

PD14343/TM/SB

email: 

11 March 2024

Planning and Development
Council Offices
Witney
West Oxfordshire
OX28 1NB**FAO JOAN DESMOND*****Planning Portal Ref. PP-12868533***

Dear Joan,

**WOODLEYS ESTATE, WOODSTOCK, OXFORDSHIRE, OX20 1HJ
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR PLANNING PERMISSION**

On behalf of our client, Woodleys Ltd ('the Applicant'), please find enclosed an application seeking planning permission ('the Application') in relation to the proposed installation of a ground source heat pump at Woodleys House, Woodstock, Oxfordshire, OX20 1HJ ('the Site'), located within the jurisdiction of West Oxfordshire District Council ('WODC').

The Application seeks the installation of a ground source heat pump in no.2 areas within Woodleys Estate, the first area comprises no.20 boreholes spaced 10m apart at 150m deep and the second area comprises no.13 boreholes spaced 10m apart at 150m deep to service Woodleys Estate ('the Proposed Development' / 'the Scheme' / 'the Proposals').

The Proposed Development description is as follows:

"Creation of no.33 boreholes spaced 10m apart at 150m deep over two areas (1st area no.20 boreholes, 2nd area no.13 boreholes) for the installation of Ground Source Heat Pump to service Woodleys Estate."

The Proposed Development has been subject to pre-application discussions with officers at WODC (ref. 23/00772/PREAPP) during an on-site meeting on 3rd July 2023, which has informed the sustainability approach to the Estate.

The Application has been submitted via the Planning Portal (ref. PP-12868533).

This Application should be read in conjunction with application ref. 24/00083/FUL which details the wider site proposals and further sustainability measures proposed for the future of Woodleys Estate.

Application Contents**WWW.MONTAGU-EVANS.CO.UK**

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Please find enclosed the following information:

1. Completed application Form, prepared by Montagu Evans;
2. Application Covering Letter (i.e. this letter) including Planning Assessment, prepared by Montagu Evans;
3. Site Location Plan, prepared by ADAM Architecture;
4. Application Drawings, prepared by ADAM Architecture;
5. Design and Access Statement, prepared by ADAM Architecture;
6. Energy Statement, prepared by ISO Energy; and
7. Noise Impact Assessment, prepared by dBA Acoustics.

THE SITE

Woodleys Estate spans a total area of 36,885 sqm. The Estate comprises the Grade II Listed Woodleys House, and while not independently listed, we conclude that the Bell Barn is curtilage listed through geographical proximity and ancillary use to the Main House. The Site is not located within a conservation area.

The Site is located outside of the Cotswold Area of Outstanding Natural Beauty which is located southwest of the Site beyond Wooton Wood. The Estate is located within the Local Planning Authority of West Oxfordshire District Council.

The Application Site is illustrated in red, and the ownership boundary is illustrated in blue, within **Figure 1** below and the site area comprises a total of 2,400.73 sqm relating to the area of the Estate which is subject to the proposed ground source heat pump installation.

The wider Estate comprises Woodleys House, the Bell Barn, modern agricultural barns, and a number of ancillary residential units including the Coach House, Grimsdyke Cottage, and the Gardener's Cottage. These buildings do not form part of this Application.

The Application Site is located on the B4437, which runs west to east from Charlbury to the A44 which leads south to Oxford. It is approximately 5.72km east of Charlbury and approximately 15.5km north of Oxford.

Woodleys House, which lies in the wider ownership area, is Grade II Listed and was listed 29th June 1988 (list entry number 1368001).

The Application site is not located within a flood zone.

Woodleys House and Estate dates from c.1770 as a fine agricultural dwellinghouse. It has been enlarged throughout the late-eighteenth and nineteenth centuries which allowed it to become a humble late-eighteenth century residence for gentlemen.

Woodleys House is a compilation of various periodic styles, both externally and internally, including Georgian, regency, and Victorian and has undergone significant alterations since it was first constructed which contributes to its significance.



Figure 1 – Site Location Plan

CURRENT OWNERSHIP

Woodleys Estate (c. 36,885 sqm) is owned in its entirety by Woodleys Ltd who acquired ownership of the Estate in 2022.

