

PLANNING

ELECTRONIC
VERSION

Planning Decision

P19/S0606/FUL

Gillian Probets
c/o Benjamin Hill Designs
Orchard Cottage
Aston Park Stud
Aston Rowant
WATLINGTON
OX49 5SR

PLANNING PERMISSION

Application No : **P19/S0606/FUL**

Application proposal, including any amendments :

Conversion of part of the existing stables and barn into residential use, providing a 1 bedroom dwelling. (Additional information received 21 May 2019 with relation to a contamination report).

Site Location : **Windmill Meadow Windmill Road Towersey OX9 3QQ**

South Oxfordshire District Council hereby gives notice that **planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, BHD-0055-E2A, BHD-0055-P2, BHD-0055-E1 and BHD-0055-P1, except as controlled or modified by conditions of this permission.



Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. That the materials to be used for the external walls and roofs of the development hereby approved shall be of the same colour, type and texture as those used on the existing building(s).

Reason: In the interests of the visual appearance of the development in accordance with Policy CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies G2 and D1 of the South Oxfordshire Local Plan 2011.

4. That any new windows or doors shall be timber-framed.

Reason: In the interests of the visual appearance of the development in accordance with Policies CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies G2, E8 and D1 of the South Oxfordshire Local Plan 2011.

5. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted to and approved in writing by the Local Planning Authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and if significant contamination is identified to inform the remediation strategy.

Phase 3 requires that a remediation strategy be submitted to and approved by the LPA to ensure the site will be rendered suitable for its proposed use.

Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Policy EP8 of the South Oxfordshire Local Plan 2011.

6. The developer shall confirm in writing to the Local Planning Authority the presence of any unsuspected contamination encountered during the development. In the event of any contamination to the land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial works to include methods of monitoring and certification of such works undertaken has been submitted to and approved in writing by the

local planning authority.

Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Policy EP8 of the South Oxfordshire Local Plan 2011.

7. The development shall not be occupied until any previously approved remediation strategy has been carried out in full and a validation report confirming completion of these works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Policy EP8 of the South Oxfordshire Local Plan 2011.

8. Prior to the first occupation of the development hereby approved a turning area and car parking spaces shall be provided within the curtilage of the site so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway. The turning area and parking spaces shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles in strict accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The turning area and car parking spaces shall be retained unobstructed except for the parking and manoeuvring of motor vehicles at all times.

Reason: In the interests of highway safety and to ensure the provision of off-street car parking in accordance with Policies T1 and T2 of the South Oxfordshire Local Plan 2011.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A and Class B of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with Policy CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies G2 and D1 of the South Oxfordshire Local Plan 2011.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the provision within the curtilage of the dwelling of any building,

enclosure or swimming pool as described in Schedule 2, Part 1, Class E of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity in accordance with Policy CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies G2 and D1 of the South Oxfordshire Local Plan 2011.

- NB: The chosen building control body should be consulted if contamination is identified at the development site or if the development is being designed to be resistant to contamination. This would enable the building control body to take account of the risks to the development from contamination and to undertake any necessary inspections.
- NB: The development to which this permission relates is liable to pay the Community Infrastructure Levy as set out in the South Oxfordshire District Charging Schedule. Upon planning permission (including permission on appeal) a Liability Notice will be issued to the nominated person/company liable for CIL or landowner(s). The person/company liable for CIL shall be notified to the Local Planning Authority (using CIL Form 1). Please submit a commencement notice before development commences (CIL Form 6) as this helps us with the monitoring of CIL chargeable development across the district. The Local Planning Authority will send a Demand Notice to the person/company liable for CIL when the Commencement Notice is received. Failure to follow the CIL procedures could result in surcharges and the loss of any exemption relief if entitled. Guidance on CIL is available on the planning portal website <http://www.planningportal.co.uk/cil> or the council's website <http://www.southoxon.gov.uk/cil> together with the process for paying CIL.
- NB: The above permission/consent may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of the pre-condition(s) have been met.
- NB: This approval is specific to the details of the development as shown on the approved plans and other associated documentation. Unless otherwise agreed by the Council any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. As such the Council must be advised in writing of any proposed variations from the approved plans and other associated documentation at the earliest stage possible. A decision will then be made as to whether the changes can be dealt with as a minor revision to the approved details or whether a revised application is required.

This permission refers only to that required under the Town and Country Planning

Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Reason for Decision

Planning permission is granted as the proposal complies with the relevant Development Plan Policies and, subject to the attached conditions, would not be detrimental to the character and appearance of the site or the surrounding area, would not be unneighbourly and would not result in conditions prejudicial to highway safety.

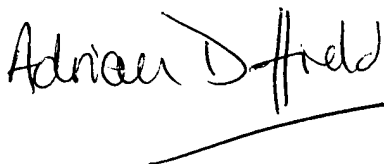
In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents of issues that arise during the processing of their application and where possible suggesting solutions to problems.

Note : A more detailed explanation is available in the officer's report, available in the application case file.

Key Policies

CS1	Presumption in favour of sustainable development
CSQ3	Design
CSS1	The Overall Strategy
D1	Principles of good design
D10	Waste Management
D2	Safe and secure parking for vehicles and cycles
D3	Outdoor amenity area
D4	Reasonable level of privacy for occupiers
E8	Re-use or adaptation of rural buildings outside built up areas
EP8	Contaminated land
G2	Protect district from adverse development
G4	Protection of Countryside
T1	Safe, convenient and adequate highway network for all users
T2	Unloading, turning and parking for all highway users

Note : The full wording of the above policies are available on our website or in the local plan documents, at our offices.



Head of Planning
1st August 2019

STATUTORY INFORMATIVE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within **six months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

OTHER INFORMATION

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website (www.planningportal.gov.uk).