

SUPPLEMENTARY INFORMATION

Planning Committee

23 November 2017

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If you need any further information about the meeting please contact Aaron Hetherington, Democratic and Elections aaron.hetherington@cherwellandsouthnorthants.gov.uk, 01295 227956

CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

23 November 2017

WRITTEN UPDATES

Agenda Item 7 17/00522/DISC Phase 2 SW Bicester

- Oxfordshire County Council , as highway authority, do not wish to object

Agenda Item 8 17/01428/F Land N of Coopers Green, Bicester

- Members will have received an e-mail from the applicants providing an additional information document; a letter to them concerning the lizard translocation; and a copy of an e-mail from the Council's ecologists and their comments thereon.
- The applicant's agent wishes to draw attention to a report that they submitted to the case officer which addressed the need for care homes in the District. They say that the note confirms that

*the latest population and household projections have been utilised to quantify the care home need (C2 use) for the District. The paragraph goes on to confirm that the latest population and household projections indicate an increase over the plan period (2011-31) of 565 in the number of people over the age of 75 living in communal establishments, which can be broadly translated into a need for an equivalent number of care home bed spaces. However, as the Council are planning for housing growth well in excess of demographic trends, which will lead the population growth in excess of demographic trends, **565 bedspaces should be considered a minimum** to plan for up to 2031.*

*As confirmed below, the application scheme would provide for 64-bed spaces, which equates to 11.3% of the current care home need in Cherwell; this we consider is a **significant material consideration in favour of the current planning application**.*

The applicants say that

Crucially in the determination of this planning application, the Development Plan is 'silent' on the delivery of the need for care homes (C2 use) in the District.

*Consequently, the 'titled' balance of the fourth bullet point of Paragraph 14 of the NPPF applies, and this planning application needs to be determined on this basis – **planning permission should be granted unless the adverse impacts would significant and demonstrably outweigh the benefits**.*

- Further representations have been received from Ms Roberts concerning
 - Archaeology – querying whether there is the need for a condition requiring investigation
 - Commenting upon the correspondence between the applicants

- and the Council's ecologists
 - Drawing attention to an e-mail to Members dated 13 November concerning the ways in which the estimation of lizard numbers, the translocation and destructive search processes do not conform to Government or Council policy
- Correspondence has been received from a resident of Medina Gardens objecting to the proposal on the grounds that
 1. With the rate of expansion within Bicester (where I have lived for the past 15 year or so) we are rapidly consuming green space within the town.
 2. If the news about the developer damaging the land is true they should be held accountable.
 3. The developer have stated they did an independent review:
 - a. I don't think this is sufficient, any environment survey needs to be completed by an independent party agreed by both the developer, CDC and opposing residents.
 - b. Did it cover all aspects / types of wildlife previously identified at the site?
 4. Is the proposed site a suitable location for a care home?
 5. The application contravenes CDC Policy ESD 10 and Government guidelines on wildlife and green space.
 6. The developer proposed solution is not suitable space for the amount of wildlife the currently location is reported to have.
 7. Would the required drainage system cause any further environmental / wildlife damage?
- Comments from the Council's ecologist

Following our site visit this morning, the locations of the reptile fencing and two hibernacula are accurately shown within the reptile translocation report completed by the applicant's ecologist. As reported, the majority of vegetation has been cleared and it also appears that top soil has been removed and a large pile of brash and spoil is towards the south of the site with another pile of soil at the end of the access to the site. The fencing is largely intact, apart from at the access entrance to the site where the fencing has collapsed for a section of approx. 4 or 5 m. Here in this section of the capture area, there are areas of scrub and grassland and a small pile of brash/spoil still present which provide suitable habitats for reptiles. As the fencing has collapsed it is possible they may be present on site using these features for refugia/hibernation. As such this habitat should be retained and not removed as we are now within the hibernation period.

The applicant was aware of the known value of the site for biodiversity as a potential District Wildlife Site. Therefore the stripping of the site to remove all vegetation and existing grassland and habitat is considered to be bad practice as it may have been cleared unnecessarily. The habitat is of value to a variety of local wildlife, not only common lizard, but also for

example amphibians, mammals and a variety of invertebrates. It is not clear why a reptile trapping and translocation exercise began prior to any planning approval.