As mentioned above, it was formerly owned by the Ponsonby family from 1881 – 2022 who contributed to much of the estate’s development and thus its historic and architectural interest. Further details of the historic ownership of the site can be found in the Heritage Statement within the Design and Access Statement.

Figure 2 shows the agricultural holding of the Estate comprises 230 acres of land made up of the surrounding fields. There are a total of 14 fields which are leased to agricultural tenants under a mixture of contract service arrangements with a third party and annual grazing licenses. These uses are proposed to be retained.

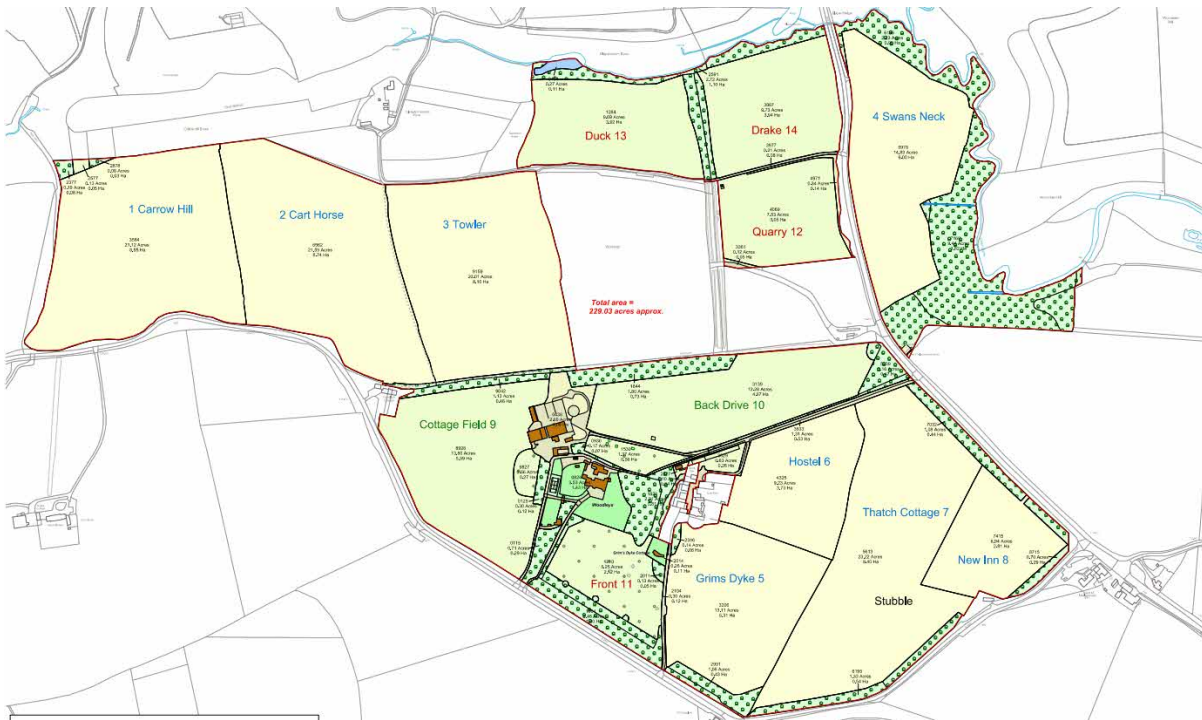


Figure 2 – Agricultural Holding Plan

PLANNING HISTORY

Woodleys House has a limited planning history available on the West Oxfordshire District Council planning register, with only the following application available from 2006.

On 20th April 2006, listed building consent was granted for the alteration of two windows.

PROPOSED DEVELOPMENT

The Proposed Development represents an opportunity to improve the sustainability of the Estate through the introduction of a ground source heat pump to deliver more sustainable and environment conscious energy to the residents and buildings within the Woodleys Estate ownership.

The Proposed Development has been informed by Montagu Evans and ADAM Architecture who have worked collaboratively to create a holistic sustainability approach to improve energy efficiency across the Estate for future generations.

The Proposed Development comprises the following:

“Creation of no.33 boreholes spaced 10m apart at 150m deep over two areas (1st area no.20 boreholes, 2nd area no.13 boreholes) for the installation of Ground Source Heat Pump to service Woodleys Estate.”

