

SUPPLEMENTARY INFORMATION

Planning Committee

1 October 2015

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

1 October 2015

WRITTEN UPDATES

Agenda Item 7 14/01979/F Moorlands Farm, Murcott

- It is recommended, given BBOWTS comments, that a condition regarding protection of hedgerows and trees is included to ensure these features are protected during construction. Recommend condition number 11 as set out in the main report.
- An assessment of operational impacts of a change to equine use and ways to minimise these on the surrounding land and features of ecological interest (e.g. the adjacent LWS, DWS and Otmoor SSSI which is in close proximity and connected to the site by the same ditch system) to include watercourses and hedgerows, would be appropriate to condition to ensure any long term impacts are considered and mitigated.

Additional suggested condition:

13. Prior to any works commencing at the site, an ecological report detailing an assessment of the surrounding land features of ecological interest, including the adjacent Local Wildlife Site and Otmoor Site of Special Scientific Interest, to identify important ecological features and any mitigation required to preserve these features, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To identify any important ecological features and any required mitigation prior to works commencing on the site, to protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Local Plan and Government guidance contained within the National Planning Policy Framework.

Agenda Item 8 14/02004/OUT Woodstock E, Shipton-on- Cherwell

- A letter has been received from Icomos . A full copy is attached as Appendix 1 to this update. They make the following principal points
 - *Understand that cherry pickers were used to prove development would not be visible from the park/palace*
 - *Accept that efforts would be made to mitigate light spillage*
 - *Loss of tranquility remains as concern*
 - *Continued concern about the setting of the World Heritage Site*

- *Support in principle initiatives to provide secure funding for the future maintenance of WHSs*
 - *It is the role of others to perform the balancing exercise*
 - *Preference is for the site to remain open and undeveloped*
- A response letter has been received from the applicants with regards to Sport England's most recent comments. West Waddy ADP letter of 17 September is attached as appendix 2 . Their main points are 1. More details will follow at reserved matters stage.2.whilst the raining pitch is mainly to be aimed for football the specification will allow other sports to use it as well. 3. The eastern sports area will be flexible and meet the community needs
 - Eleven further letters of comment have been received (four in standard format) . One letter queries the latest letter of support from Marlborough School in which is stated that the future of the school is in question and the development would help to sustain the school role. It contrasts this statement with those made in May with regards this application and questions why/how this change has come about. Attention is also drawn to the Football Club support for the scheme and Sport England's objection.

Agenda Item 9 15/00250/OUT Land S of Bicester Services, Oxford Rd. Bicester

- 45 further letters of support from Bicester residents which have been sent to Councillors Hurle and Lynn Pratt.
- 1 further letter of objection from a resident in Launton, who commented in March. The issues raised are summarised as follows
 - Car parking has still not satisfactorily resolved. The plans show no staff car parking, only cycle racks. Staff will be drawn from a wide area and may not have access to regular public transport and it may be too far to walk or cycle, particularly early or late shifts.
 - No space to extend the car park and the developers do not appear to have taken account of the expansion of Bicester over the next 10/15 years and the additional volume of traffic generated
 - Must not be looked at in isolation, in particular the traffic problems expected with the London Road level crossing and other outstanding strategic sites.
 - If the nature of strategic sites are changed from those agreed in the local plan, the number of jobs projected will be greatly diminished.
- Further letter of support from M &S which has been circulated to Members
- Further correspondence from the applicant's CPG which has been circulated to Members

- Further letter of support from Next Group PLC which has been circulated to Members
- Further letter of representation from GKA Ltd on behalf of the Bicester Sports Association which has been circulated to Members
- Further letter of representation submitted by Barton Willmore on behalf of Bicester Sports Association raising concerns about a number of statements made by Mango and the sequential test. It is their view that the sequential test has not been met as the commentary provided by mango on the BSA site remains insufficient to demonstrate compliance with the sequential test. They conclude by stating that ‘the failure of the Applicant to assess the BSA site in sufficient detail against the relevant sequential test requirements, or to assess other well connected and accessible sites in the Area of Search, constitutes a failure to comply with the sequential test (as noted by your planning policy team). We remain of the view that the BSA site is available, suitable and viable for the proposed development, and that the application should be refused against NPPF paragraphs 24 and 27 as set out in our previous objections’.
- Bicester Chamber of Commerce comment as follows:
 - *Would welcome Marks & Spencer and Next and other High Street names to Bicester and see a strong multi facet town centre retail offer as fundamental to stimulating economic activity. While Bicester Town centre has improved significantly over the last 2 years, more needs to be done. Bicester is growing rapidly and these and similar retailer brands could help extend Bicester’s retail offer; attract footfall that indirectly supports independent retailers; and help to make Bicester a shopping destination.*
 - *These High Street names have been strongly promoted but there is no guarantee that they will be the sores that actually arrive. It is noted that in making their submission about impact, the developers reference TK Maxx and are silent on the issue of M & S food store leaving Bicester town centre, when their current lease expires in 2016.*
 - *While we recognise the power of these brands to shape local opinion, we ask that the LPA looks dispassionately at the real and significant impacts that this proposal will have on the local area and the rest of Bicester and beyond.*
 - *In respect of the Cherwell Local plan 2011-2031, while these High Street names must be in Bicester, we are very concerned that, the*

