-under-Wychwood Conservation Area;
 - That the scheme would appropriately conserve the scenic landscape qualities of this part of the Cotswolds Area of Outstanding Natural Beauty;
 - That the amenities of neighbouring residential properties would not be adversely affected;
 - That an appropriate quality living environment would be created for future occupiers of the dwelling;
 - That there would be no adverse impact on existing landscape features on the site that contribute to the visual amenities of the area, with the proposed landscaping ensuring the development would be successfully integrated in to the site and surroundings;
 - That, subject to implementing any mitigation measures arising from a Natural England Licence, that there are no ecological limitations to the development;
 - That the proposals are acceptable in terms of matters of access and parking;
 - That there are no flooding or drainage constraints to the development; and
 - That the proposals would incorporate appropriate sustainability measures to deliver an efficient form of development.
- 3.4 Accordingly, it is considered that the proposals would comply with the relevant policies of the adopted Local Plan, together with those in the NPPF.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

H6NEW Existing housing

EH1 Cotswolds AONB

EH10 Conservation Areas

EH9 Historic environment

EH2 Landscape character

T4NEW Parking provision

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application seeks planning permission for the demolition of the existing dwelling and outbuilding and the erection of a replacement dwelling and detached double garage with attached log store and store room above. The application also seeks planning permission for the construction of a new vehicular access with entrance gates and boundary walling together with associated landscaping works. The application site relates to a detached bungalow sited within a sizeable plot along the Leafield Road. Sunny Bank is prominently located on the edge of the settlement on the north side of Leafield Road. The site lies within Shipton-under-Wychwood Conservation Area and within Cotswold Area of Outstanding Natural Beauty.
- 5.2 The application has been brought before Members of the Uplands Planning Sub-Committee for consideration as Shipton under Wychwood Parish Council have objected to the choice of materials proposed as part of the development.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

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

Principle

- 5.4 Policy H6 of the local plan permits proposals to replace an existing permanent dwelling which is not of historical or architectural value. These proposals will be permitted on a one-for-one basis, provided the character and appearance of the surrounding area is not eroded. A previous application (W92/1455) was submitted for Conservation Area Consent for the demolition of the existing dwelling was approved concluding that the existing dwelling did not contribute to the special character and appearance of the Conservation Area. On this basis, the principle of development is considered acceptable subject to scale, design and amenity issues being carefully considered against the adopted West Oxfordshire Local Plan 2031.

Siting, Design, Form and Impact on the character of the area

- 5.5 The proposed replacement dwelling lies predominately on the footprint of the existing dwelling, albeit of a larger scale in comparison to what already exists. Officers consider the scale to be commensurate with the character and appearance of the immediate built form, albeit that the dwelling would be larger than the existing property. Officers consider that the design of the replacement dwelling would be consistent with the character of the existing properties within the immediate street scene.
- 5.6 In terms of design, the proposed two storey dwelling seeks to use a mixture of coursed rubble stonework and Siberian larch cladding under a natural blue/grey slate roof. The proposal also

seeks to use standing seam zinc roof over the single storey element of the main dwelling. Officers are of the opinion that the proposed materials by way of the rubble stonework and natural slate roof are considered in keeping with the surrounding area and the Conservation Area. In regards to the Siberian Larch and Zinc roof elements, Shipton-under-Wychwood Parish Council and third party representations have raised concerns that these materials are out of keeping and would be visually intrusive to the conservation area and the AONB given the application sites prominent location on the edge of the settlement. Officers have considered these objections and comments are of the opinion that on balance, these materials would be appropriate.

- 5.7 The application also proposes a number of ancillary works including the proposed replacement of the existing garage building and the replacement/repairmen of the dry stone wall. These elements are considered to be of a design, scale and form that would sit appropriately with the main dwellinghouse.

