

North Area Planning Committee;

31 May 2007

PART II - Approvals

07/00343/F

07.03.07

Shenington With Alkerton - Rough Hill Farm Shenington Banbury
A temporary mobile home and new farmstead with the view of building a permanent farmhouse in the future (as amended by revised plans received May 2007).
For : Mr & Mrs Richard Court c/o Mr Roger Coy Bricknells Barn 32 Lime Avenue Eydon Davbentry

RECOMMENDATION :

Approval, subject to :

- i) Receipt of further comments from the Council's Landscape Officer; and
- ii) The following conditions:
 - 1 That the development to which this permission relates comprising the erection of the permanent poultry house and the relocation of two existing farm buildings from the existing farm yard and two grain hoppers shall be begun not later than the expiration of three years beginning with the date of this permission. Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 - 2 That at the expiration of 3 years from the date hereof the mobile home shall be permanently removed from the site and the land shall be restored to its former condition on or before that date. Reason - The mobile home, because of its design and siting, is not suitable for permanent retention and the site is in an area where permission for development unrelated to the essential needs of agriculture or forestry would not normally be granted. This consent is only granted on the basis of there being demonstrated an essential and overriding need for temporary residential accommodation in this location, in accordance with Policy H18 of the adopted Cherwell Local Plan.
 - 3 That the mobile home hereby permitted shall be occupied only by a person solely or mainly employed, or last solely or mainly employed, in the locality in agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry, including any dependants of such a person residing with him or her or a widow or widower of such a person. Reason - The site is in an area where permission for development unrelated to the essential needs of agriculture or forestry would not normally be granted, and this consent is only granted on the basis of there being demonstrated an essential and overriding need for residential accommodation in this location, in accordance with Policy G5 of the Oxfordshire Structure Plan 2016 and Policy H18 of the adopted Cherwell Local Plan.
 - 4 The mobile home hereby permitted shall not be occupied unless and until the new farmstead comprising the new permanent poultry house, the two

existing farm buildings relocated from the existing farm yard and two grain hoppers have been constructed and completed on the application site. Reason - The site is in an area where permission for development unrelated to the essential needs of agriculture or forestry would not normally be granted, and this consent is only granted on the basis of there being demonstrated an essential and overriding need for residential accommodation in this location, in accordance with Policy G5 of the Oxfordshire Structure Plan 2016 and Policy H18 of the adopted Cherwell Local Plan.

- 5 4.3
- 6 4.12 - access drive
- 7 3.0
- 8 3.1

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal pays proper regard to the character and appearance of its surroundings and has no undue adverse impact upon the residential amenities of neighbouring properties nor on the character and appearance of the Area of High Landscape Value or upon highway safety. As such the proposal is in accordance with Policies G2 and EN4 of the Oxfordshire Structure Plan 2016 and Policies H18, TR2, C13, C28 and C30 of the adopted Cherwell Local Plan. For the reasons given above and having proper regard to all other matters raised the Council considered that the application should be approved and planning permission granted subject to appropriate conditions as set out above. The applicants are advised that this permission does not relate to the provision of a new permanent farmhouse on the site which will need to be the subject of a further planning application in the future, at which time the Council will consider the proposal against the Development Plan and Government advice contained in PPS7, particularly in relation to the long-term viability of the holding.

CONSULTATIONS/REPRESENTATIONS

Parish Council: No comment to date

Highway Authority: No objections in principle subject to submission of details of access, approval of the surfacing etc of the access and drive and provision of vision spays measuring 2.4 x 160m to either side of the access. The Highway Authority advises that the use of the existing access to the north of the proposed access would not affect any hedge. The requirement for vision will affect a considerable length of hedge which will require setting back.

Landscape Officer states: The proposed site is fairly well concealed and was once used as storage for the airfield. The impact of the proposed development will be less for the barns and hen house than the farmhouse which is on higher ground nearer the road. The proposed farm house is very close to the existing house. There will be some screening of the proposed house from the road by hedges. A public footpath runs very close to the southern end of the site and the farm buildings will be visible from the path even with screening.

My feeling is that the siting of the buildings, provision of hardsurfacing and the landscaping has not been thought out. I would like to see more detailed proposals submitted before this is considered. The garage and farmhouse look as though they have been dropped on the site with a huge area of hardstanding in front of them. The barns also look dropped on the site with a vast area of hardstanding around them. There is no planting close to these buildings.

The position of existing trees and hedges is not accurate and some are not indicated at all. It is proposed to remove a substantial area of vegetation to create a vegetable garden.

The appraisal document indicates that 1800 trees and shrubs will need to be planted to enable production to take place in a 'woodland' environment. Where are these to be planted and what species will they be? I think this should be shown also.

Council's Strategic Director of Environment and Community: No objections or observations from Environmental Services however should planning permission be granted the applicant may require a caravan site licence and is advised to consult with the Public Protection Section of the Council as to the requirements this licence may impose on the development.

Council's Agricultural Adviser: The full report prepared by the agricultural adviser employed by the Council is available on file if Members wish to inspect it.

However in conclusion she advises that there is a functional need for the relocation and creation of a new farmstead alongside the poultry unit at Rough Hill Farm. She considers that the applicants satisfy the criteria of Paragraph 12 of PPS 7, Annex A and that the business is not operating as efficiently as it potentially should with the split site arrangement. She has also stated that the applicants are losing birds unnecessarily by not having a constant 24/7 site presence.

She recommends approval of the application on agricultural justification grounds.

Thames Water: No objections

Environment Agency: No objections

Supporting statements have been submitted by the applicant's agents. These are available on file for Members to inspect in full if they wish.

HDC & MD'S ASSESSMENT

The proposal is to create a new farmstead at Rough Hill Farm with the erection of a new permanent poultry house, relocation of two existing farm buildings from the existing farm yard, two grain hoppers and the siting of a mobile home for occupation by the applicants.

The proposed poultry house measures approximately 68.5m long, 15.4m wide and 4.8m wide. It is to be constructed from steel panels with a canvas roof. The relocated buildings measure approximately 27.5m long, 23m wide and a maximum of 5.6m high, and 23m long, 14.2m wide and 6.6m high.