proposed location has serious shortcomings and could serve more to the detriment of Bicester as a whole rather than achieving a net benefit and recognises that there are many pros and cons both in the short and longer term making this a very difficult decision.

- *By virtue of its location contend that the application is contrary to Local plan Policy SLE 2 – Securing Dynamic Town Centres and paragraphs B49, B50 and B51*
- *The location is dislocated from Bicester Town Centre and the applicant offers no proposals or plans to show how this will be tackled and remain to be persuaded that there are no alternative viable locations that relate more complementary to Bicester town centre.*
- *The Chamber of Commerce is very worried about the impact on the immediate and wider road network and queries the applicant's conclusion that the proposals will not significantly add to the traffic streams in and out of Bicester. Based on long and intricate knowledge of Bicester the chamber of Commerce concludes that this is not so.*
- *Difficult to grasp that this proposal will have virtually no impact on the road network, traffic flows and on street car parking. This location continues to be susceptible to significant congestion, parking on verges and adjacent residential streets and more than occasional grid lock at periods of high demand. Whilst road improvements are underway with the recent approvals, the traffic flows generated by this proposal are not part of that equation, so the likelihood is that within a short time, the new road system will become congested and traffic will divert onto local residential roads as rat runs or for parking.*
- *Concerned by loss of important gateway employment site offering and heralding Bicester's redirection as a centre for high level skills to compliment the logistics, distribution and retail that are prevalent.*
- *Not persuaded that the area has been energetically promoted as a high skills employment location and even if it has been there is a need to take a longer term view to secure the type of up skilled local jobs that the Local Plan in B7 aspires to achieve.*
- *In consideration of Local Plan Policy SLE 2 and other issues we have addressed, we believe that solutions could be found that represent a win/win situation both securing the recognised High Street brands and establishing the expanded, integrated, coherent and comprehensive town centre referenced in the Local Plan and Bicester*

master plan.

- A further letter of representation received from DP9 on behalf of Value Retail. They raise concerns that the committee report and reasons for refusal do not go far enough, considering that transport and traffic impacts of the development will be severe and in accordance with paragraph 32 of the NPPF would constitute a further reason for refusal.
- Following this Value Retail has commissioned a 'Peer Review' of the submitted TA by two separate transport planning consultancies, these being Royal Haskoning DHV and Transport Planning Practice. These have been forwarded directly to Members by John Holmes of Value Retail.
- Letter from Mango in respect of CBRE's latest advice concludes as follows:
 - *The applicant has provided substantial and detailed information in respect of the impacts of the proposal that shows clearly that the scheme does not give rise to significant adverse impact, either on a solus or cumulative basis*
 - *The applicant has sought to respond to the reasonable requests for further information from CBRE but the level and type of information now requested, and the justification for it, is simply not necessary, proportionate or reasonable*
 - *We would therefore ask the LPA to accept the positions before it: That the applicant considers, on detailed evidence, there is to be no significant adverse impact on the town centre; and that your own consultant has neither asserted that there will be significant adverse impact or provided new and objective evidence to support such a position*
 - *We would also note that CBRE has also not considered whether the use of conditions and the proposed Section 106 Contribution may in any way affect the advice they have provided*
 - *These matters should of course be considered in the context of the advice Leading Counsel at paragraphs 18 and 19 of the Opinion provided to you that a refusal based on this ground may at appeal lead to an award of costs against the LPA*
 - *In light of the above, I trust therefore that officers will adopt the pragmatic view that the proposal complies with the relevant retail tests.*
- In response to comments raised regarding the car parking provision and servicing etc, Mango have commented as follows:
 - *Additional plans demonstrate that the car park and service areas*