Impact on the character of the wider area

- 5.8 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application. In this regard the proposed replacement dwelling would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location. The immediate vicinity surrounding Sunny Bank comprises new build residential dwellings which are of a traditional vernacular. Sunny Bank lies in a prominent location where it is the first dwelling to be seen when entering the Shipton-under-Wychwood Conservation Area.
- 5.9 Paragraph 172 of the NPPF 2018 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. Officers are of the opinion that given that there is an existing dwelling in this location and its siting with a residential context, that on balance, the increase in size and height of the proposed replacement dwelling would not have unacceptable impact on the site, or the wider AONB.
- 5.10 Further, the proposed larger dwelling would sit comfortably within the plot adjacent to a number of existing larger buildings in this location and views into the site from the wider landscape are fairly limited due to the land levels and substantial tree belt which forms the south east and western boundaries of the site. As for the proposed materials, officers are of the opinion that on balance, the use of natural materials such as Siberian Larch would somewhat blend in with the boundary treatments and as such would not adversely detract from the AONB. Therefore, by virtue of its siting, scale, design and form, Officers consider that on balance, the proposed development is appropriate in this residential context and would not have a detrimental impact on the wider AONB landscape.

Highways

- 5.11 OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience. Given its size, the plot is considered to offer an acceptable level of off street parking. This, combined with the erection of a replacement garage is

considered to provide a sufficient number of off-street parking spaces for a property of this size. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Residential Amenities

- 5.12 The site is adjoined to the north by Rowlfe Cottage. Officers have assessed the impact of the proposed larger dwelling on the residential amenity of Rowlfe Cottage and are of the opinion that the proposed replacement dwelling would not cause any additional adverse impact on the neighbouring properties or introduce any new opportunities for overlooking. The proposed replacement dwelling has been designed such that the only window in the first floor north elevation, facing towards Rowlfe Cottage, serves the main bathroom and would, therefore, be obscurely glazed. Due to the orientation of the proposed new dwelling on the plot, it is considered not to cause any loss of light or overshadowing on the neighbouring property. Officers therefore consider the proposals acceptable in regards to the impact on neighbouring amenity.

Conclusion

- 5.13 Taking into account the above matters the proposal is considered, on balance, acceptable on its merits and is therefore recommended for approval. The application complies with Policies OS2, OS4, EH1, EH10, EH9, H2, H6 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

6 CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 3 Before above ground building work commences, a schedule of materials (including samples) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.
REASON: To safeguard the character and appearance of the area.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.
REASON: Control is needed to protect the character and appearance of the area.
- 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 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 On commencement of the development the proposed access shown on the approved plans shall be formed and the existing access closed by the erection of.
REASON: To ensure a safe and adequate access.
- 9 The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.
REASON: To ensure a safe and adequate access.
- 10 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
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 The development shall be completed in accordance with the recommendations in Section 4 of the Ecology Report dated June 2019 prepared by Midland Ecology. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.
REASON: To ensure bats, barn owls, swallows and little owls are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

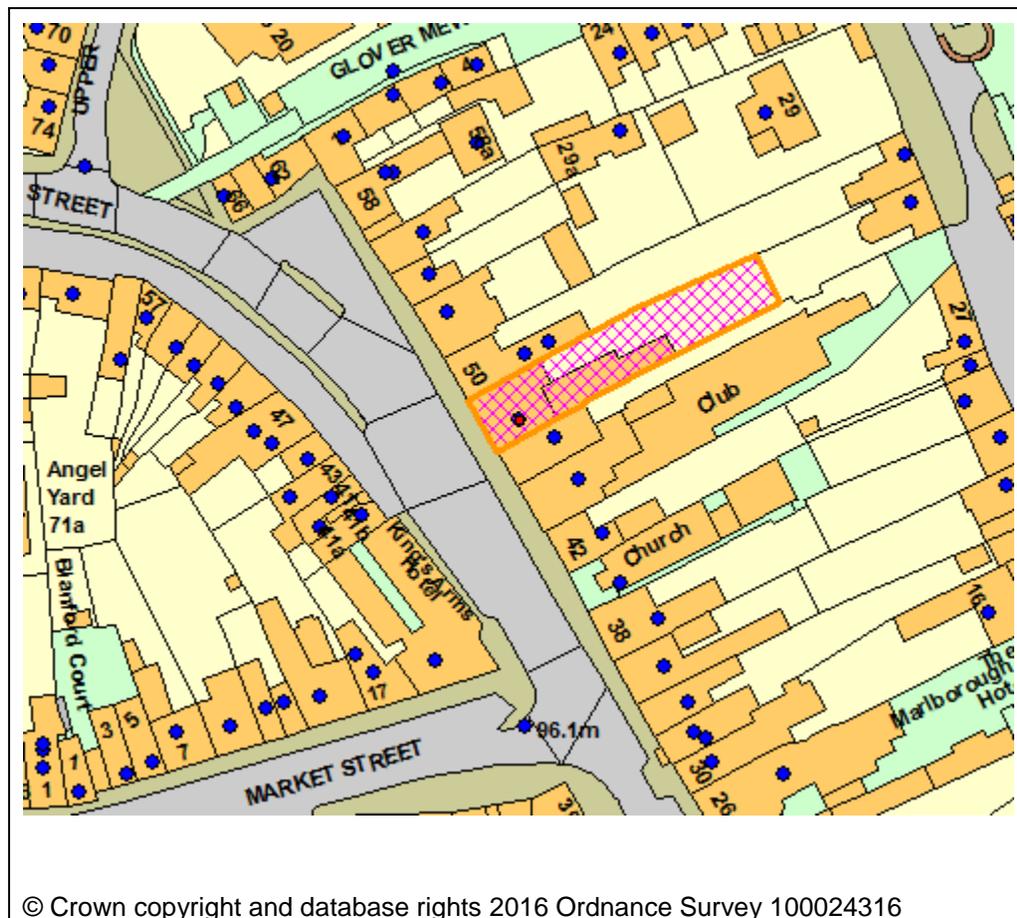
- 12 Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new 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.
- 13 No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.
REASON: To safeguard the character and appearance of the area.