The grain hoppers are to measure 11.3m high. The mobile home is likely to measure approximately 6.1m wide, 12.2m long and 3m high.

Three mobile hen units are currently adjacent to the site and have been the subject of agricultural prior approval applications (03/02250/AGN, 03/02337/AGN and 03/2339/AGN refer) and no objections were raised to these buildings before they were constructed on the site.

The proposal is to increase poultry numbers on the site by 12,000 birds to 21,000. This results in the need for a permanent poultry building of the dimensions set out above. The business produces free range eggs and from the information provided by the applicants and the assessment made by the Council's agricultural adviser it is financially viable. In order to look after the poultry the applicant intends relocating two barns from the existing farmyard to house machinery and livestock and two grain hoppers. They have also stated that due to the location of the poultry houses a new farmhouse is required closer to the unit to increase efficiency and to enable a round the clock presence on the unit to deal with emergencies such as power cuts. However as the business is relatively new, at this stage, there are insufficient trading accounts to satisfy the tests set out in Planning Policy Statement 7 for new dwellings. The applicants have therefore applied for planning permission for a temporary mobile home whilst they expand the business.

The main issues in considering the application are the visual impact of the farm buildings and the access and the functional need for a new dwelling.

The proposed development will be fairly well concealed to public views from the road due to the topography, the heights of the buildings and the vegetation on the site. Significant additional tree and shrub planting is proposed around the buildings and this will help to further screen the buildings to public views. There is however a public footpath to the south and east of the site where the buildings will be visible from, even in the summer months, especially until the proposed planting becomes established. The proposed mobile home will be more visible as this part of the site is on higher ground and not as well screened from the road.

At the time of writing the report further comments from the Council's Landscape Officer regarding the visual impact of the proposal and the suitability of the planting has not been received. It is anticipated that this information will be available for the Committee meeting when a verbal update will be given.

The proposed access into the site has been omitted from the scheme. It is now proposed to use the existing access into the site and this will overcome any concerns regarding the loss of hedgerow and the impact on the visual amenities of the area. The Highway Authority is satisfied that the use of the existing access is acceptable and will not result in any significant detriment to highway safety.

The development is considered to be compatible with the rural character of the area and will not adversely affect the appearance of the Area of High Landscape Value.

Policy H18 of the adopted Cherwell Local Plan is relevant to the determination of the application. This states that planning permission will only be granted for the construction of new dwellings beyond the built up limits of settlements when it is

essential for agriculture or other existing undertakings. Essential is normally interpreted as a proven necessity for a worker to live at or very close to the site of their work.

Planning Policy Statement 7 states at paragraph 12 that if a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions)
- ii) functional need
- iii) Clear evidence that the proposed enterprise has been planned on a sound financial basis
- iv) The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area, which is suitable and available for occupation by the workers concerned.
- v) Other normal planning requirements e.g. on siting and access, are satisfied.

In my opinion, given the advice the Council has received from the agricultural adviser, it has been demonstrated that there is evidence of the intention and ability to develop the enterprise, a need for a presence close to the poultry houses and evidence that the proposed enterprise has been planned on a sound financial basis.

The applicant's planning agent has submitted a functionality report for the proposed application. This states that in 2004 the poultry business was commenced and considerable thought and consultation was undertaken as to the best location for hens. They state that the existing dairy yard and surrounding land was not adaptable for free range hens due to the scale of land required and the exposed nature of this part of the unit. It is also actively farmed producing an income as a crop and pasture land. They considered that the best location for the enterprise was on land not currently being used efficiently and that met RSPCA and BEIC Lion Code standards. They considered that the best location for the hens was the site now proposed, using the valley for protection for the hens and screening for the poultry houses.

They state that the existing farmhouse is too far from the site to provide an adequate presence on site to:

- i) Reduce mortality rates of birds due to predator attack, loss of power and lack of night security.
- ii) Provide security
- iii) Be efficient in terms of labour time and journeys between the poultry houses and the farm office, and other parts of the farm.
- iv) Reduce the number of egg breakages due to additional handling.

They consider that a farmstead in a more practical location, central to the farm activities where all the egg production facilities could be accommodated on one site would make the logistics of managing the unit far more efficient and cost effective.

They also state that the existing dwelling is not commensurate with the functionality of the holding in terms of maintenance and practicality for managing the enterprise.

The existing dwelling is not the subject of an agricultural occupancy condition and the applicants have concluded that the most effective way to ensure the family could continue farming their land at Shenington is to sell the existing farmhouse, dairy buildings and yard and in turn use the capital raised to invest in the expanding poultry business and new efficient farmstead. They have stated that continued occupation of the existing farmhouse would mean moving further from the poultry business.

The existing farmhouse is on the very edge of the holding with the proposed mobile home located approximately 370m to the north and the poultry house approximately 390m to the north. The location of the mobile home is more centrally located within the holding and is approximately 260m from the proposed poultry house and adjacent to the roaming area for the new hens. There are no other dwellings closer to the holding.

The functional test in PPS7 to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times is satisfied in my view. The applicants have demonstrated in their submissions that it is necessary to be close to the hens day and night to deal quickly with emergencies. There also appears to be a case for a new dwelling to enable the business to be carried out more efficiently.

As stated above the existing farmhouse is not subject to an agricultural occupancy condition but the applicants are suggesting that the mobile home is so conditioned. In my opinion this type of condition will enable the Council to retain control over the development and ensure that in the future the same situation cannot occur i.e. the new enterprise sold off from the living accommodation and a further dwelling required to meet the needs of the farm workers.

In approving the temporary mobile home the Council has the opportunity to assess the long-term viability of the holding before considering the need for a permanent dwelling on the site. A further planning application will be required in the future for a permanent dwelling.

The application is considered to comply with Policies H18, TR2, C13, C28 and C30 of the adopted Cherwell Local Plan. Furthermore the Non-Statutory Cherwell Local Plan 2011, approved by the Council as interim planning policy for development control purposes on 13 December 2004 contains similar policies relating to dwellings in the open countryside, highway safety, design considerations and standards of amenity and privacy. Therefore the proposal is in accordance with this Interim Policy.

The application is therefore recommended for approval.