track correctly

- *Car parking spaces are 2.4m x 4.m with 9m between bays*
- *Submitted drawings indicate zones for future plant. Details of the plant and their means of enclosure, if required, are not submitted for approval and will be the subject of separate applications when the tenant requirements and specifications are confirmed*
- *Refuse will be collected from Units 1 to 3 from the rear service area. The unloading bays are accessible using full size articulated HGV's and so a refuse vehicle will be easily accommodated. Units 4 to 6 and the gym will have deliveries and refuse collected from the car park using the lay-by in front of these units. These units are only accessible with rigid HGV's, hence the drawings say the plots show the swept paths of a 10m Rigid Delivery/Refuse vehicle (the largest that would be used)*
- *The applicant is happy to provide greater cycle parking provision as required by OCC.*
- *Staff parking, the demand assessment includes provision for staff car parking. A staff travel plan is proposed.*
- Following the further plans and information above, OCC raise no objections to the proposed submission in terms of the car parking layout, tracking, servicing and cycle parking provision

Agenda Item 10 15/00480/REM Ambrosden Court , Merton Rd. Ambrosden

- Officers are aware that late correspondence has been taking place between the Parish Council and the applicants to try to overcome the residual concerns of the Parish Council. The following is a abbreviated extract from that correspondence

From PC I discovered last night on running through the drawings on the CDC Planning Website, that you have indeed amended some drawings, and addressed a number of the points which we have raised, for which we are grateful, so it is perhaps unfortunate that neither the Planning Department or Croudace advised us of the amended drawings.

In the light of this yesterday evening I produced an update for Cllr Lynn Pratt, at this stage we are seeking for the application to be deferred to allow more time for outstanding issues to be resolved, as opposed to a refusal which is to no ones benefit.

We are left with three issues on our original comments, two of which can easily be addressed today.

- 1) a change to the materials of the rear elevation of plot 1 from brick to stone
- 2) the addition of two visitor parking spaces closer to plots 33-36 (the reason for this is that the other visitor spaces are so far away from these houses, there will still be the temptation for people to park on Merton Road and climb over the post and rail fence which your drawings show as a rather low 1m high).

The third issue is a little more difficult so I propose a solution

- 3) You have partially commented on is the height of dwellings 37-40. You have advised that you consider bungalows inappropriate, but you have not commented on the alternative suggestion of having these dwellings with lowered eaves, dropped by 900mm. This will have no impact on useable floor, or calculated floor areas, and you already have lowered eaves on other houses on the site, which arguably have less impact on the existing dwellings, than these plots.

The other points are in relation to planning conditions, which we are requesting. I would be delighted if you would confirm Croudace's agreement to appropriately worded conditions in relation to

a. Studios are proposed above some garages

The drawings show kitchens. Planning conditions should be applied to ensure that these annexes cannot be used as for sleeping accommodation, the running of businesses, or separate dwellings. The Parish Council support home working.

b. Impact of construction on Roman Way.

We consider that the proposed condition for Construction Management Plan is to loose considering the problems we have had with other developments in the village. In particular, the construction of this development will have a significant impact on the elderly and infirm owners of Roman Way, as it is on all three sides of the development. We request that the following conditions are applied to the development to ameliorate the impact to below nuisance levels.

- a. Limit of working hours to 8.30 to 5pm Monday to Friday. No weekend or bank holiday working.
- b. That the site compound location should be approved and agreed prior to commencement.
- c. No materials to be stored within 20m of the boundary with Roman Way
- d. No burning of materials on site.

- e. No equipment or generators to be run between the hours of 5pm and 8.30 am
- f. No delivery lorries to wait on Merton Road or Park Farm Close.
- g. Banksman and traffic control to be used at all times a site entrance.
- h. Services to Roman Way to not be obstructed.
- i. Wheel washing condition.

I would welcome your comments on the above, and if we can obtain assurances from you, that you can undertake 1-3 and agree to the additional planning conditions, I will be happy to change our comments to the Planning meeting, accordingly.

Reply from Applicant to CDC

Following our telephone conversation earlier today regarding the comments proposed by Mark Longworth and the Ambrosden Parish Council for the above scheme at Ambrosden Court. I can confirm that Croudace will be willing to;

1. Change the rear elevation of Plot 1 to stone from brick.
2. Consideration will be given to the issue of visitor parking close to plots 33-36.
3. We will lower the eaves height of the plots 37-40 by 900mm.

However Croudace will only be willing to undertake the amendments above as long as planning permission is granted subject to these amendments at the planning committee meeting on Thursday 1st October 2015.