NOTES TO APPLICANT

- 1 Prior to the commencement of development, a separate consent must be obtained from Oxfordshire County Council's Road Agreements Team for the proposed access and off site works under Section 278 of the Highway Act 1980. For guidance and information please contact the County Council's Road Agreements Team roadagreements@oxfordshire.gov.uk
- 2 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place, including bats, reptiles, barn owls and other nesting birds. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species 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. Further information can be found at the council's website:
<http://www.westoxon.gov.uk/residents/planning-building/planning-policy/local-development-framework/local-plan-evidence-base/> (download a copy of the 'Biodiversity and Planning in Oxfordshire' guidance document under the heading 'Environment, nature and open space' and selecting 'Biodiversity' from the drop down box) and from the following:
<https://www.gov.uk/guidance/wild-birds-surveys-and-mitigation-for-development-projects>
- 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	19/01954/HHD
Site Address	48 Oxford Street Woodstock Oxfordshire OX20 1TT
Date	25th September 2019
Officer	Sarah Hegerty
Officer Recommendations	Refuse
Parish	Woodstock Town Council
Grid Reference	444566 E 216826 N
Committee Date	7th October 2019

Location Map



Application Details:

Internal and external alterations to erect a single storey rear extension to form garden room.

Applicant Details:

Mr & Mrs Clark, 48 Oxford Street, Woodstock, Oxfordshire, OX20 1TT

I CONSULTATIONS

- 1.1 Town Council Woodstock Town Council has no objection to the above applications.

2 REPRESENTATIONS

- 2.1 No representations received.

3 APPLICANT'S CASE

No supporting statement was required for this application.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

OS4NEW High quality design

H6NEW Existing housing

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH13 Historic landscape character

NPPF 2019

DESGUI West Oxfordshire Design Guide

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The property is a traditional natural stone terraced dwelling in the town centre of Woodstock and within the Conservation Area. The dwelling is Listed (List Entry Number: 1203971) and the bakehouse to the rear is specifically mentioned within the listing:-
- 5.2 "Early C18. Squared and coursed limestone; gabled concrete tile roof; end stack of stone finished in late C19 brick. L-plan with rear right wing. 2 storeys and attic; 3-window range. Timber lintels over C19 beaded 6-panelled door with overlight to through-passage on left, and over C20 door. Late C19 square bay window; flat stone arches over early C19 eight-pane sashes and C20 light over door. Hipped roof dormers. Attached to rear of rear wing is 2-storey range, former bakehouse, of similar materials; has 2 plank loft doors. Interior: lightly chamfered beams; first floor not inspected. Bakehouse range has bakeovens to centre and butt-purlin roof."
- 5.3 The Council must have regard to section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal either preserving or enhancing the character of Conservation Area and which affects a listed building or its setting. Further to this the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.
- 5.4 Following an application submitted earlier in the year (19/00325/HHD & 19/00326/LBC), a site visit was completed and it came to light that the current extension at the rear of 48 Oxford

