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DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Planning Committee

Date: Thursday 2 December 2021

Time: 4.00 pm

Venue Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

Membership

Councillor George Reynolds (Chairman)

Councillor Maurice Billington
Councillor John Broad
Councillor Colin Clarke
Councillor Ian Corkin
Councillor Simon Holland
Councillor Tony Mepham
Councillor Lynn Pratt
Councillor Dorothy Walker

Councillor David Hughes (Vice-Chairman)

Councillor Andrew Beere
Councillor Hugo Brown
Councillor Patrick Clarke
Councillor Sandy Dallimore
Councillor Mike Kerford-Byrnes
Councillor Cassi Perry
Councillor Les Sibley
Councillor Sean Woodcock

Substitutes

Councillor Mike Bishop
Councillor Tony Ilott
Councillor Richard Mould
Councillor Barry Richards
Councillor Douglas Webb
Councillor Bryn Williams

Councillor Shaida Hussain
Councillor Ian Middleton
Councillor Adam Nell
Councillor Dan Sames
Councillor Fraser Webster
Councillor Barry Wood

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting

3. Requests to Address the Meeting

The Chairman to report on any requests to address the meeting.

Please note that the deadline for requests to address the meeting is noon on the working day before the meeting.

Currently Council meetings are taking place in person (not virtually) with social distancing measures at the meeting. Members of the public who wish to address the meeting can do so 'virtually' and are strongly encouraged to do so to minimise the risk of COVID-19 infection. Any person requesting to address the meeting will be advised of the arrangements for speaking, which are in addition to the usual public speaking rules for Planning Committee.

4. Minutes (Pages 6 - 24)

To confirm as a correct record the Minutes of the meeting of the Committee held on 4 November 2021.

5. Chairman's Announcements

To receive communications from the Chairman.

6. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

7. Proposed Pre-Committee Site Visits (if any)

The Committee to consider requests for and proposed pre-committee site visits (to be published with the written update, if any).

8. Development Brief for Local Plan Partial Review Site PR9 - Land West of the A44 (Pages 25 - 125)

Report of Assistant Director - Planning and Development

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR9 – Land West of the A44.

Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR9 (Land West of the A44) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report.

- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief subject to any necessary presentational or other minor corrections in consultation with the Chairman.

9. Development Brief for Local Plan Partial Review site PR7b – Land at Stratfield Farm (Pages 126 - 218)

Report of Assistant Director - Planning and Development

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR7b – Land at Stratfield Farm.

Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR7b (Land at Stratfield Farm) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report.
- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief subject to any necessary presentational or other minor corrections in consultation with the Chairman.

Planning Applications

10. **Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester, OX25 5QL (Pages 221 - 254)** **21/01123/F**
11. **94 The Moors, Kidlington, OX5 2AG (Pages 255 - 268)** **21/03017/F**
12. **The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA (Pages 269 - 297)** **21/02472/F**
13. **The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA (LB) (Pages 298 - 308)** **21/02473/LB**
14. **35 Bridge Street, Banbury, OX16 5PN (Pages 309 - 315)** **21/03059/CLUP**

Review and Monitoring Reports

15. **Appeals Progress Report (Pages 316 - 324)**

Report of Assistant Director Planning and Development

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Recommendations

The meeting is recommended:

- 1.1 To note the position on planning appeals contained within the report.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Watching Meetings

Please note that Council meetings are currently taking place in person (not virtually) with social distancing at the meeting. Meetings will continue to be webcast and individuals who wish to view meetings are strongly encouraged to watch the webcast to minimise the risk of COVID-19 infection.

Places to watch meetings in person are very limited due to social distancing requirements. If you wish to attend the meeting in person, you must contact the Democratic and Elections Team democracy@cherwell-dc.gov.uk who will advise if your request can be accommodated and of the detailed COVID-19 safety requirements for all attendees.