Final comments from Parish Council

Thank you for the email

On the basis that the (*above*) is undertaken, and that the conditions made more specific, in relation to site setup and construction, and that a condition is imposed on detached garages to ensure they cannot be used for sleeping accommodation, I would be happy to amend our comments so that I no longer need to speak in objection.

If everyone is happy, on this basis, I will call the planning admin team and advise that I no longer intend to speak at the meeting, and would ask our Cllr Lynn Pratt to thank Croudace in the meeting for addressing the concerns of the Parish.

- **RECOMMEND** that the Development Services Manager be delegated to approve this application upon receipt of satisfactory amended plans to reflect the above requirements, and to make appropriate amendments to the proposed conditions

Agenda Item 11 15/00570/F Hill Farm, Hill Farm Lane, Duns Tew

- Additional letter received from owner of farm to north of the valley overlooking the site
I object to this planning application on a number of issues these being the most relevant.

The proposed solar site is set in a unspoilt rural valley location; it is moderate quality farmland, the same as a lot of the land within this local area but it is productive farmland and should remain as such.

To build a solar farm in the valley basin would cause adverse visual impact to the local landscape, especially for the many users of the historic bridleway known as Plumdon Lane.

Plumdon Lane is a popular bridleway used by many locals from the neighbouring villages of Hempton & Deddington for walking and recreational use on a regular basis, using Tomwell Farm drive as the entranceway to reach this bridleway.

Due to the siting of this bridleway on the N ridge of the valley, the native trees to be planted for screening purposes will not be successful due to the topography of the local area. These deciduous trees will take 20 plus years to reach maturity, this will leave the solar farm visible from the bridleway for it's almost it's entire lifespan.

Please do not approve this planning application, a solar farm will have nothing but a negative impact on the rural landscape and will be visually detrimental for the many users of this historic bridleway."

- Letter received supporting the application on behalf of the landowner stating

Charles Landless was the producer of Duns Tew Organic Beef. It was a popular brand locally and was well reviewed on the web, even by Cherwell District Council. The brand, like its own website, has ceased being available since 2013 after a neighbouring landowner abruptly terminated the lease on the pasture Charles used to rear his organic cattle. The Landlesses need to maximise the return on their land in order to remain in business.

The NFU is supporting them, because, like small family farmers across the country, only by staying in business can they continue to deliver the age-long fruits of their labours, which is none other than the creation and protection of rural England.

Cut-throat competition between supermarkets for shares in the retail food market leads to the remorseless downward pressure on farm-gate prices, even below the costs of production, as also to the sourcing of food from cheaper unregulated foreign outlets. British farmers then pay the price for the cheaper food which subsidises family budgets.

To increase their income farmers resort to several remedies which have a high visual impact on the traditional aspect of the English countryside, but which do not need the permission of their neighbours nor that of the Planning Authorities - for instance idespread fields of oil-seed rape. Polytunnels for the production of year-round vegetables are a first step in the industrialisation of the rural scene.

Further industrialisation of the Deddington Parish rural scene took place more than twenty years ago. A farmer wrote to the Cherwell Planning department seeking consent for the erection of one black-painted

corrugated iron grain silo to hold 200 tonnes of grain. The reply he received was that planning permission was not required, as it was regarded as a 'temporary structure'. Today he has eight similar silos, all 'temporary' though lasting 20 and more years, inelegant industrial structures, visually obtrusive on the rural landscape. These 'eyesores' are justified to enable him to maximise the return on his land by storing his grain for selling when the market price is at its most advantageous - and thus to hand on his farm to his son and grandsons.

Such is the scenario and context in which Charles Landless seeks permission for a solar farm to be installed on one of his fields - the urgent need to maximise income from his land (particularly after the recent loss of his premium quality organic beef). It is acknowledged that the solar farm has a visual impact, but its location carefully ensures that that impact is minimised for the general public, and confined to the very few whom the Planners call immediate 'receptors'. (This is demonstrated in the developers' report RP902 added to the Planning Portal on 15/9/15.) It is acknowledged that the proposed solar farm contributes to the further industrialising of the countryside, as do polytunnels and grain silos, but the solar panels also are to be temporary structures.

It is also acknowledged that the proposal is to take a small proportion of the farm's acreage out of arable production, but it is low-grade land and the panels are to be installed at such a height as to enable grazing sheep and wild fauna and flora to benefit from the vegetation.

The large plus-side of the equation is the need for renewable generation of electricity - here providing for the equivalent of 1500 homes, more than those of the neighbouring settlements of Deddington and Duns Tew. The general public has come to accept the intrusion on the landscape of much more prominent structures to provide the services which it needs and requires, such as electricity pylons and mobile phone masts, not to mention TV aerials and satellite dishes. The population equally needs and requires the supply of electricity for its use at the flick of a switch or turn of a dial. For that facility to continue to be available, while reducing the effects of climate change for future generations, renewable sources of energy are essential and the local negativities need to be accepted. There is no 'Planet B'.