Street does not appear to have consent (planning or listed building). A search of planning and listed building consents identified the following applications:-

- 5.5 Application 97/1336 & 97/1337 - Conversion of existing bakehouse & stable to form ancillary accommodation including formation of new dormer, internal & external alterations. In this application there is no evidence of any consent for the extension - it only refers to the bakehouse being an ancillary building; and is conditioned to be used as such, not to be used as a separate residence. In this application the proposed plans clearly shows two separate buildings: the house, and the bakehouse - e.g. it shows two separate kitchens.
- 5.6 Following correspondence with the agent it was advised that the application should be withdrawn, with a further application submitted for an improved version of the existing to regularise to development.
- 5.7 Despite this specific request, the applicant did not submit an application as advised and have submitted the current application instead.
- 5.8 Therefore taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key consideration of the application is:

Design and Impact on Conservation Area

- 5.9 As referenced above, we have indicated that an improved scheme similar in size and form to the existing could be acceptable (subject to design) however the applicant chose to submit the proposed which is a much larger 7m extension. As identified in the Conservation Officers consultation response, the proposed would have a harmful impact on the significance and character of this listed building by transforming the plan form, and obscuring the rear façade of the building, including form and façade of the bakehouse, and will mean that the courtyard plot is further infilled.
- 5.10 "The draft Woodstock Conservation Area Appraisal (2019) shows that there are significant boundary walls to the rear of 48 Oxford Street; which may delineate original burgage plots. Where there is possible evidence of burgage plots, (which are now becoming increasingly rare), the Council would wish to see their form respected. Therefore, by further infilling this rear courtyard will obscure the significant walls, and not respect the character of this plot. Furthermore, Policy EH13 of the Local Plan 2031 states: that in determining applications that affect the historic character of the townscape, particular attention must be paid to the degree to which the form and layout of the development will respect and build on the pre-existing historic character; this includes street and building layouts. Also, that attention must be paid to the degree to which the form, scale, and massing conserves or enhances the special historic character of its surroundings.
- 5.11 The current proposal does not respect the pre-existing historic character and form of the listed building or its surrounding, nor does it respect the special qualities and historic character of Woodstock Conservation Area."
- 5.12 Policy EH9 states that proposals which would harm the significance of a designated asset will not be approved unless there is a clear and convincing justification in the form of substantive tangible

public benefit. The proposed does not offer any public benefit to outweigh the harm therefore clearly contrary to policy.

Other Material Considerations

- 5.13 Other material considerations in this case include impact on the streetscene and neighbouring amenity. It is officer opinion that the proposed development would not have an adverse impact on these matters.