Please note that in line with Government guidance, all meeting attendees are strongly encouraged to take a lateral flow test in advance of the meeting.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections
democracy@cherwell-dc.gov.uk, 01295 221534

Yvonne Rees
Chief Executive

Published on Wednesday 24 November 2021

Agenda Item 4

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 4 November 2021 at 4.00 pm

Present:

Councillor George Reynolds (Chairman)
Councillor David Hughes (Vice-Chairman)
Councillor Andrew Beere
Councillor John Broad
Councillor Hugo Brown
Councillor Colin Clarke
Councillor Patrick Clarke
Councillor Ian Corkin
Councillor Sandy Dallimore
Councillor Simon Holland
Councillor Mike Kerford-Byrnes
Councillor Tony Mephram
Councillor Cassi Perry
Councillor Les Sibley
Councillor Dorothy Walker

Substitute Members:

Councillor Adam Nell (In place of Councillor Lynn Pratt)

Apologies for absence:

Councillor Maurice Billington
Councillor Lynn Pratt
Councillor Sean Woodcock

Officers:

Alex Chrusciak, Senior Manager - Development Management
Andy Bateson, Team Leader – Major Developments
Nat Stock, Minors Team Leader
John Cosgrove, Senior Planning Officer
Emma Whitley, Planning Officer
David Mytton, Solicitor
Lesley Farrell, Democratic and Elections Officer
Natasha Clark, Governance and Elections Manager

Declarations of Interest

8. Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

9. Bicester Leisure Centre, Queens Avenue, Bicester.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

10. Dovecote Approximately 50 Metres South of Old Place Yard House, Old Place Yard, Bicester.

Councillor Colin Clarke, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a member of the Executive and would leave the meeting for the duration of the item.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

11. Bignell Park Barns, Kirtlington Road, Chesterton OX26 1TD.

Councillor Les Sibley, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

Councillor Sandy Dallimore, Non Statutory Interest, as a member of Bicester Town Council which had been consulted on the application.

14. 37 Woodhall Drive, Banbury, OX16 9TY.

Councillor Andrew Beere, Non Statutory Interest, as a member of Banbury Town Council which had been consulted on the application.

84 **Requests to Address the Meeting**

The Chairman advised that requests to address the meeting would be dealt with at each item.

85 **Minutes**

The Minutes of the meeting held on 7 October 2021 were agreed as a correct record and signed by the Chairman subject to the following amendments (in italics):

Resolutions for item 77. Proposed Pre-Committee Site Visits

1. Application 21/02890/F – Land south west of Queens Avenue, and Kingsclere Road, Bicester.

Resolved

- (1) That a site visit take place prior to *but not on the same day as* the meeting at which application 21/02890/F, at land south west of Queens Avenue and Kingsclere Road, Bicester will be considered by the Planning Committee; and

2. Application 21/01818/F – Pakefield House, St Johns Street, Bicester

Resolved

- (1) That a site visit take place prior to *but not on the same day as* the meeting at which application 21/01818/F, at Pakefield House, St Johns Road, Bicester will be considered by the Planning Committee.

86 **Chairman's Announcements**

The Chairman informed the Committee that application 21/02503/M106 had been withdrawn from the planning process by the applicant.

87 **Urgent Business**

There were no items of urgent business.

88 **Proposed Pre-Committee Site Visits**

A request had been received from Cllr Kerford-Byrnes for a committee site visit to be held for application 21/01123/F which proposes the construction of replacement business units at Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester to enable Members to experience the traffic congestion and road safety issues arising from drop off and collection at Dr.

Radcliffe's School. The site visit should take place during school set-down or pick-up time.

Officers advised that as the site and the surrounding area was publicly accessible and a formal committee site visit was not required to secure access. The stated issues regarding the issues around the school could be viewed by individual members. A formal visit at this time would increase the number of people in the vicinity creating the concern that the problems may be exacerbated by the Committee visiting all together.

In considering the proposal, Members agreed that a site visit should not take place. There was no seconder to the proposal and therefore, no vote on whether a site visit take place. Members, however, requested that a map of the site be sent to Planning Committee Members to enable them to visit the site individually during drop off or collection times, park at the village hall and not impact on the site.