The form and contents of the Proposed Development is described in full within the supporting documents and drawings accompanying this Application. Further sustainability proposals are set out within the application ref. 24/00083/FUL and it is recommended that these are read in conjunction with this letter and this Application.

STATUTORY PROVISIONS

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with policies of the Statutory Development Plan unless material consideration indicate otherwise. The relevant Statutory Development Plan for the Site is outlined below.

PLANNING POLICY CONTEXT

The adopted Statutory Development Plan for the Site comprises the West Oxfordshire local Plan 2031 (Adopted September 2018).

Under the above, the Site is subject to the following designations:

Eastern Parks and Valleys Landscape Character Area;
Wychwood Project Area; and
Blenheim and Ditchley Parks Biodiversity Conservation Target Area.

The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 11 states that decisions should apply a presumption in favour of sustainable development and goes onto state that:

“For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

The NPPF is a material consideration in the determination of planning applications. In addition to the NPPF, Planning Practice Guidance (“PPG”) was first published in March 2014 and has been amended on numerous occasions to reflect national planning policy changes. The PPG outlines how government planning practice should be followed and interpreted in accordance with the principles of the NPPF. Regarding decision making, the guidelines set out in the PPG are a material consideration and accordingly should carry weight in the determining of planning applications.

The West Oxfordshire Local Plan was adopted in September 2018 and is the basis of planning decisions and future development within West Oxfordshire. The Local Plan ensures that West Oxfordshire District Council have planning policies which respond to the district’s unique characteristics and contribute to delivering local priorities. The Local Plan covers the period from adoption (2018) to 2031.

We consider the following policies within the development plan to be relevant to the Proposed Development:

Policy OS1 (Presumption in favour of Sustainable Development);
Policy EH6 (Decentralisation and Renewable or Low Carbon Energy Development); and
Policy EH8 (Environmental Protection).

The adopted development plan is supported by other material considerations as appropriate which include Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs), and emerging development plan policy.

The Council has adopted the West Oxfordshire Design Guide SPD (2016).

Emerging Policy and Development Plan

The Council are currently in the process of preparing a new local plan (the Local Plan 2041).

The initial scoping consultation (Regulation 18) was completed in October 2022, followed by a focused consultation on draft plan objectives, pattern of development, and call for ideas, opportunities, and sites which concluded in October 2023.

The draft local plan is expected to be in consultation on the preferred policy options and approaches in Winter 2023, with the publication of the pre-submission draft Local Plan (Regulation 19) expected in Summer 2024.

As the plan is only at a very early stage of preparation, it should be accorded limited weight.

PLANNING POLICY ASSESSMENT

The development plan promotes sustainable development within **Policy EH6** (Decentralisation and Renewable or Low Carbon Energy Development).

Policy EH6 supports renewable and low-carbon energy developments which are located and designed to minimise any adverse impacts to the landscape and historic environment. The proposals are assessed against the following local issues:

“impacts on landscape, biodiversity, historic environment, agricultural land, residential amenity, aviation activities, highway safety and fuel/energy security, including their cumulative and visual impacts; opportunities for environmental enhancement, Environmental enhancements, in addition to those required to mitigate and compensate any adverse impacts, will be sought, especially where they will contribute to Conservation Target Areas and Nature Improvement Areas; potential benefits to host communities (including job creation and income generation).”

A Renewable Energy Solution Outline Proposal, prepared by ISO Energy, accompanies the submission of this Application and includes a full assessment of the Proposed Development in sustainability terms.

The Renewable Energy Solution Outline Proposal estimates that the combined annual energy requirement for the Main House, the Event Barn, and the Bell Barn would be 355,000 kWh (broken down to be 200,000 kWh, 25,000 kWh, and 130,000 kWh respectively). For this reason, ISO Energy propose a ground source heat pump which can provide the required annual energy to the buildings forming the Estate and will assist in reducing unsustainable energy expenditure across the Estate in conjunction with the sustainability measures set out within the application ref. 24/00083/FUL.

The location of the ground source heat pump is within service areas of the Estate, set back from the setting of the historic buildings, and visually discrete thus there is no further conflict between the renewable energy proposals and the appreciation of the historic environment which is in line with **Policy EH6**.