07/00382/F

Banbury - Drayton School Drayton Road Banbury

07.03.07

New build block added to the front of the school and existing school retained and refurbished (as amended by plans accompanying agents letter dated 16/05/07)

For : United Learning Trust c/o Roupen Yacoubian Aedas Architects Ltd
Parsonage Chambers 3 The Parsonage Manchester

RECOMMENDATION :

Approval, subject to :

Subject to the receipt and consideration of any further consultation responses/representations during the reconsultation period and the following conditions:-

- 1 1.4A
- 2 2.0
- 3 That full design details of the replacement windows for the existing teaching blocks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 4 That full design details of the ETFE roof and louvres shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 5 That full design details of the new fences and security gates to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 6 That the existing hedgerow/trees along all boundaries of the site shall be retained and properly maintained at a height of not less than 3 metres, and that any hedgerow/tree which may die within five years from the completion of the development shall be replaced and thereafter be properly maintained in accordance with this condition. Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Polices G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 7 In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building/commencement of use of the approved

development for its permitted use. a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works. b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority. Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

- 8 The following activities must not be carried out under any circumstances: a) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree; b) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree; c) No equipment or machinery shall be stored within the Root Protection Area (RPA) of any retained tree; d) No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter an RPA. Reason -To ensure that no proposed operations impair the health of any retained trees in the interest of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies G2 and EN1 of the Oxfordshire Local Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 9 The Construction: a) The existing sheds and foundations within the root protection zone of the beech tree shall be carefully removed by hand; b) A pile foundation shall be used, the details of which are to be approved in writing by the Local Planning Authority prior to the commencement of the development; c) No roots greater than 25mm in diameter will be severed without the prior written approval of the Local Planning Authority. Reason - To ensure that no proposed operations impair the health of any retained trees in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 10 That all the construction traffic serving the development shall enter and leave the site in accordance with a plan first submitted to and agreed in writing with the Local Planning Authority prior to commencement of development on site. Reason - In the interests of highway safety and to safeguard the amenities of the occupants of the adjacent dwellings during the construction period, to comply with Policy T8 of the Oxfordshire Structure Plan 2016 and Policies TR5 and ENV1 of the adopted Cherwell Local Plan.

Planning Note(s)

1. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or

- disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working. Please contact the Council's Anti-Social Behaviour Manager on 01295 221623 for further advice on this matter.
2. The Applicant is reminded that the premises should be made accessible to all disabled people, not just wheelchair users, in accordance with the provisions contained within the Disability Discrimination Act 1995. This may be achieved by following recommendations set out in British Standard BS 8300: 2001 - "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice", or where other codes may supersede or improve access provision. Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations (2004) - "Access to and use of Buildings", or codes which contain provisions which are equal to or exceed those provisions contained within Approved Document M.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal pays proper regard to the character and appearance of the locality and has no undue adverse impact upon the residential amenities of surrounding properties or highway safety. As such the proposal is in accordance with Policies G2 and T8 of the Oxfordshire Structure Plan 2016 and Policies TR2, TR5 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONSULTATIONS/REPRESENTATIONS

Banbury Town Council have no objections to the development but are concerned with the design of the new block which looks too industrial (original submission). Observations relating to the revised scheme are awaited and will be reported verbally at the meeting if available.

Highway Authority: No comments received.

Thames Water advise that with regard to the sewerage infrastructure they do not have any objections to the proposal. They recommend an informative be attached to any planning permission relating to a Thames Water main crossing the site and the possibility that it may need to be diverted.

The Environment Agency has assessed the application as having a low environmental risk.

The Council's Head of Building Control and Engineering Services states that it is possible that soakaways will not be feasible for the development due to the impermeability of the local terrain. He recommends consulting Thames Water about the availability and capacity of the surface water sewer adjacent to the site.

The Crime Prevention Design Advisor for Oxfordshire states that he has already been consulted on this matter and therefore does not have any further comments. His response direct to the applicant states that he feels the proposal can only make the area better as car parks are being formalised will reduce the public areas and make the space more enclosed and manageable. This should lead to the reduction of crime as the opportunity is being designed out.

The County Council as owners of the premises have been involved in the Academy project throughout the process and is fully supportive of the planning application.

One local resident objects to the proposal. He has lived close to the school since it was built and since that time the school and pupils have been bad neighbours with damage to property, rubbish dropped anywhere, sport meetings, motorbike rituals, floodlit football until 10.00 pm and despite numerous complaints to the school, the police and the local press there has been no improvement. If the school is upgraded to a so-called Academy with more pupils it will be a lot worse with a lot more activity, and more traffic. Consideration should be given to the houses close to the school, most of them are in Band E of the Council Tax and are getting a raw deal. If people apply for a reduction the Council is not interested.

One local resident requires clarification about:

1. The "new" boundary fence marked alongside their property on the school field side. It does imply that a new fence will be added but the boundary is already secure here with existing garden fences and high hedging.
2. The security gate and pedestrian/cycle gate marked for Ludlow Drive right behind their property. They state that they already experience occasions when groups of youths congregate at the back and would have concerns if these gates could be used in an anti-social way e.g. climbed or used in some way to access our garden etc.
3. Whether there are plans to use the normally quiet Ludlow Drive for building site traffic. They appreciate building traffic will have to access the site somehow but are concerned that this may be heavy, early in the morning, and spoil our enjoyment of the garden due to dust, noise, fumes etc.

In support of the proposals the applicant's agents state:

"North Oxfordshire Academy is the proposal to refurbish and extend the existing Drayton School to form an 1150 place school with an all through education for students aged 11-19. It will have a broad and balanced curriculum enhanced by the proposed specialism of media and communications. It is proposed to be completed in September 2008.

The Academy will include a significant contribution to the students in the area which is expecting new housing developments, increasing demand for school places. The Academy will be well placed to respond to this by giving the opportunity to transform the education and learning opportunities available locally, improve aspirations and achievements and raise the community's expectations of learning.

The existing site at Drayton School is in very good condition. It is currently being used by the school and the wider community during specified hours and therefore well used and maintained by the Local Authority.

Following an access appraisal and traffic and transport report, it was advised that the main car parks, entrances and pedestrian flow on site could be improved to increase school security and pedestrian safety. The car parks are proposed to remain in their current locations, well overlooked and distanced from the school buildings, but with 6 disabled parking bays added and access paths with drop kerbs to direct pedestrians to the main school buildings safely. As a requirement by our client United Learning Trust the entire school is to be fenced and pedestrian/vehicle security gates placed where necessary.