Conclusion

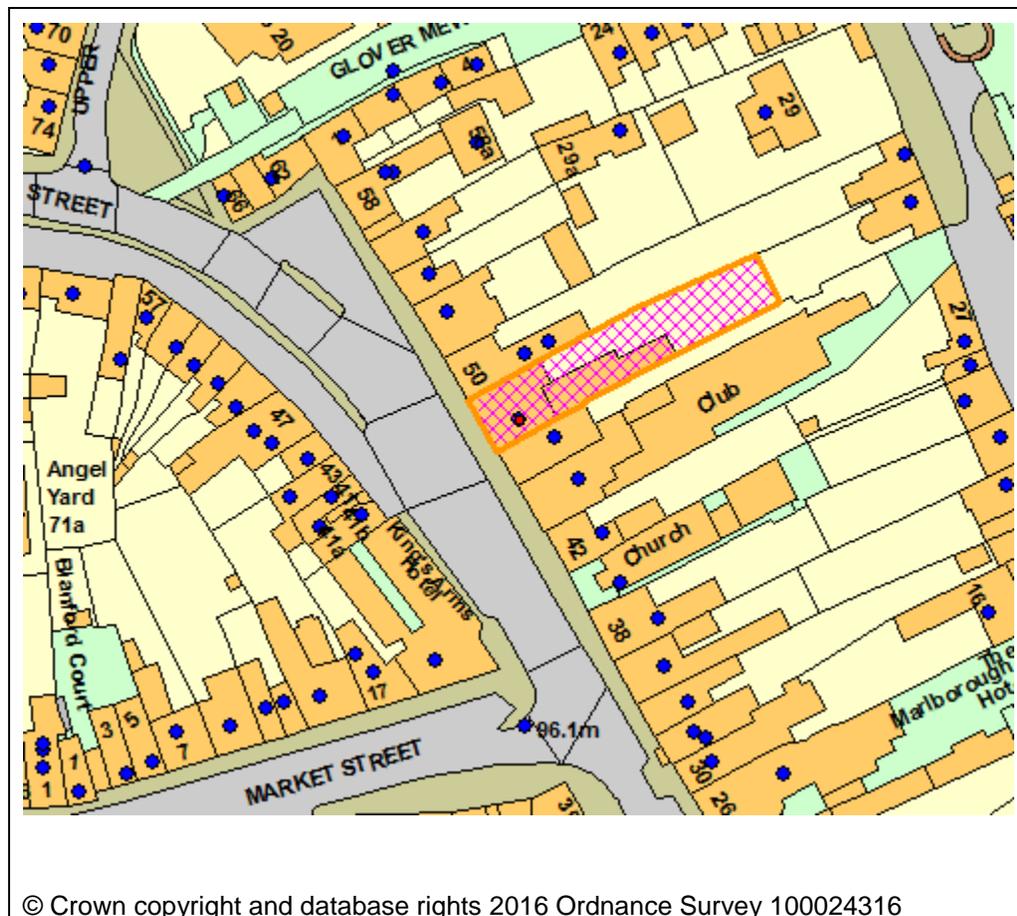
- 5.14 Officers therefore consider that the siting, scale and form are inappropriate and does not conserve or enhance the special historical and architectural character and significance of this listed building. Instead, it would have a negative impact, by not only altering the plan form and obscuring the rear façade of the building, including form and façade of the bakehouse, but further infilling of this courtyard would not respect the form and pre-existing historic townscape character, and would obscure its significant boundary walls. Therefore it would not conserve or enhance the special qualities and appearance of the Woodstock Conservation Area and would harm the Listed Building and its setting and would be contrary to Local Plan policies OS2, OS4, H6, EH9, EH10, EH11 and EH13.

6 REASON FOR REFUSAL

- I The proposed development by reason of siting, scale and form fails to conserve or enhance the special historical and architectural character of this listed building. Instead, it would have a negative impact, by not only altering the plan form and obscuring the rear façade of the building, including form and façade of the bakehouse, but further infilling of this courtyard would not respect the form and pre-existing historic townscape character, and would obscure its significant boundary walls. Therefore, it would not conserve or enhance the special qualities and appearance of the Woodstock Conservation Area. As such, the proposed development would conflict with policies OS2, OS4, H6, EH9, EH10 and EH13 of the Adopted West Oxfordshire Local Plan 2031, the NPPF and the West Oxfordshire Design Guide.

Application Number	19/01955/LBC
Site Address	48 Oxford Street Woodstock Oxfordshire OX20 1TT
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Officer	Sarah Hegerty
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Applicant Details:

Mr & Mrs Clark, 48 Oxford Street, Woodstock, Oxfordshire, OX20 1TT

I CONSULTATIONS

- 1.1 Conservation Officer See full response
"The proposal in its current form does not conserve or enhance the special historical and architectural character and significance of this listed building - instead it would have a deleterious impact, transforming the plan form, and obscuring the rear façade of the building, including form and façade of the bakehouse. Furthermore, the proposed infilling of this courtyard - does not respect the form and pre-existing historic townscape character, and obscures its significant boundary walls (likely to delineate former burgage plots), and therefore it would not conserve or enhance the special qualities and appearance of the Woodstock Conservation Area. Therefore, the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits; consequently, I raise an objection."
- 1.2 Town Council Woodstock Town Council has no objection to the above applications

2 REPRESENTATIONS

- 2.1 No representations received

3 APPLICANT'S CASE

No supporting statement was required for this application

4 PLANNING POLICIES

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH13 Historic landscape character

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

5 PLANNING ASSESSMENT

Background Information

- 5.1 The application is brought before Members of the Uplands Planning Sub-Committee for consideration as the view of the planning officer was contrary to that of the Woodstock Town Council.
- 5.2 The property is a traditional natural stone terraced dwelling in the town centre of Woodstock and within the Conservation Area. The dwelling is Listed (List Entry Number: 1203971) and the bakehouse to the rear is specifically mentioned within the listing:-
- 5.3 "Early C18. Squared and coursed limestone; gabled concrete tile roof; end stack of stone finished in late C19 brick. L-plan with rear right wing. 2 storeys and attic; 3-window range. Timber lintels over C19 beaded 6-panelled door with overlight to through-passage on left, and

over C20 door. Late C19 square bay window; flat stone arches over early C19 eight-pane sashes and C20 light over door. Hipped roof dormers. Attached to rear of rear wing is 2-storey range, former bakehouse, of similar materials; has 2 plank loft doors. Interior: lightly chamfered beams; first floor not inspected. Bakehouse range has bakeovens to centre and butt-purlin roof."

