

PLANNING

ELECTRONIC
VERSION

Planning Decision

P22/S3712/FUL

Gillian Probets
c/o Benjamin Hill Designs
12 Chazey Close
Chazey Heath
RG4 9ET

PLANNING PERMISSION

Application No : **P22/S3712/FUL**

Application proposal, including any amendments :

Conversion of part of the existing stables and barn into residential use, providing a 1 bedroom dwelling.

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, E101, P101, E100 and P100, 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 Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.

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

Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.

5. The development shall be carried out in accordance the STM Environmental Contaminated land Risk Assessment Phase 2 Environmental Site Investigation report PH2-2022-000026 dated 16 June 2022, satisfactorily addresses the requirements for submission of a Phase 2 comprehensive intrusive investigation. The submitted STM Environmental Contaminated Land Remediation Strategy and Verification Plan Windmill Meadow, Windmill Road, Towersey, OX9 3QQ Report Reference REM-2022-000017 dated 14 July 2022, approved under application P22/S2300/DIS dated 21 July 2022.

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 ENV11 of the South Oxfordshire Local Plan 2035.

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 ENV11 of the South Oxfordshire Local Plan 2035.

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 ENV11 of the South Oxfordshire Local Plan 2035.

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 for 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 for 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.

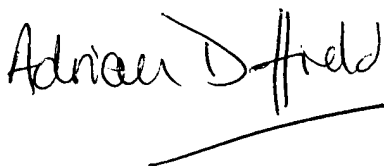
In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents 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

DES1	Delivering High Quality Development
DES10	Carbon Reduction
DES2	Enhancing Local Character
DES5	Outdoor Amenity Space
DES6	Residential Amenity
ENV1	Landscape and Countryside
ENV11	Pollution - Impact from existing and/ or Previous Land uses on new Development and the Natural Environment (Potential receptors of Pollution)
ENV2	Biodiversity - Designated sites, Priority Habitats and Species
EP4	Flood Risk
H1	Delivering New Homes
STRAT1	The Overall Strategy
TRANS2	Promoting Sustainable Transport and Accessibility
TRANS5	Consideration of Development Proposals

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
21st November 2022

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 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Telephone : 0303 444 5000
www.planningportal.gov.uk
email: enquiries@pins.gsi.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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 the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

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).

BUILDING OVER GAS MAINS AND SERVICES

Please note before you plan to dig, or carry out building work within the SGN gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact the SGN Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone SGN with general plant protection queries. See SGN details below: Phone 0800 912 1722 or email plantlocation@sgn.co.uk

For further information please refer to:

<https://www.sgn.co.uk/damage-prevention>

<https://www.sgn.co.uk/help-and-advice/digging-safely>