The travel plan for the school shows that the mode of travel to school is 83% walking, well above national average and the remaining by car or car share. Following a preferred mode of transport survey done at the school it was shown that there was a request for cycle stands and these have been provided by the sports hall with a covered space and secure stands.

The proposed massing, landscaping and external material treatments seek to express a sense of openness and transparency balanced with security and the need to provide a secure learning environment. A number of key principles underpin the design of the new Academy to achieve this and are as follows:

Creation of a new annex building located in front of the retained teaching blocks.

The new annex is a two storey building to the front of the existing school forming a new frontage to the main school and enclosing the previously exposed courtyard. It will act as a natural controlling mechanism which together with the new fence set out will determine the line between the public and private domain on the site. The function of the annex as well as securing the main school is to house the double height spaces of the main hall and dining hall, in addition to this the kitchen with a few specialist education classrooms on the first floor will also be accommodated.

The annex elevation is conceived to provide a well balanced and robust composition framing the large aperture into the dining space which in turn flows through the central covered courtyard and landscape running through the main body of the school.

Proposed ETFE roof covering the courtyard space between the north, south and new annex blocks.

This strategic move seeks to create a heart in the school campus and solve the problems of moving between the existing buildings. Primarily achieved through covering the courtyard with a clear ETFE roof, it also facilitates good circulation by the refurbishment of the bridge link and creating of a new stair. The roof also creates covered social spaces and informal teaching environments. It is here where the specialism and character of the school will be fully reflected by the use of projected images and installations created by the school to fill the volume and create an impression of distinctiveness – a place that balances the serious business of learning with the variety of social experiences that make up the modern Academy.

Refurbishment of the retained teaching blocks to extend their life and provide a modern teaching environment that can justly be regarded as fit for purpose.

Externally the existing buildings will benefit from repairs to brickwork, underpinning of failing foundations and replacement double glazed windows. The majority of the work will take place inside however with new mechanical, electrical and ICT services, new doors, joinery and finishes and new furniture and ICT equipment. An amount of internal remodelling will also be undertaken which will improve the size of teaching spaces and circulation. A new lift will also be installed between blocks A and B.

The building has two entrances. The visitors' entrance is, as indicated in the site plan, approached along the slope of the site to a new set of stairs and ramp from the Stratford Road entrance to the site. This entrance is for staff, visitors as well as late arrivals and makes a dramatic statement at the front of the building. Set into the building block the entrance is a double height glazed slot next to which is located the large viewing panel of the dining hall.

The main pupil entrance is accessed via the south elevation between blocks C and D, it is a two-storey recessed opening that brings the students directly to the heart of the school under the cover of the ETFE roof. From here the students can access the dining hall, staff and administration areas or any of the main teaching blocks.

There is a definite sense of being taken through a series of spatial experiences on arrival at the main front entrance. The eye of the visitor would be taken from the double height dining hall, through the covered courtyard space to the external courtyard and playing fields beyond. These linked spaces form a landscaped strip between the north and south blocks giving good opportunities for social interaction, which in turn helps to tie the school buildings together as a cohesive whole.

The existing buildings have a circulation route that is being retained and improved. Critically, the atrium acts as a point of reference when moving around the building, aiding way finding for visitors and new pupils and separating curriculum areas. The open feeling of the atrium will also help to reduce bullying by improving the natural surveillance of circulation spaces around the school.

A new lift shaft is being positioned on the north row of buildings replacing an existing narrow dilapidated stair core with an additional lift by the main entrance in the new annex, easing circulation and fulfilling DDA requirements. Another key improvement proposal is the refurbishment of the link between the north and south blocks together with the inclusion of a new staircase positioned centrally to take the user from the heart of the school to the two main teaching blocks.

Arrangement of Key Spaces

The main hall is positioned on the ground floor of the annex, located at the front of the school for potential public use and adjacent to this is the dining hall and entrance, which relate to the kitchen and hence the delivery area, which is located to the rear of the building and accessed by a secondary vehicular access from Ludlow Drive.

The covered courtyard allows circulation to a greater proportion of the school's critical areas; all the general teaching rooms in blocks A and B are accessed from this point as well as the science, art and design and technology which are located in blocks C and D.

To the rear of the school beyond the covered courtyard is located the VI Form resource area, common room and the school specialism subject of media and communications. It was felt that the old dining hall and lecture theatre to the rear of the school would be better suited to house these functions as they need to be generously proportioned and flexibly occupied.

Materials

The materials proposed seek to continue the overall design philosophy. This presents the academy as an innovative, progressive and forward thinking learning environment and aims to make a positive statement towards its specialism of media and communication."

HDC &MD'S ASSESSMENT

This application seeks consent to refurbish and extend the existing Drayton School, Banbury.

In physical terms the main changes requiring planning permission involve the creation of a new building measuring 59.4m long x 19.4m wide x 7.4m high, located in front of (to the east) the retained teaching blocks, the construction of a roof covering over the courtyard space between the north, south blocks and the new eastern building and the replacement of the windows in the existing teaching blocks.

In addition further security fencing is proposed around the site.

The proposals stand to be considered against matters relating to visual appearance, impact on neighbouring property and highway safety. In terms of visual appearance the main impact will be the new 'annex' building to the east of the existing teaching blocks. This has been the subject of some concern as to the design approach and particularly the extensive use of blue bricks. As a result amended plans have been submitted which I consider are acceptable and

from the basis of the recommendation of approval subject to the consideration of any further comments received during the reconsultation period.

The general philosophy behind the design is to create an interesting, innovative and welcoming piece of architecture to provide a new image for the school. The building will sit at right angles to the Stratford Road and be partially screened by the existing trees to the east and south of the proposed building. It will nevertheless, be visible from the Stratford Road and more distant views will be obtained from the Warwick Road and will form a feature in the local area. Similarly the proposed roof over the courtyard between the existing blocks and that proposed will be visible from the Stratford Road and more distant views from the Warwick Road. Having regard to the fact that this site has no particular architectural context to draw from I consider that the design approach and detailing is acceptable. The alterations to the existing fenestration will improve the external appearance of the existing buildings.