Please give your support to this proposal.

- Letter received from applicants

We were delighted to receive the backing of the National Farmers Union for this application, which would make a significant contribution to maintaining the viability of Hill Farm, along with support from several members of the public, who recognise the hugely important contribution solar energy makes to our local and national renewable energy requirements. Indeed, the Officer's Report for this application recognises that *"it is beyond question that there is a significant need for additional renewable energy developments across the UK in order to assist in meeting the UK's statutory obligations and achieve the transition towards a more sustainable economy."* (Public Document Pack p.363).

Given the clear need for renewable energy resources, and Hill Farm's ideal suitability as a location, we were surprised and disappointed to find that the Officer has recommended refusal in this instance. Therefore, we wanted to take this final opportunity to reaffirm the benefits of the proposed development, and the reasons

for refusal put forward in the report.

Benefits:

- To provide a local source of clean and secure energy, enough to power 1,515 homes in the area.
- To promote the economic stability of an established local farm, so that farming can continue in the Duns Tew area and the agricultural character of the land is preserved. Given that diversification is a requisite for the continuation of the farm, this carefully considered proposal contains more benefits and less drawbacks for the local area than potential alternative developments.
- To make sensible use of agricultural land which is not best or most versatile for crop production. The site selected is some of the least productive on the farm, yet has the advantages of being south-facing and close to a National Grid connection point. Sheep will continue to graze between the panels.
- To help the UK achieve its renewable energy obligation of 15% renewable generation by 2020. As a developed nation it is vital that we take our responsibilities towards preventing climate change seriously – a message which has been reinforced in only the last fortnight by the likes of Sir David Attenborough, Brian Cox, Barack Obama, the Pope, the Confederation of British Industry and David Cameron. If action is not taken, the British countryside is also imperilled by increased flood risk, especially from severe downpours, as well as threats to biodiversity and habitats.
- To provide greater energy security for the UK, protecting against projected future shortfalls and insulating the UK from price shocks in a volatile world.
- To help achieve the Cherwell Local Plan policy ESD1, mitigating and adapting to climate change and helping conserve the countryside for future generations.
- To boost the local ecology through supporting wildlife and planting new trees and foliage.

I note the objections of the Planning Officer on the grounds of visual and landscape impact.

However:

- The proposed site is well shielded by the natural topography of the land from almost all vantage points.
- The site will be visible from short sections of the public bridleway on Plumdon Lane, but fleetingly and at considerable distance.
- Efforts to mitigate any visual impact from the bridleway are a prominent part of the proposal – and will leave lasting benefits for the local ecology.
- The development would be temporary, removed in full after 25 years with no negative impact on the land.
- The proposal is less invasive or damaging to the visual and geological character of the environment than any other form of energy generation such as fracking or

wind power, or other prospective developments which could secure the future of the farm. Indeed, it is less invasive than other accepted developments which provide power to our homes such as electricity pylons.

I also note a concern about the possibility for alternative sites, however:

- The site has been selected specifically because of a combination of factors which make it the most appropriate for this development, including: the lie of the land, the proximity to the Grid, the use of least productive local farmland, the opportunity to support a local farmer, and the impact on the local environment and landscape.
- The alternative site assessment concludes that there are no other sites in the vicinity of the Grid connection point which provide the same combination of advantageous factors. Grid connection points are not available all over the county. Factors such as these were thoroughly considered at the inception of this project.

Cherwell is an area of great charm and character and it is only right that councillors seek to preserve this and we acknowledge that the site will be visible from a small number of vantage points. However, the topography of the site is such that visual impact will be limited and this project will secure the long term future of an established farm and the surrounding landscape.

In all planning decisions a balance must be struck and in this instance we sincerely believe and propose to the committee that the benefits to the local and wider community so clearly outweigh the temporary and limited impact on the visual landscape that this proposal should be granted planning permission. This will help Cherwell District Council to meet its clean energy commitments in line with the Cherwell Local Plan, and support agriculture in Duns Tew for many years to come.