The majority of the trapping exercise was undertaken during October which is not the ideal time of year, as reptiles are moving into hibernation sites at this time and they should not be trapped in the period leading up to hibernation. As stated in the guidance *Reptiles: Guidelines for Developers* (English Nature, 2004) "*Moving reptiles in autumn can be problematic as they may find it difficult to adjust to the new site in time for the critical hibernation period. Capture should not be attempted after animals have sought refuge for hibernation, as they are difficult to find and easily harmed at this time*". The trapping began prior to the fence line being installed, so taking the number of trapping days from 29th September to the last day on 29th October, there were a total of 30 days as stated in the report. Given that the temperature was within a suitable range for reptiles to be active and the last capture was on 17th October, it does appear that the methodology used was just about acceptable. However new guidelines on reptile translocation methods have not yet been published since the Natural England guidelines previously published in 2011 were withdrawn. The Herpetofauna Groups of Britain and Ireland (HGBI) advisory note *Evaluating Local Mitigation/Translocation Programmes* recommends 60 days minimum trapping days in good weather for a low population. The withdrawn 2011 guidelines suggest 30 days. I agree that it is true that it appears that the animals had probably not gone into torpor during the trapping exercise, as stated in the report, as the report states that the ecologists had seen active animals within the receptor area in late October. However I would not be able to state confidentially that all animals have been trapped out and removed from the site as lizards do seek hibernation sites during October. Had temperatures dropped during mid October, it would have not been possible to complete the trapping exercise as the animals would be finding hibernation sites underground. Subsequent destructive works to the ground therefore have potential to harm individuals underground. The exercise seemed to be done in a rushed manner, as best practice would be to start trapping earlier (between April and late June or August/September), with time to fully enhance the receptor site, prior to moving reptiles and to avoid the period prior to hibernation.

The report states that the destructive search started on 30th October which involved removal of vegetation under supervision of an ecologist, however it does not detail how this exercise was undertaken. Was the vegetation removed in stages in a precautionary and slow manner? Was the vegetation strimmed down first? I understand that the habitat was removed under ecological supervision but more information how this happened should be provided for clarification purposes. I would also ask if any other species of amphibians or reptiles were encountered during the trapping or site clearance work, including great crested newts. The balancing pond adjacent to the west appears to be a marsh habitat and was not retaining

any water during the visit today, as such it is considered unlikely to hold sufficient water to be a suitable breeding habitat for great crested newts during the spring. However it is highly suitable terrestrial habitat for great crested newts and other amphibians and there are GCN records in the wider area. The nearest known pond is 400m from the application site. As there are no other known ponds which are suitable breeding habitat, a GCN survey is not considered to be necessary however due to the records in the area and suitable terrestrial habitat, appropriate habitat manipulation measures and careful clearance of vegetation should be supervised by an ecologist. This should be secured in the CEMP should planning approval be granted.

Should the planning approval be granted, it will be important to ensure that the existing suitable habitats on site are retained, and enhanced with the aim of retaining the conservation status of the population within the site, in particular due to the likely future use of the site by the public. Therefore the receptor site should be subject to a long-term management plan which should be secured by a condition or Section 106 agreement. Please note this should include the financial arrangements of habitat maintenance in the long term to ensure this will be managed in the long term for the common lizard population. The timing, nature and responsibilities for the work should be clearly set out. The receptor site should be monitored for at least 5 years after translocation to include reptile surveys and habitat suitability assessments to ensure that the site is being managed favourably for the common lizard population and its survival in the long term.

Although two areas of the site have been retained outside of the reptile fencing, these appear to be smaller in area than that indicated on the illustrative plan. Due to the site clearance, I would recommend that a Biodiversity Impact Assessment (BIA) is undertaken to determine if a gain to biodiversity is now achievable within the scope of the proposed development. The BIA and biodiversity offsetting scheme could be secured by S106 or otherwise by condition (please see attached for condition wording which has been used in Warwickshire). The LEMP should include management details to enhance the biodiversity value of the whole application site, not only the open space, with the aim of achieving no net loss on site as a result of the development.

- And final comments in reply to the applicant's ecologists response
My comments do remain largely the same however.

Reptiles

The comments are helpful in addressing previous queries. According with the information provided it does not appear that any reptiles have been harmed during the translocation exercise. However my previous comments haven't really changed, regarding the clearance of the site prior to any planning approval being granted and lack of an agreed reptile mitigation strategy. This is not in line with the mitigation hierarchy to avoid harm in the first instance i.e. it was not required as planning permission had not

been approved. Therefore a reptile mitigation strategy will still be required, to include timing of removal of remaining vegetation under ecological supervision, checks to fencing etc. The design and the long term management of the open space in the northern part of the site will be important to ensure that suitable common lizard habitat is managed and retained in the future for the benefit of the species.