Most neighbouring properties are either some distance away from the main school buildings where the majority of the development is proposed or else are situated adjacent to the campus. In terms of the impact of the extensions and alterations to the school buildings due to the distances involved and the present screening I do not consider that demonstrable harm would be caused to these dwellings. With regard to the impact on those properties adjacent i.e. houses in Ludlow Drive and Warkworth Close the main impact will be created by the introduction of a 2.4 metre high fence, on the south side of Ludlow Drive but largely behind the existing hedgerow and security gates at the school entrance. There is currently a 3.5 metre high hedgerow on the outer face of a close boarded fence running the whole length of the Warkworth Close properties forming a strong western boundary to that housing development with the school playing field and there are no proposals to introduce additional fencing along this boundary. Details of the fencing and security gates proposed in other areas are recommended to be submitted to and agreed by the Local Planning Authority by condition.

In terms of highway safety, whilst the Highway Authority have not responded to the consultation I do not consider that demonstrable harm to highway safety would be caused by the proposal. It is proposed to use the existing car parks and accesses onto the Stratford Road and Warwick Road (via Ludlow Drive) which have adequate junctions. On site car parking provision is considered to be adequate.

Overall therefore I conclude that the development proposed will not cause demonstrable harm to visual amenity, neighbouring property and highway safety. As such the proposal complies with Policies G2 and T8 of the Oxfordshire Structure Plan 2016 and Policies TR2, TR5 and C28 of the adopted Cherwell Local Plan.

07/00487/F

Steeple Aston - The Holt Hotel Hopcrofts Holt Steeple Aston

15.03.07

Renewal of 01/00069/F - Alterations and extensions to existing hotel to include 68 new bedroom block, conservatory restaurant extension; new leisure complex; 2 No. tennis courts; new entrance from highway and additional parking

For : Mountweb c/o Agenda 21 Architects Ltd 2 Sebastian Street London EC1V 0HE

RECOMMENDATION :

Approval, subject to :

- 1 1.4A
- 2 That the external walls and roof(s) of the swimming pool building shall be constructed in accordance with a schedule of materials and finishes which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 3 That the external walls of the bedroom extension, kitchen extension, leisure complex (other than the swimming pool building) and the staff rooms shall be constructed in natural limestone in accordance with a sample panel (minimum 1 sq m in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority prior to the construction of the development hereby permitted. Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 4 That samples of the roof slates to be used in the covering of the roofs of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved samples. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 5 The proposed bedrooms shall be used solely as guest bedrooms in conjunction with the operation of the remainder of the premises as a hotel and shall not be sold, leased or occupied as separate units of accommodation, nor shall they be converted to any other use in association with the hotel without the prior express consent of the Local Planning Authority. Reason - The establishment of independent dwellings units in this isolated rural location would conflict with local planning policies; to sustain a satisfactory overall level of off street parking provision; in the interests of highway safety and neighbour amenity and to comply with Policy G1 of the Oxfordshire Structure Plan 2016 and Policies TR5, H18 and C28 of the adopted Cherwell Local Plan.
- 6 That no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping

the site which shall include:- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with the grass seeded/turfed areas, (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation, (c) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps, (d) earth mounding between the extended car park and the northern boundary, (e) an evergreen hedge around the perimeter of the tennis court. Reason - In the interests of the visual amenities of the area and to ensure the creation of a pleasant environment for the development, to safeguard the amenities of neighbouring residential property and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

- 7 That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation. Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, to safeguard the amenities of neighbouring residential property and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 8 Notwithstanding the details shown on drawing no. HH9466.11F the proposed 10m wide planting belts shall be extended in 10m wide belts to the west and south as shown on the plan attached to this permission. The proposed and extended landscaping belts shall be created in accordance with details which shall first be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development on the site. The agreed scheme shall be implemented during the first available planting season following the first occupation or use of any part of the proposed development and thereafter retained in the approved form. Any trees or shrubs which, within a period of five years from the completion of the development, may die, are removed or become seriously diseased or damaged shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent for any variation. Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 9 Notwithstanding the details shown on drawing no. HH9466.11F the proposed 2m high earth mounding on the northern perimeter of the site shall extend further eastward to the point as shown on the plan attached to this permission grading down to ground level at the easternmost point all in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use or occupation of any of the proposed development and landscaped in accordance with the landscaping scheme referred to in condition 6. The mounding shall thereafter be retained in the approved form. Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, to safeguard the

- amenities of neighbouring residential property and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 10 That the existing hedgerow and trees along the northern and eastern boundaries of the site shall be retained and properly maintained, in respect of the hedgerow at a height of not less than 3 metres, and that any hedgerow or tree which may die within five years from the completion of the development shall be replaced and thereafter be properly maintained in accordance with this condition. Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
 - 11 That the existing hedgerow to the north and east shall be reinforced by additional planting in accordance with a detailed scheme to be first submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be carried out within the first available planting season following the occupation of the building or on the completion of the development whichever is the sooner. The additional planting shall be maintained in accordance with the requirements of condition 7. Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
 - 12 That before the development is first occupied all the means of access between the land and the highway shall be formed, laid out, constructed and drained in such position(s) and with such vision splays in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Reason - In the interests of highway safety and to comply with Policy T8 of the Oxfordshire Structure Plan 2016 and Policies TR2 and TR5 of the adopted Cherwell Local Plan.
 - 13 That, before the proposed access is first used, the existing accesses onto Heyford Road shall be permanently stopped up by means of a matching natural limestone wall details of which shall first be submitted to and approved in writing with the Local Planning Authority and shall thereafter not be used by any vehicular traffic whatsoever. Reason - In the interests of highway safety and to comply with Policy T8 of the Oxfordshire Structure Plan 2016 and Policies TR2 and TR5 of the adopted Cherwell Local Plan.
 - 14 That before the development is first occupied, the parking and manoeuvring areas shall be provided in accordance with the plan hereby approved and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter. Reason - In the interests of highway safety and to comply with Policy T8 of the Oxfordshire Structure Plan 2016 and Policies TR2 and TR5 of the adopted Cherwell Local Plan.
 - 15 That prior to the first use of the development the existing concrete bollards adjacent to the Oxford Road proposed to be removed shall be removed and replaced with a 600mm high natural limestone wall and planting as specified in the application which shall thereafter be retained and properly maintained in accordance with the requirements of condition 7. Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policies G2 and EN1 of