- Two other letters of support have been passed to us by the applicant, one from a local-level sustainability form based in Eynsham, and one from an adjacent farmer

Agenda Item 12 15/01024/F OCVC, Broughton Road, Banbury

- An e-mail has been received from the Group Property and Facilities Director of Activate Learning which seeks to answer Members apparent concerns about a loss of teaching facilities in which it is stated

The disposal of land and buildings concludes a disposal process which has expended £11m on 3 new facilities at Banbury Campus over the last 4 years. Further, we have concluded development of new workshops this summer to ensure that displaced activity from the land sale is accommodated. The master plan to dispose of the land was a constant in planning applications approved for these developments, and is a financial imperative. The buildings to be sold are inadequate for modern teaching and learning, having significant maintenance problems associated with their age and condition, and have in fact been generally mothballed for the last 12 months.

In terms of the sale, we will remain a significant neighbour ourselves to the proposed development. We are delighted with the proposed building and its use, as it will provide quiet occupation adjacent to our college, and create

potential opportunities for us to interact and develop training and employment opportunities in catering, care, hair and beauty for example; which we feel would benefit our students and neighbours alike, more than perhaps alternative residential development.

A concern for us is that Further Education funding is in decline and smaller colleges are struggling to survive. With a further 4% cut in funding this year, we need to ensure that redundant assets are sold quickly to enable continued investment in development of skills and young people in Banbury. To that end, I hope your visit to our college on the 01/10/15 is informative, and that the committee can support a positive resolution to this application, once the context for objections is experienced.

Agenda Item 13 15/01128/OUT Land rear of Jersey Cottage, Kirtlington

APPLICATION WITHDRAWN

Appendix One to 14/02004/OUT



PRT-CHL-UNIF-01_C
ANONJMN28921_053

Appendix 2 to 14/02004/Hybrid



PRT-CHL-UNIF-01_C
ANONJMN28921_053

Bob Duxbury
Development Control Team Leader, Planning
Cherwell District Council
Bodicote House
Bodicote,
Banbury,OX15 4AA

22 September 2015

By email: bob.duxbury@cherwell-dc.gov.uk

Dear Mr Duxbury

**PROPOSED DEVELOPMENT AT LAND SOUTH OF PERDISWELL FARM AND
EAST OF WOODSTOCK, SHIPTON ROAD AND OXFORD ROAD, SHIPTON
ON CHERWELL, NR WOODSTOCK (Amended application)**
CHERWELL DISTRICT COUNCIL 14/02004/HYBRID
WEST OXFORDSHIRE DISTRICT COUNCIL 14/02063/OUT

This letter is supplementary to the two letters we have already submitted about this application on 29 January 2015 and 10 August 2015.

ICOMOS UK is the UK National Committee of ICOMOS, which has a special role as the official adviser to UNESCO on cultural World Heritage Sites. ICOMOS UK plays a leading role in implementing the World Heritage Convention within the UK and promoting best practice in the management of UK World Heritage Sites. The maintenance of the Outstanding Universal Value (OUV) of the UK World Heritage Sites and their settings is a key objective.

On 16 September 2015, we met with representatives of Blenheim Palace Estates (BPE), at their request. We were shown a letter dated 10 September from Chris Miele of Montagu Evans, Chartered Surveyors. Since we were told that this letter had been submitted as part of the application documentation, we feel obliged to respond to it. In doing so, we take the opportunity to update or amplify some points in our letter of 10 August in the light of discussion at the meeting with BPE.

Impact on the Blenheim Palace World Heritage Site.

In our previous letters, we asked for further demonstration that the proposed development would not be visible from within the World Heritage Site. We understand from the meeting with BPE that a site visit with committee members of both Cherwell and West Oxfordshire has now taken place at which cherry pickers at illustrative heights on the

proposed development site were viewed from representative locations across the park and at the palace and found not to be visible. Assuming this to be correct, it does much to allay our residual concerns about the **visibility of the development from within the WHS.**

In voicing continuing concerns about **loss of tranquillity** within the WHS in terms of traffic noise and lighting, we did not, nor are we in a position to, challenge the findings or methodology of the Environmental Statement submitted as part of the application. We accept that efforts would be made to mitigate light spillage - from the proposed sports lighting in particular. Examples of where this has been successfully achieved might help to allay concerns here. But the point remains that the impact on tranquillity from the proposed development would inevitably be greater than from the existing open farmland.

Impact on the setting of the Blenheim Palace World Heritage Site

The comments on setting in our August letter did not represent ‘an entirely new objection’ as Chris Miele claims but a response prompted by aspects of the amended application. This made great play with Capability Brown’s work within the park as the inspiration for the landscaping of the proposed development, suggesting that the development would appear, in effect, as an extension of the park landscape. As we believe that this approach would be misguided, we consider that more explanation of our view that the open setting of the WHS should be preserved in this location would therefore be helpful.