Impact on biodiversity

I would still recommend that a BIA is undertaken as it helps to quantify the net loss or gain of biodiversity for the benefit of all parties. I do not agree that the site is not of significant value to wildlife as it supports common lizards, is a potential DWS, and includes Lowland Meadow Section 41 Priority Habitat indicator species. It also provides suitable habitat for nesting birds, foraging bats and invertebrates. As previously highlighted TVERC recommended that the potential DWS should be designated provided that the draft selection criteria are approved by CDC. Consideration should be given to the inclusion of the retained POS within this designation. We still need to be sure that we can achieve a net gain on site through appropriate landscaping and a long term management plan. A BIA is a useful tool to help to quantify and inform such a plan, and to secure an offsetting scheme if it is the case that a biodiversity gain is not achievable on site. It may be that it is possible to achieve a net gain by appropriate management and monitoring of the whole of the potential DWS, with a suitable agreement with Thames Water. Please contact David Lowe for further advice on offset landowner agreements.

An appropriate long term management and monitoring strategy of the site is vital to achieving a net gain in biodiversity. This should be secured by either a Section 106 agreement or condition and funded by the developer. Ideally the plan should be integrated with the management of the wider potential DWS site as a whole.

- Comments of Berks,Bucks and Oxon Wildlife Trust

As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology on and around the application site:

Reptile translocation

We are concerned that reptile translocation including a destructive search was carried out despite the development not having been given planning consent at the last planning committee meeting 26th of October. Governmental guidance on reptiles (www.gov.uk) and English Nature's Guidelines for developers (2004) state that translocation should only be carried out as a last resort when the impact can neither be avoided or mitigated. We are concerned that the mitigation hierarchy of avoidance, mitigation, translocation appears not to have been followed and no attempts have been made to avoid or mitigate the impact in the first place.

Carrying out translocation prematurely in anticipation of a planning consent is not in line with best practice. In addition, the detail of any mitigation and translocation strategy should have been agreed with the Local Planning Authority before it being carried out. This has not happened but instead a rather rushed translocation was carried out not allowing any time for consultation and for drawing up the details of a translocation strategy (including management). Such premature action undermines the planning process and provides little confidence about the intentions of the developer.

We have not been able to find a map that indicates which areas were included in the reptile survey and where within the site the reptiles were found. Such information is usually included in the ecological survey information and would have helped to understand the distribution of reptiles within the site as well as informing a mitigation strategy.

We are concerned about the limited information that has been provided with regard to the receptor site. The Guidelines for developers (English Nature) support translocation within the site (if translocation is required) but they also highlight that the receptor site needs to be fit for purpose. The adequacy of the receptor site is difficult to judge with the information given but it seems smaller than the area that has been subject to translocation and destructive search, which is not in line with government guidance.

District Wildlife Site

The application site forms part of a proposed district Wildlife Site. Whilst this is a non-statutory designation it indicates that the site has ecological interest at a district level. A survey carried out by TVERC in 2015 describes this Skimmindish Lane Balancing Pond proposed District Wildlife site as *The site includes remnant priority habitat (lowland fen) and unimproved rough grassland with species typical of lowland meadow (TVERC, 2016)*. As such we believe that the site has the potential to be considerably more diverse than it currently is if it received the right management. The site already supports a variety of species, such as small mammals, invertebrates, birds and commuting bats, some of which are also highlighted in the ecological assessment. We therefore disagree with the developer statement that the site has no ecological value.

Net gain

The NPPF and Policy ESD10 of Part 1 of the Adopted Local Plan requires development to achieve a net gain in biodiversity. Supporting information including the ecological surveys state that a net gain in biodiversity will be achieved but we have not been able to find information that suggests that this will be the case. The provision of open space alongside the road is welcomed, but it is narrow and compromised by its location between the care home and Skimmindish Lane. It is also our understanding that it might be further impacted upon by the potential widening of nearby road. We are not convinced that a net gain is being achieved.

An accepted way of demonstrating this is through the use of a Biodiversity Impact Calculator (BIAC) such as the DEFRA Biodiversity Metric

(<https://www.gov.uk/government/publications/technical-paper-the-metric-for-the-biodiversity-offsetting-pilot-in-england>) or another locally derived metric. The requirement for a net gain and the use of a calculator is in line with the latest Council's Local Plan policies and should therefore be requested.