89

OS Parcel 0030 adjoining and South East of Cradle House Farm, Wigginton

The Committee considered application 21/02406/F to replace an existing storage barn with a portal frame building for use as a 'manege' and creating a separate entrance track at OS Parcel 0030 adjoining and south east of Cradle House Farm, Wigginton for Mr Richard Cook.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

- (1) That permission be granted for application 21/02406/F subject to the following conditions:

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, Renewable Energy Feasibility Assessment and the following plans: Site Location Plan 937 SK06, Site plan 937 37, existing plan 937 38 and proposed plan 8003-00 rev B

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply

with Government guidance contained within the National Planning Policy Framework.

Landscaping

3. No development shall commence unless and until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of tree and hedge planting including their species, number, sizes and positions, together with grass seeded/turfed areas along the southern boundary of the site and southern side of the access track hereby approved
- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- (c) details of the hard surface areas.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first use of the development.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Access

5. The access and manoeuvring areas shall be provided in accordance with the plan approved (937 37) prior to the first use/of the development hereby approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a

permeable or porous area or surface within the curtilage of the site. The access and manoeuvring areas shall be retained in accordance with the approved details thereafter and shall be unobstructed except for the access and manoeuvring of vehicles at all times.

Reason - In the interests of highway safety and flood prevention and to comply with Policies ESD7 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework

Lighting

6. No external lighting shall be installed at the site unless and until full details of that lighting have been submitted to and approved in writing by the Local planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure that the development does not cause harm to any protected species or their habitats and to safeguard the character and appearance of the area in accordance with Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Restriction of Use

The horse training area hereby permitted shall be used for private recreation only, by the occupants of Cradle House Farm, and shall not be used for any commercial equestrian purpose whatsoever including riding lessons, tuition, livery or competitions.

Reason - In order to maintain the rural character and appearance of the area and in the interests of sustainability and highway safety, in accordance with Policies SLE4, ESD1 and ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

90

Bignell Park Barns, Kirtlington Road, Chesterton OX26 1TD

The Committee considered application 21/02317/F for the demolition of agricultural buildings (some with existing office/storage use) and construction of new offices, associated car parking and landscaping at Bignell Park Barns, Kirtlington Road, Chesterton, OX26 1TD for Dalcour Maclaren & Mr C.J. Lane Fox.

Mike Robinson, agent for the applicant addressed the Committee in support of the application.

In reaching its decision the Committee considered the officer's report and presentation and the address of the public speaker.

Resolved

- (1) That permission be granted for application 21/02317/F subject to the following conditions:

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

Drawing No: 19117 – L0001 – D, Entitled: Location Plan, Dated: 24/09/10 and received by the Local Planning Authority on the 13/07/2021.

Drawing No: 19117 – PP1012 – E, Entitled: Proposed Site Layout, Dated: 23/02/21 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117 - PP1014 – A, Entitled: Floor Plans, Dated: 20/05/21 and received by the Local Planning Authority on the 12/07/2021.

Drawing No: 19117 – PP1016 – A, Entitled: Landlord Building Proposal. Dated: 02/06/21 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117- PP1018, Entitled: Site Use Plan, Dated: 11/06/2021 and received by the Local Planning Authority on the 12/07/2021.

Drawing No: 19117 – PE0010 – D, Entitled: Proposed Elevations, Dated: 18/01/21 and received by the Local Planning Authority on the 12/07/2021.

Drawing No: 19117 – PE-0011 - D, Entitled: Proposed Elevations, Dated: 22/01/21 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117 – PE0012 – B, Entitled: Proposed Elevations, Dated: 07/04/21 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117- PV1010 – B, Entitled: Proposed Redevelopment - General Update, Dated: 18/05/2021 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117 – PV1011, Entitled: Proposed Redevelopment – Undated, and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117- PV1012, Entitled: Proposed Redevelopment – Undated, and received by the Local Planning Authority on the

02/07/2021.