- the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 16 5.11
- 17 The proposed tennis courts shall not be floodlit and any subsequently proposed scheme to floodlight them shall be the subject of a separate planning permission. Reason - In order to safeguard the visual amenities of the area and the residential amenity of nearby dwellings and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 18 The proposed tennis courts shall only be available for use between the hours of 09.00 and 21.00 hours. Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C30 of the adopted Cherwell Local Plan.
- 19 No development shall take place until full details of any external lighting of the building, ventilation systems, soundproofing for the dance studio and any externally located plant and equipment has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be subsequently implemented and retained in the approved form. Reason - In the interests of the visual and residential amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policies G2 and EN1 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 20 That full design details of the car park low-level lighting system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The agreed scheme shall be subsequently implemented and thereafter retained in the approved form. Reason - In order to safeguard the visual amenities of the area and the residential amenity of nearby dwellings and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 21 The proposed car parking, manoeuvring and access roads shall be used solely for the purposes of vehicle parking and access for the hotel and ancillary development and shall not be used for any other purposes. Reason - To safeguard the residential amenities of nearby dwellings and in the interests of highway safety and to comply with Policies G2 and T8 of the Oxfordshire Structure Plan 2016 and Policies C28 and TR2 of the adopted Cherwell Local Plan.
- 22 That the window and door frames shall be recessed a minimum distance of 100mm from the external face of the buildings hereby approved. Reason - To ensure that the architectural detailing of the building reflects the established character of the locality and to comply with Policy EN4 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.
- 23 That except to allow for the existing public footpath access a new boundary security fence shall be constructed to a height of 2 metres along the whole of the mutual boundary with Holt Farm to the north boundary of the site prior to the first occupation of the development in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained and maintained at all times in accordance with the approved details. Reason - To safeguard the security of the occupants of the existing house to the north and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan.

- 24 Prior to the commencement of the development hereby permitted, a full independent survey of all the existing foul and surface water drainage systems on the site shall be carried out by a person or persons or body or institution which shall have been mutually agreed by the applicant and the Local Planning Authority to ascertain the capacity and suitability of the existing systems to serve the new development and details of this survey and the proposed arrangements for the disposal of foul and surface water generated by the proposed development, including any improvements to the systems deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage arrangements shall be completed and be fully operational prior to the first use or occupation of the development hereby permitted. The approved scheme shall thereafter be retained or maintained operational in the approved form. Reason - To ensure that the development/site is served by proper arrangements for the disposal of surface water/foul sewage, to comply with Policy EN9 of the Oxfordshire Structure Plan 2016 and Policy ENV9 of the adopted Cherwell Local Plan.

Planning Note(s)

1. If the rate of discharge from the existing private foul pumping station is to be increased the Council's Head of Building Control and Engineering Services should be contacted regarding the new rates of discharge into the public sewer in Steeple Aston.
2. No development shall take place across any public footpath/right of way unless and until it has been legally stopped up or diverted.
3. With regard to condition 12 amended plan HH9466.11F does not indicate an accurate assessment of the relative positions of the site boundary, highway verge or carriageway edge. The position of each has a bearing on the arrangements. The Authority requires radii in the order of 8 metres and a width of 6.5 metres. A vision standard at an x distance of 4.5m will also be required together with a y distance to the left of a minimum of 160 metres.
4. This permission shall not imply or be deemed to imply approval for the "golf range" indicated on drawing no. 624.1 accompanying the application for which separate planning permission would be required.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal pays proper regard to the character and appearance of its surroundings and has no undue adverse impact upon the residential amenities of neighbouring properties or highway safety. As such the proposal is in accordance with Policies G2, EN1 and T8 of the Oxfordshire Structure Plan 2016 and Policies T5, TR2, TR5, C13 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONSULTATIONS/REPRESENTATIONS

Steeple Aston Parish Council object to the proposal:-

“Our concerns are, as itemised in our response to the application 01/00069/F on 20.8.2001, primarily concerning the provision for sewage disposal. The hotel sewage at present runs into the village system by The Red Lion public house. We believe that no substantial improvement works have been carried out to the main sewer which runs through the village since the original Hopcroft Holt application for extensive facilities and increased bedroom accommodation in 2001. Frequent problems with the overflow of sewage still arise from The Red Lion junction, through Bradshaw Close and down the central valley. We do not believe that, without significant work to improve the infrastructure, the present system is capable of coping with the increased demands that the proposed development will impose.

The preliminary landscape layout which accompanies the plans indicate a golf range and two tennis courts. No proposal for lighting for these facilities is indicated but we would have grave concerns if the normal standard of lighting for use of such facilities was to be required. The site is raised above the Cherwell Valley and prominent from several directions, certainly such lighting would be very visible in Steeple Aston. Because of the nature of the site, any external lighting on the site needs careful siting and directing agreed. We would also ask that care is given to the screen planting to the North and East of the site.

The previously agreed plans show a stone boundary wall to the west of the site, where it meets the A4260. It is difficult on the preliminary layout to understand whether this is to be part of the scheme but we would hope that, if the plans are approved, this wall will be constructed and thought given to planting at this boundary.

I refer you to our response in 2001. We believe that all points raised then are still of concern. The proposed expansion for Hopcroft's Holt Hotel would more than double the existing built area. The site is sensitive, at a road junction in open countryside, it is important that any permitted expansion respects the nature of the site and area.”

The Parish Council's response in 2001 was summarised in the agenda for the 28 March 2002 North Area Planning Committee and the most relevant part is set out as follows:-

Sewage disposal – The proposal is contrary to Oxfordshire Structure Plan Policy G3 which states “Proposals for development will not be permitted unless the Planning Authorities are satisfied that the infrastructure directly required to service the development services and environmental improvements have been or will be provided.”

- concern about sewage disposal was voiced in January 1995. Though investigated it was understood at that time that “..provided that the degree of uprating is in proportion to the proposed additional development there should be no problem with the capacity of the receiving public sewer system.”