The site has not been allocated for development in Part 1 of the Local Plan, neither has it been pursued in the latest Local Plan partial review despite being put forward for consideration. On the contrary there has been a long-term aspiration for the site to become a public open space. As such development on this site is not supported by the Council's latest policies.

It is also our understanding from the planning policy response that open space provision will be further considered in Part 2 of the Local Plan, which is currently in preparation. In light of this together with other considerations such as Bicester's considerable development pressure, its Garden Town status, the Green Infrastructure work that is going and the limited opportunities for public open space within Bicester we consider it important that strategic Green Infrastructure planning is not compromised by premature development at this point in time.

It is also our understanding that the site is being reconsidered at the next Planning Committee (23 Nov) despite being refused at the last planning committee meeting. We are very concerned if this was to happen as it might set a dangerous precedence that applicants can influence the Council's procedures and decisions as long as they are forceful enough. It also seems to reward development and actions that are not in line with best practice.

For reasons outline above we ask for the application to be resisted. Should the Council despite these reasons decide to approve the application we would consider it important that appropriate long-term management is secured not only for the open space north of the site but also the remainder of the proposed district wildlife site.

Agenda Item 9 16/02218/F Studley Wood Golfcourse

APPLICATION WITHDRAWN

Agenda Item 12 17/01233/OUT Caravan Park, Station Approach, Banbury

- Members will have received a letter dated 21 November from the applicants agents Tetlow King Planning

Agenda Item 13 17/01694/F Land off Heyford Rd, Kirtlington

- KIRTLINGTON PARISH COUNCIL: **No comments** on the amended Transport Statement or Flood Risk Assessment
- An additional letter of support has been received from a neighbouring property. They comment that:

- 1) Kirtlington PC supports the application
 - 2) The plans respond to the needs of the village in terms of design, size and number of houses as well as landscaping and access
 - 3) The development will be adequately screened from the Capability Brown parkland by existing plus additional tree planting.
 - 4) Appears that the development lies outside the original boundary of the historic park
- A letter has been received from the applicant's agent which is attached as appendix 1

Agenda Item 15 17/01981/F Pheasant Pluckers Inn, Sibford Ferris

- Following the preparation of the committee report further correspondence has been received from the applicants and two local residents in relation to the application at the Pheasant Pluckers Inn. The additional comments are not considered to raise any further relevant planning issues above those originally covered in the officer's report. The applicant's emails were submitted in response to officer requests for further information are copied in full below.

From: geoff noquet [mailto:geoffnoquet@hotmail.com]
Sent: 14 November 2017 14:25
To: Bob Neville
Subject: Re: PLANNING APPLICATION: 17/01981/F

Dear Mr Neville,

The openings times that I have submitted demonstrate that even with prominent signage, local advertising and constant website promotion of our pub, it was still not supported for that 6 month period. After January our resistance to the continual lack of support waned and prompted us to reduce our opening times and plug our losses of thrown away food, outdated stock, wasted heating and running costs. We were both mentally exhausted and reluctantly decided that we could no longer stand in the pub for hours on end without any customers, nobody deserves that kind of treatment.

In regard to the Valuations:

Mr Robin Spence of Sidney Phillips undertook any extremely in depth appraisal of the Public House and compiled the detailed brochure of the business that was sent to the 3,000 plus persons that requested the details from the Sidney Phillips Website. We should be able to send you a copy of those details if you require further evidence.

The other 3 Valuations from Christies, Guy Simmonds and Davey & Co were all given from them verbally after they viewed the property and because the Pub was already on the Market with Sidney Phillips they held

off producing their own Details until we were able to Instruct any of them individually. This is common practice when only 1 Sole Agent has instructions to sell a property, why would any Agent spend on producing brochures if the did not yet have a signed Agreement to place property on their books? Furthermore you have the evidence of the emails and hopefully that should be enough at this late stage.

In regard to the 2 Viability Reports, Mr Voysey's and Mr Spencer's, I would be most grateful if they both accompany your own final recommendations to the Planning Committee.

I hope this is of assistance and if you require any further information please let me know.

Kind Regards

Geoff Noquet

From: geoff noquet
Sent: 15 November 2017 01:47
To: Bob Neville
Subject: PLANNING APPLICATION: 17/01981?F

Dear Mr Neville,

Our last 3 Planning Applications for Change of Use to Residential Use have all failed on the Marketing Exercise and the Valuation of the Public House at that time.

We took those reasons into account and that is why we instructed Sidney Phillips to Value our Public House and Market it at their Independent Expert Valuation. We went further and had the property valued by 3 other experts who all agreed with the Valuation compiled by Sidney Phillips.