In this context, it should be noted that while the open rural setting of the enclosed park outside the settlements which has existed since its formation in the 12th century survives remarkably well on its western and northern sides, the application site, on the main public approach to the Palace, is the only place where it remains south of Woodstock.

Much of Miele’s letter appears more concerned with matters of process than with the substance of the points made in our August letter. We make no apology for acknowledging that the present WHS Management Plan, written, in 2006, gives relatively little consideration to setting which was not its primary focus. The Plan is now due for updating - a periodic and more comprehensive review not undertaken yearly by the steering group. Since it was written before the NPPF and updated guidance on setting was published, it is reasonable to expect it to include a more detailed and useful analysis of the setting of the WHS and its significance than was undertaken in 2006.

Other points

The Operational Guidelines for the Implementation of the World Heritage Convention, 2015, (paragraph 112) make clear that a buffer zone (which Blenheim Palace WHS does not have), and the broader setting are not the same thing.

112. An integrated approach to planning and management is essential to guide the evolution of properties over time and to ensure maintenance of all aspects of their Outstanding Universal Value. This approach goes beyond the property to include any buffer zone(s), as well as the broader setting. The broader setting, may relate to the property's topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the broader setting is related to its role in supporting the Outstanding Universal Value.

We do not claim that the setting of Blenheim Palace contributes to its OUV but that, in accordance with paragraph 112, the setting supports OUV and needs appropriate protection to sustain that support.

At our recent meeting with the BPE representatives, we confirmed that we had seen their July 2015 funding, development procurement and stewardship report when we wrote our August letter. We support in principle initiatives to provide secure funding for the future maintenance of WHSs and recognise the particular financial challenge facing the private owner in this instance. However, we believe that it is appropriate to confine our comments on the present application to the core issue of impact on the WHS and its setting. Equally, we not feel that it is for ICOMOS-UK to pursue the enabling development issue. All these arguments and many others will need to be weighed by those tasked with determining the application. It remains our preference that this site remains open and largely undeveloped for the reasons we have given. Should the decision, notwithstanding, be that the benefits of development outweigh its impact on the WHS and its setting, we would expect to contribute to the development of detailed mitigation measures to reduce as far as possible the impact on the WHS and its setting.

Yours sincerely



Peter Marsden
Chair, ICOMOS-UK World Heritage Committee

cc. Catherine Tetlow WODC catherine.tetlow@westoxon.gov.uk

273_06_SP
17 September 2015

west waddy **ADP**



Bob Duxbury
Planning
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

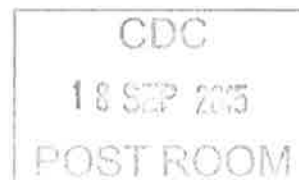
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Catherine Tetlow
Planning & Sustainable Communities
West Oxfordshire District Council
Elmfield
New Yatt Road
Witney
Oxfordshire
OX28 1PB



By Post and By Email

Dear Bob and Catherine,

PROPOSED DEVELOPMENT AT LAND SOUTH OF PERDISWELL FARM AND EAST OF WOODSTOCK, SHIPTON ROAD AND OXFORD ROAD, WOODSTOCK – KNOWN AS ‘WOODSTOCK EAST’

PLANNING APPLICATION REFS: 14/02004/HYBRID (CDC) & 14/02063 (WODC)

I acknowledge receipt of the Sport England's letter dated the 9th September 2015. I am very pleased to see that Sport England welcomed the amendments to the current planning application. However, Sport England raised some questions on the submitted information, we therefore take this opportunity to clarify a number of matters that we feel have either not been addressed accurately or would not need addressing at this stage, in particular we would wish to note the following:

- This is an outline application - what level of detail that can be expected;
- Reserved matters - what information would follow as part of the reserved matters stage
- The areas of confusion and our clarification;

Outline application: what level of detail that can be expected

This is an outline planning application, submitted to establish the principle of development, with all matters reserved except for means of access to the development. Therefore, the only matter where full details have been provided at this stage on which the applicant is seeking approval is access. Full details in relation to all other matters will be supplied at the reserved matters stage including the detail layout of the development. This detailed layout would show the way in which buildings, roads, open space and sports provision relate to each other.

Due to the nature of the application, full details of the sporting provision are not yet provided similarly to the elevations or house types of the proposed dwellings. Therefore, the final decisions on the precise nature and location of the sports provision have not been made and it appears this has caused much of the confusion. The applicants are willing to accept a suitably worded condition to allow the Council control over the internal layout of the site and details of sporting provision, it is appropriate to deal with these details at reserved matters stage. This will ensure that the development sits comfortably in its surroundings and provide appropriate sporting facilities in accordance with Sport England's advice.