- March 1998 a letter was sent to the Cherwell District Council's Chief Engineer following a series of incidents, both in the village and on agricultural land north of the hotel, which illustrated the Parish Council's concerns were amply justified, (raw sewage flowing into a house from a manhole in the main village sewer and a raw sewage lake adjacent to the private sewer from the hotel which links into the main village sewer). Thames Water insisted that the public sewerage system was adequate and clear.

- the Parish Council do not believe that, other than repair at one point, any substantial improvement has been made to the drain laid across the fields adjacent to the hotel (believed to be too shallow a fall and too close to the ground surface causing it to be damaged by deep ploughing) nor the main village sewer since that time. During this summer further problems have been experienced with the sewage disposal provision for the hotel. A large sewage lake has again occurred in the field adjacent to the hotel causing pollution and real health and safety concerns. It appears that Thames Water will not pursue this matter as the site of the problem is on private ground and therefore the responsibility of Hopcrofts' Holt. This situation is far from satisfactory. The Parish Council are informed that the proposed swimming pool would be emptied every four weeks and do not believe that the present sewage system is adequate to deal with the extra outfall without increasing greatly the threat of further incidents. The application should be refused until this matter has been satisfactorily addressed.

Highway Authority have no objections subject to previous recommendations and subsequent conditional consent.

Rights of Way Field Officer (Oxfordshire County Council) states that the proposed site layout plan shows the footpath as being accommodated through the parking area. The footpath should be a minimum of 1.5 metres wide and any planting next to the route must be maintained so that it does not encroach onto this width. The applicants must make sure that the route provided for corresponds to this definitive line. No materials, plant or temporary structures of any kind should be deposited on or adjacent to the path that may obstruct or dissuade the public from using the route whilst the development takes place.

Landscape Officer (CDC) states there is a good row of Ash and Sycamore on the northern boundary and a number of other decent trees throughout the site which could be retained to give some maturity to the landscape.

Planning Archaeologist (Oxfordshire County Council) recommends that the previously attached planning condition be carried over to this application (Condition 16).

Thames Water, Rousham Parish Council and West Oxfordshire District Council have not replied to the consultation to date.

HDC & MD'S ASSESSMENT

The current application seeks to renew the consent granted on 5th April 2002 which itself was a renewal of the original consent for the proposals granted in May 1996.

The 1996 consent followed an earlier permission in July 1995 involving slightly smaller (around 11% less) extensions to the property. That, in turn, followed a permission granted in 1989 for a 50 bedroom extension to the hotel.

None of these consents were implemented and all have now lapsed.

In the interim, in January 1999, consent was granted for a detached single storey staff accommodation block in the north east corner of the site. This consent has been implemented and the accommodation building is complete and operative. The 1996 approval also included consent to erect a staff accommodation building in a similar position but of a different form, layout and appearance to the 1999 approval. This element of the renewal proposal has therefore been deleted from the scheme.

The renewal proposal relates to the existing buildings being attached and forming an enclosed courtyard within the complex. The design attempts to echo the style and character of the original inn and subsequent extensions.

In terms of potential impact upon adjoining residential property the new bedroom extension is some 44 metres away and a 2m high landscaped embankment is proposed alongside the boundary with the residential property to screen the car park and reduce noise emanating from both it and the hotel. The proposed bedroom extension also encloses the current function rooms and would, in itself, act as a noise barrier for the existing dwelling.

There will inevitably be a landscape impact as a result of the development because of the relatively conspicuous nature of the site in the Area of High Landscape Value. However the series of recent consents for similarly and identical-scaled developments are a material consideration and the Local Planning Authority must demonstrate what has materially changed since those previous decisions which would justify the rejection of the scheme on this ground.

In assessing the proposal against relevant policies in the Structure Plan, adopted Cherwell Local Plan and the Non-Statutory Cherwell Local Plan 2011, which generally encourage the provision of new or improved facilities for tourists (provided they are compatible with other relevant policies and, in the case of the Non-Statutory Cherwell Local Plan 2011, the scale is moderate and not disproportionate), it is considered that the current scheme should be supported, as complying with the policies set out above.

No fundamental objections have been received from any of the technical consultees. Conditions are recommended which seek to safeguard interests of neighbour impact, visual amenity, highway safety and sewerage infrastructure.

On this latter subject the functioning of the private sewer owned by the hotel is a matter for the hotel and the Council's Head of Building Control and Engineering Services (if the sewer is malfunctioning or in the context of implementing the development), under the Building Regulations.

In terms of the capacity of the public sewerage system which the private sewer runs into, Thames Water, the responsible body, had previously made it clear in their response to specific points about malfunctioning, capacity and extra loads from the swimming pool aspect of the scheme that they were not aware of any ongoing operational problems relating to the public sewer.

The previous permission was only issued in April 2002 following delays because the North Area Planning Committee were not satisfied that the development would not lead to problems with the sewer running through Steeple Aston. It was only with the introduction of Condition 24 (recommended again now) that Members were prepared to accept the recommendation.

Having regard to all of the foregoing material considerations and the safeguards recommended by the conditions, I do not consider that there are sufficient grounds whereby the Local Planning Authority could demonstrate that the development causes significant harm to interests of acknowledged importance since the last consideration of the previous application in 2002 and thus the proposal is recommended for approval.

07/00654/F

20.04.07

Deddington - 5 The Paddocks Deddington Oxfordshire
Two storey rear extension. Raise roof over existing utility/store. New vehicular access. (As amended by plans received 20.04.07.)
For : Mr & Mrs Morrison c/o Ben Tanner Andy Paterson Architects Ltd 7 Maidcroft Road Oxford OX4 3EN

RECOMMENDATION :

Approval, subject to :

- a) the expiry of the consultation period (24 May 2007)
- b) the receipt of a plan showing the east elevation
- c) the following conditions:-
 - 1 1.4A
 - 2 2.6
 - 3 2.9A - bedroom - west
 - 4 6.3
 - 5 The proposed means of access between the land and the highway shall be formed, laid out and constructed strictly in accordance with the specification of the means of access attached hereto, and that all ancillary works therein specified shall be undertaken in accordance with the said specification.
Reason - In the interests of highway safety and to comply with Policy T8 of the Oxfordshire Structure Plan 2016 and Policies TR2 and TR5 of the adopted Cherwell Local Plan.
 - 6 4.13B - 3

Planning Note(s)

The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working. Please contact the Council's Anti-Social Behaviour Manager on 01295 221623 for further advice on this matter.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal pays proper regard to the character and appearance of the site and surrounding area and has no undue adverse impact upon the residential amenities of neighbouring properties or highway safety. As such the proposal is in accordance with Policies G2 and T8 of the Oxfordshire Structure Plan 2016

and Policies C28, C30 and TR2 of the adopted Cherwell Local Plan. For the reasons given above and having proper regard to all other matters raised the Council considered that the application should be approved and planning permission granted subject to appropriate conditions as set out above.