The property was placed on the Market in October 2015 and has been advertised on the Sidney Phillips website from then until October 2017.

We were extremely successful Publicans before we acquired the former Bishop Blaze having operated 4 other public houses very profitably.

The Sibfords Village myth that we acquired the property to develop the site is quite ridiculous and our previous evidence demonstrates that was never our intention.

Who would make a Planning Application to extend the trading area and put up a tourist sign to promote the Pub if they did not intend to run the business as a pub?

Would we have upgraded the signage advertising the Pub with better visual impact if we had another agenda other than improving the trading of the business? Your records will show that Shona King demanded that we remove those signs.

Having previously been a very successful Landlord I am astounded by the fact that some villagers attack my integrity without even having met me. I am now 67 years old and have paid through my various other businesses, including that of a Licenced Bookmaker, Betting Duty, VAT and Corporation Taxes that far exceed the norm. To be accused of wasting the

Public Purse is insulting.

We came here to the Sibfords to run a Village Pub with the intention of increasing trade and providing a better food offering and drinks option to be met with opposition because we would NOT serve customers after Legal Licensing Hours or condone the previously accepted culture of Drink Driving. Quite frankly I am disgusted by the continued aggression towards my family.

There were 11 different Landlords in a 10 year period running the Wykham Arms when the Bishop Blaze was successful that fact has never been addressed by any objector.

In conclusion we have complied with the CAMRA Viability Test and therefore our Application is extremely robust and should be granted.

Kind Regards

Geoff Noquet

APPENDIX 1

21 November 2017

Shona King
Senior Planning Officer
Cherwell District Council and South Northants Council
Public Protection and Development Management
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA



Dear Shona,

Land off Heyford Road, Kirtlington

We refer to the Outline Planning Application having your reference 17/01688/OUT.

Further to our conversation regarding the planning report that was published on Thursday last week, we have considered the report and have the following observations.

Sustainable Development

The report states under 8.3 that *"Kirtlington is designated as a Category A settlement...and as such is one of the more sustainable villages in the district..."*

However, the report makes reference to concerns about the sustainability of the development under paragraph 9.3 in stating that *"the development will put strain on the existing village facilities and...the village...is a relatively unsustainable location to accommodate additional housing growth..."*

This would appear to be contradictory to the Council's own categorisation of the settlement and also to the recommendation for approval put forward for the recent planning application for additional housing within the village on Land South of Mill Lane. Had the Council considered that any housing development within Kirtlington was unsustainable then it would have surely recommended refusal of the Mill Lane planning application without any hesitation.

Clearly the definition of Kirtlington as a Sustainable Village must mean that development within the village cannot be unsustainable.



Less than substantial harm

The report states under paragraph 4.1 that the pre-application advice referred to the proposals having “*a significant adverse impact upon Kirtlington Park...*”. Paragraphs 8.34 and 9.4 refer to the “*high degree of harm*” and to the “*serious harm*”, respectively.

However the same report also makes numerous references to “*less than substantial harm*” under paragraphs 8.34 and 9.4 which is supported by the Council’s own Design and Conservation Officer under their consultation response under paragraph 6.11 using exactly the same terms of “*less than substantial harm*”.

Historic England also declined to comment on the application, leaving the decision to the Council, inferring that the matter was not of concern to them.

The Garden Trust and Oxfordshire County Gardens Trust highlighted the recent clarification on the sensitivity of development within Registered Parkland and near Listed Buildings, which referred extensively to the HE GPA3. However, the Trust subsequently acknowledged this guidance as being “*not formal Government policy*”. The case cited by the Trust also related to a Grade I Listed Building and Grade I Registered Parkland whereas the Kirtlington Parkland is acknowledged within the case officer report as being Grade II and is considered to have less significance compared to the case cited by the Trust.

The proposal cannot, at the same time, have varying degrees of harm; clarification should be made regarding the “*less than substantial harm*”.

Modern housing

There are various references to ‘*modern housing*’ within the report even though the illustrative design for the site layout and the visuals included are all considered to be of a traditional vernacular style, which is reinforced by the proposed material palette.

The proposed stone built houses with slate finish roofs are intended to relate closely to the historic character of the village, the buildings within Registered Parkland and also the Listed Farmhouse and purposely avoid a modern or contemporary style.

Whilst the indicative appearance of the dwellings has been illustrated as part of the planning application, appearance remains one of the matters reserved for consideration at a later date, as the planning application is in outline only, with all matters reserved except for access.