Furthermore, the installation of a ground source heat pump establishes a sustainable design approach to the Proposed Development. Further details of the sustainable design approach can be found within the Design and Access Statement prepared by ADAM Architecture.

In the Applicant's previous projects, they have used 100% green energy, and invested in rainwater harvesting, sheep's wool insulation, socially and environmentally sourced products, which is reflected within this Application to provide a ground source heat pump to reduce unsustainable energy consumption on the Estate.

The proposed installation of a ground source heat pump for Woodleys Estate is expected to minimise carbon emissions of the building life cycle and will allow the Estate to be renewably powered to increase the longevity of systems on the Site so that the Estate can be enjoyed by future generations. It is the intention of the Applicant to deliver 100% renewable energy, which is a significant benefit in the planning balance and aligns with **Policy OS1** (Presumption in Favour of Sustainable Development).

NOISE, LIGHTING, AND AMENITY

In terms of amenity, the Proposed Development is unlikely to negatively impact on surrounding residents given that the Site is set far back from the road and other residential dwellings within the surrounding area, there are a number of trees which further occlude the development from neighbours and passers-by.

Policy EH2 (Landscape Character) states that proposed development should avoid noise and light pollution which has an adverse impact on the surrounding landscape character and notes that measures to maintain or improve the existing level of tranquillity and dark-sky quality should be incorporated where possible.

Policy EH8 (Environmental Protection) states:

"Proposals which are likely to cause pollution or result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity."

Noise

"New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance."

A Noise Impact Assessment, prepared by dBA Acoustics, accompanies this Application which sets out the noise impact of the installation of the ground source heat pump. The Noise Impact Assessment concludes that there will be negligible amenity impacts arising from the increase in traffic movements around the site and the installation of the ground source heat pump.

We conclude that the Proposed Development is unlikely to affect surrounding residents as a result of amenity considerations such as noise. Likewise, there is unlikely to be any impact on the amenity of residents within Woodleys House and the associated residential units on the Estate through the installation and operation of the ground source heat pump.

CONCLUSION

Policy OS1 (Presumption in favour of Sustainable Development) states the following:

"Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise."

"Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise- taking into account whether:"

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.*”

Policy OS1 confirms that given the Proposed Development is policy compliant the application will be supported and in lieu of relevant policies to the Proposals, the Council will consider the Proposals in the round of the planning benefits balance. We understand that the principle of the Proposed Development is policy compliant as far as policy extends; and where there is no relevant policy available, we have set out the planning benefits to be weighed in the planning balance upon determination which comprises the installation of the ground source heat pump and associated long term sustainability benefits.

Overall and for the reasons set out above, we consider that the Proposed Development provides a number of sustainability benefits, including reduced energy costs over a long period of time and reduced carbon emissions.

The Proposals intend to be delivered as part of a wider sustainable design approach for the Estate to deliver a highly sustainable energy programme to the Estate over time for the benefit of future generations.

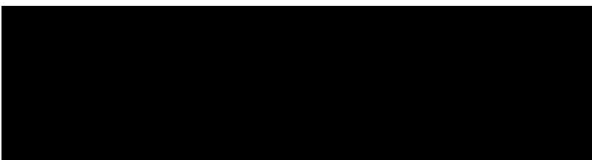
In summary, the proposals are considered to be overall beneficial and accord with the relevant sections of the Statutory Development Plan, meet with national guidance and comply with the relevant Statutory Provisions.

ADMINISTRATIVE MATTERS

The Application fee has been calculated in accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) 2012 (as amended). The fee, amounting to £1,798.00 (inclusive of service charge of £64), will be paid via the Planning Portal upon submission.

We would be grateful if West Oxfordshire District Council could confirm that our Application is complete and will be validated shortly. In the meantime, should any further clarification, information or assistance be required, please contact Tim Miles (Tel. 07818 012 444 / tim.miles@montaguevans.co.uk) or Shonagh Ramsay (Tel. 07584 154 755 / shonagh.ramsay@montagu-evans.co.uk) of this office in the first instance.

Yours faithfully,



Montagu Evans LLP