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ALAN DIVALL BA (HONS) MRTPI

What information would follow at part of the reserved matters stage?

At the reserved matters stage full details of all sports facilities proposed will be provided including the particular sports that will utilise the facilities, the sports surface and standard of provision; details of floodlighting; the nature of the ancillary facilities such as changing rooms; and the intended users, including details of all those sporting and community groups (including Sport National Governing Bodies) that have been consulted in drawing up the proposals.

The areas of confusion and our clarification

Sport England state that: a). *There is no consistency in the description of the proposed facility sited next to the football ground. It is described variously as an "all-weather MUGA pitch", an "all weather training pitch", a "Mixed Use Games Area", "Multi Use Games Area" and "A MUGA and training pitch". It has been stated that it will meet "current FA regulations" and be available "for the whole of Woodstock to use for a range of sports including hockey, basketball and other team sports". An artificial grass pitch with a playing surface designed to meet the needs of the local football club may well be suitable for use by local schools and the wider community for football. However, it is unlikely to be suitable for use for many other sports because each has its own specific playing surface requirements for different levels of play, as well as recommended pitch sizes and run- off and height of perimeter fencing. Attention is drawn particularly to section 3 of Sport England's Design Guidance Note, 'Artificial Surfaces for Outdoor Sport' (2013) and 'Selecting the Right Artificial Surface' (2010).*

Our Response: While there is some variation in terminology all of these terms relate to the intention to have a MUGA that would be available for the football club for training and for use by the school and the wider community for a range of sports, including competitive matches and training. Sport England's suggested that an artificial grass surface to meet the needs of the local football club would be unlikely to meet the needs of many other sports because each has its own specific playing surface requirements for different levels of play, as well as recommended pitch sizes and run- off and height of perimeter fencing, is noted. However, while there are clearly limits to the flexibility, Sport England acknowledge in their Design Guidance Note 'Artificial Surfaces for Outdoor Sport' that there is some capacity for multiple sport use of all weather pitches. For example, on page 4 of this document it states that: '*Flexibility should be built in to help maximize use and promote long term sustainability. For example, a full size artificial grass pitch (AGP) for hockey or football can be designed for a number of smaller 5-a-side pitches across the width or as a flexible physical education area.*' P37 in appendix 1 has a typical AGP layout with line markings for hockey, football and five-a-side football. Page 22 also has a picture of a '*Sand-filled pitch with 23 mm pile onto a 15 mm shock pad for hockey and for football training.*'

The specification for the training pitch will be determined at a later date, and while it will be predominantly for football it is the intention that the specification would allow for other sports to use it as well.

Sport England also state that: b). *The eastern areas of land identified for "Formal Sports" on the drawing numbered P112 are also described in the 'Design Response Document' as being suitable for "less formal sports" in one instance (p.53) and a "Community Sports green" in another (p.57). Therefore, it is unclear which sports are intended to be accommodated, whether changing accommodation would be provided and how it would function satisfactorily as a sports ground, particularly with the two parcels of land separated by a "Secondary road corridor".*

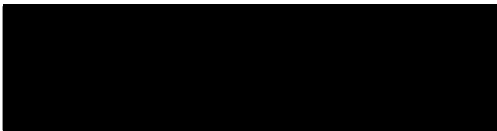
Our Response: As stated above the current application is an outline application with all matters reserved, apart from access. Until we talk to community and sporting groups we do not know exactly what they would want. The proposals therefore include an element of flexibility as to what the sports provision on the eastern area will consist of, to enable it to be tailored to what the community wants at the reserved matters stage. Potentially changing facilities could be provided in this area. As the current layout is only illustrative the 'secondary road corridor,' might not be there in the reserved matters application.

The proposed development has 35.84 ha of open space and sports facilities, which amounts to 48% of the site area, which is exceptionally generous provision for a new development and reflects the current under provision in the town. This provides ample scope for sports provision to be tailored to the particular needs that are identified as part of the further studies and consultations which will take place in the preparation of the reserved matters application.

For the reasons set out above, we consider that sufficient land has been allocated to ensure that sports needs will be satisfied by the proposed development and that the further information which Sport England are seeking can be provided at the reserved matters stage.

Please contact me if there is any further information that you require.

Yours sincerely



**Steve Pickles, BA, MSc, Dip TP, MRTPI
For West Waddy ADP**

cc Mr Raymond Cole (Sport England)