The reference to ‘*Modern housing*’ is therefore inappropriate and could be construed as misleading in the context of this application, particularly when considering the Council’s Statement of Case in relation to the Land South of Mill Lane.



Under paragraph 2.10 of this Statement, *“The Council...considers that the 20th Century development does not undermine the setting of the village as they fit comfortably with the traditional settlement pattern.”*

Relative to the history of the village, the 20th Century housing could be considered to be ‘Modern’, yet the Council clearly accepts that this fits comfortably with the traditional settlement form.

Village Character

We note that your report, under 1.3, states that *“Heyford Road is characterised by a strong building line of dwellings fronting onto Heyford Road...”*

The illustrative masterplan accompanying the planning application indicates a layout incorporating proposed dwellings that infill the gap between the Jersey Cottages and the tree belt to the south, and present frontages onto Heyford Road while preserving the wall and tree line and the openness that this creates reflecting the linear building line which characterises Kirtlington.

Under paragraph 8.21 the report states that *“whilst this is only an indicative plan it is difficult to see how an alternative layout could be achieved without increasing the potential harm to the heritage assets...”*

On the basis that the illustrative layout indicates dwellings fronting Heyford Road and this is acknowledged within the report as the most appropriate approach to the site, the statement under paragraph 8.18; *“proposal will also represent an extension of the village contrary to the established linear settlement pattern of Kirtlington”* would appear to contradict the conclusions drawn.

This contradiction is further exacerbated by the Council’s own Statement of Case in relation to the appeal on the Land South of Mill Lane in Kirtlington. The Statement of Case clearly sets out under paragraph 2.10 that *“The westward expansion alluded to...consists of smaller lanes, which branch off the main north-south route through the village. The Council therefore considers that the 20th Century development does not undermine the setting of the village as they fit comfortably with the traditional settlement pattern.”*

As the illustrative layout accompanying this Outline Planning Application has extensive similarities to the linear character of the north-south route as well as the smaller lanes that are considered to *“fit comfortably with the traditional settlement pattern”*, the statement within the case officer report that suggests that the proposal for 20 dwellings would be *“...harmful to the traditional settlement pattern...”* under paragraph 4.1 would appear to be in direct conflict with assessment presented within the Appeal Statement of Case.



Visual impact

Under paragraph 8.15, the report states that the development “*will clearly create a significant adverse impact upon both the landscape and visual amenities of the area...*” However under paragraph 8.17, the same report states that “*the development will have a limited effect on the wider landscape...*”

The lack of visual impact is a focal point of the CPRE’s consultation response where they make reference to the legal case where it was stated that “*heritage assets can be harmed by development in their settings without there necessarily being any visual impact.*”

It would appear reasonable to conclude that there would be little merit in introducing the legal case and highlighting the lack of any visual impact had the scheme caused any visual impact.

SAVE also adopt a similar approach in their response in stating that “*development outside a park shelter-belt can be just as damaging as development inside*” making reference to the development being outside the Park shelter-belt and inferring that the scheme is visually separated by a shelter-belt.

It is not possible for a development to have a “*significant adverse impact*” and to also not have “*a limited effect*” at the same time.

Given the amount of attention focussed upon the development being *outside* the Park shelter-belt and its siting in relation to heritage assets, but not the lack of visual impact by the consultation responses, it would appear that the level of visual impact is more aligned with the Council’s opinion that “*the development will have a limited effect on the wider landscape...*”.

Planning obligations

The case officer report also refers to the lack of any satisfactory planning obligation however the current planning application includes a commitment to all of the contributions that you previously advised us of under the previous planning application. These are set out with the Design Access and Justification Statement and we have not been advised of any need for any changes to these contributions.

Conclusion

From the points above it can be concluded that the proposed development:

- Is sustainable as it is located within the most sustainable village category designated by the Council;
- Has less than substantial harm on the heritage assets;
- Does not constitute ‘*modern housing*’ but more closely reflects the existing traditional village character;



- Is acceptable in form as it reflects the linear pattern of development while preserving the openness as well as the more recent developments in the village to the west; and
- Has a limited effect upon the visual landscape.

We believe that these matters should be clearly conveyed to the Development Committee to ensure that they are properly briefed to overcome any confusion arising from the officer report. Therefore this letter should be included as part any update to the Committee members to ensure that they are in full possession of the facts and the Council's own assessment of the site in order to inform their decision.

Should you have any queries, please contact the undersigned.

Yours sincerely



Julian Buttel BSc(Hons) BArch RIBA