CONSULTATIONS/REPRESENTATIONS

Deddington Parish Council objects to the application on the grounds that the extension is overbearing and will adversely affect the amenities of neighbouring properties and have an adverse impact on the character and appearance of its surroundings. The Parish Council were re-consulted regarding the amendment to the red-line area of the application site and the obscure glazing of the west facing window. The Parish Council did not withdraw any objections as the amendments did not address any of their concerns.

The Local Highway Authority has not objected to the application subject to the inclusion of two conditions, included in the recommendation above.

The owners of the neighbouring property to the east have objected to the application on the grounds that the removal of the chimney may cause disruption to the roof tiles, the new roof line would be out of character with the remainder of the row, their property will be overshadowed and the work will cause general disruption to the elderly residents.

HDC &MD'S ASSESSMENT

This application seeks planning permission for a two storey rear extension, raising the roof of the utility/store and new vehicular access at 5 The Paddocks, Deddington. The property is a semi-detached dwelling which is then linked to the property to the east by single storey adjoining utility/store rooms. The property fronts onto Hempton Road and backs onto the bungalows on The Paddocks. The property is rendered and has a plain tile roof. There is currently no vehicular access to the property. There is no relevant planning history for this property.

The application should be assessed in terms of its visual impact on the public domain, impact on the residential amenities of neighbouring properties and highway safety.

In terms of visual impact each element of the proposal will be visible from the public domain. The access will cut across a large highway verge which will have an impact on the general street scene. However there are existing pedestrian cross-overs and one vehicular cross-over. It is therefore considered that the creation of this access will not be detrimental to the character and appearance of the street scene. A large proportion of grass verge would remain even if all the properties in this row created similar new vehicular accesses.

The proposal includes raising the roof of the existing single storey utility/store by one metre. Although all the properties of this type have single storey elements which are uniform in appearance they are each slightly staggered in height resulting in some difference in the levels of the ridges. By raising the ridge and eaves of this single storey element there will be a 1.4 metre height difference between it and the neighbouring utility/store. Although this will differ from surrounding properties it is not considered that it will be detrimental to the

character of the area as the basic principles of good design are still satisfied. For example, the ridge and eaves height will still be significantly lower than the main dwelling which retains a structure which is minor and subservient to the main dwelling.

The rear of the property is clearly visible from the public domain, from within The Paddocks. Therefore the two storey rear extension will be visible. The rear of this row of houses is uniform in appearance and none of the properties have been extended to the rear. Therefore the extension will change the appearance of the area but it is not considered that there will be demonstrable harm caused to the visual amenities of the area. Although the extension is described as a two storey extension it is no higher than the increased roof height of the utility/store. Due to the set back of the utility/store the extension will project 4.7 metres from the utility/store and 4 metres from the main dwelling. Although the dimensions appear large the overall appearance of the extension is subservient to the main dwelling. In terms of visual appearance it may be regrettable to alter the uniformity of the properties but it would be unreasonable to object to this in principle as permitted development rights would allow them to be extended with no controls over design.

On balance it is considered that this proposal would not cause demonstrable harm to the visual amenities of the area and in this respect the proposal complies with Policy G2 of the Oxfordshire Structure Plan and Policy C28 of the Cherwell Local Plan.

In terms of neighbouring amenity the vehicular access will cause no detriment to the living amenities of the neighbouring properties in terms of loss of privacy and light.

The owners of the adjoining property to the east have raised concerns that the removal of the chimney and the raising of the roof may disrupt the tiles however this is not an issue controlled by planning legislation. The owners of the neighbouring property have also expressed concern that the extension will overshadow their property. However the proposal complies with the Council's informal space standards relating to overshadowing and loss of light.

Although the extension is longer than normally permitted close to shared boundaries it does not conflict with the 45 degree space standard as measured from the nearest habitable room window on the neighbouring property. In addition to this fact the rear of the properties are south facing therefore they will receive direct sunlight most of the day despite the extension.

The feeling of overbearing has also been assessed and it is considered that as the extension is closest to the utility/store of the neighbouring property it will not have an overbearing impact on the residential living environment. In addition the extension is set 1 metre off the boundary, the neighbouring garden is 13 metres wide and 18 metres long with low boundaries. Therefore in all other respects the garden remains very free from overbearing features.

There are no side facing windows on the east elevation therefore overlooking will not be an issue. There is one first floor window proposed on the western elevation but this has been described as obscurely glazed to overcome the potential overlooking into the most private amenity of the garden to the west.

The owners of the property to the east have also expressed concern that the building work would be a disruption to the elderly occupants of the property. Although the works may cause some disruption this is not an issue that can significantly influence the planning decision. However, a planning note has been attached to the decision drawing the applicant's attention to the requirements of the relevant legislation.

Given the above assessment it is considered that the proposal will not cause demonstrable harm to the living amenities of neighbouring properties in terms of privacy, loss of light and overbearing. It therefore complies with Policy C30 of the adopted Cherwell Local Plan.

The creation of the access and proposed extension has not raised any concerns with the Local Highway Authority subject to the inclusion of conditions.

Overall, based on the above assessment the proposal is considered to comply with the policies set out in the reasons for approval. It is therefore recommended that the application be approved subject to the conditions set out above.

This application is to be considered by North Area Planning Committee as notice was served on this Council in the belief that it was the land owner of the grass verge. However this is highway land and not within this Council's ownership. Despite this fact the application was advertised as being a Committee decision therefore it must be considered by the North Area Planning Committee.