- 5.4 The Council must have regard to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of any development proposal which affects a listed building or its setting. Further to this the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this regard the proposed alterations are not considered to have a detrimental impact to the character or setting of the listed building, given the nature of what is proposed and its location. As such, the character or setting of the listed building is preserved.
- 5.5 Following an application submitted earlier in the year (19/00325/HHD & 19/00326/LBC), a site visit was completed and it came to light that the current extension at the rear of 48 Oxford Street does not appear to have consent (planning or listed building). A search of planning and listed building consents identified the following applications:-
- 5.6 Application 97/1336 & 97/1337 - Conversion of existing bakehouse & stable to form ancillary accommodation including formation of new dormer, internal & external alterations. In this application there is no evidence of any consent for the extension - it only refers to the bakehouse being an ancillary building; and is conditioned to be used as such, not to be used as a separate residence. In this application the proposed plans clearly shows two separate buildings: the house, and the bakehouse - e.g. it shows two separate kitchens.
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- 5.8 Despite this specific request, the applicant did not submit an application as advised and have submitted the current application instead.
- 5.9 Therefore taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key consideration of the application is:

Siting, Design and Form

- 5.10 As referenced above, we have indicated that an improved scheme similar in size and form to the existing could be acceptable (subject to design) however the applicant chose to submit the proposed which is a much larger 7m extension. As identified in the Conservation Officers consultation response, the proposed would have a harmful impact on the significance and character of this listed building by transforming the plan form, and obscuring the rear facade of the building, including form and facade of the bakehouse, and will mean that the courtyard plot is further infilled.
- 5.11 "The draft Woodstock Conservation Area Appraisal (2019) shows that there are significant boundary walls to the rear of 48 Oxford Street; which may delineate original burgage plots. Where there is possible evidence of burgage plots, (which are now becoming increasingly rare), the Council would wish to see their form respected. Therefore, by further infilling this rear

courtyard will obscure the significant walls, and not respect the character of this plot. Furthermore, Policy EH13 of the Local Plan 2031 states: that in determining applications that affect the historic character of the townscape, particular attention must be paid to the degree to which the form and layout of the development will respect and build on the pre-existing historic character; this includes street and building layouts. Also, that attention must be paid to the degree to which the form, scale, and massing conserves or enhances the special historic character of its surroundings. The current proposal does not respect the pre-existing historic character and form of the listed building or its surrounding, nor does it respect the special qualities and historic character of Woodstock Conservation Area."

- 5.12 Policy EH9 states that proposals which would harm the significance of a designated asset will not be approved unless there is a clear and convincing justification in the form of substantive tangible public benefit. The proposed does not offer any public benefit to outweigh the harm therefore clearly contrary to policy.

Conclusion

- 5.13 Officers therefore consider that the siting, scale and form are inappropriate and does not conserve or enhance the special historical and architectural character and significance of this listed building. Instead, it would have a negative impact, by not only altering the plan form and obscuring the rear facade of the building, including form and facade of the bakehouse, but further infilling of this courtyard would not respect the form and pre-existing historic townscape character, and would obscure its significant boundary walls to the detriment of its setting. Therefore the proposed development would be harmful to the Listed Building and its setting in conflict with Local Plan policy EH11.

6 REASON FOR REFUSAL

- 1 The proposed development by reason of siting scale and form fails to conserve or enhance the special historical and architectural character and significance of this listed building. The alternation of the plan form and obscuring of the rear facade of the building, including the form and facade of the bakehouse, with further infilling of the courtyard would not respect the form and setting of the Listed Building in conflict with Local Plan policy EH11 of the Adopted West Oxfordshire Local Plan 2031 and the NPPF.