Drawing No: 19117 – PV1013, Entitled: Proposed Redevelopment – Undated, and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117 – PV1020, Entitled: Concept Visual 01, Dated: 03/06/2021 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: 19117 – PV1021, Entitled: Concept Visual 02, Dated: 03/06/2021 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: NL.21.1 Rev: A, Entitled: Masterplan – Updated existing trees and planting, Dated: 11/06/2021 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: NL.21.2 Rev: A, Entitled: Planting Plan, Dated: 11/06/2021 and received by the Local Planning Authority on the 02/07/2021.

Drawing No: NL.21.3, Entitled: Lighting Plan, Dated: 15/06/2021 and received by the Local Planning Authority on the 02/07/2021.

Flood Risk and Drainage Statement by Glanville Consultants, Dated: 11 June 2021 and received by the Local Planning Authority on the 02/07/2021.

Transport Statement by Glanville Consultants, Dated: 30 June 2021 and received by the Local Planning Authority on the 02/07/2021.

Travel Plan by Glanville Consultants, Dated: 30 June 2021 and received by the Local Planning Authority on the 02/07/2021.

Design and Access Statement by Anderson Orr Architects Dated: May 2021 and received by the Local Planning Authority on the 02/07/2021.

Archaeological Desk – Based Assessment by Thames Valley Archaeological Services, Dated: January 2021 and received by the Local Planning Authority on the 02/07/2021.

Preliminary Ecological Appraisal by Ecology by Design, Dated: January 2021 and received by the Local Planning Authority on the 02/07/2021.

Preliminary Bat Roost Assessment by Ecology by Design, Dated: 20th September 2019 and received by the Local Planning Authority on the 02/07/2021.

Planning Statement by Oxford and Country Planning Dated: June 2021 and received by the Local Planning Authority on the 02/07/2021.

Energy Statement by Blew Burton Ltd. Dated: July 2021 and received by the Local Planning Authority on the 20/07/2021.

Drawing No: 1803047-03 Rev: E, Entitled: Proposed Access Arrangement, Undated, and received by the Local Planning Authority on the 21/10/2021.

PVSol Report by BeBa Energy, Dated: 21/06/2021 received by the Local Planning Authority on the 21/10/2021.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Unexpected Land Contamination

3. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

Construction Environmental Management Plan (CEMP)

4. No development or demolition other than landscaping, shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g) Measures to control the emission of dust and dirt during construction;
 - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Schedule of Materials

5. A schedule of materials and finishes to be used in the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance

of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Vision Splays

6. Prior to the occupation of the building hereby permitted vision splays shall be provided at the access to give clear visibility over a distance of at least 120 metres to the West and 215 metres to the East from a point at least 1.5 metres back from the centre line of the access, measured from and along the near edge of the carriageway. The vision splays shall be kept clear of all obstructions, levelled and maintained at a height not exceeding 0.6 metres above the adjacent carriageway level

Reason: To ensure that adequate visibility is retained in the interest of road safety in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Plan of Parking Provision

7. Notwithstanding the details submitted, no development shall commence until and unless a plan detailing the proposed parking and turning, loading and unloading provision for vehicles to be accommodated within the site (including details of the proposed surfacing and drainage of the provision), has been submitted to and approved in writing by the Local Planning Authority. The approved parking and turning, loading and unloading facilities shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking, turning and loading/unloading spaces shall be retained for the parking, turning, and loading/unloading of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning, loading and unloading and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Cycle Parking

8. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Detailed Drainage Details

9. Construction shall not begin a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include: A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
 - A Flood Exceedance Conveyance Plan;
 - Comprehensive infiltration testing across the site to BRE DG 365;
 - Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
 - Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and; Details of how water quality will be managed during construction and post development in perpetuity
 - Confirmation of any outfall details.
 - Consent for any connections into third party drainage systems

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework

Sustainable Drainage SuDS

10. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- (a) As built plans in both .pdf and .shp file format;
 - (b) Photographs to document each key stage of the drainage system when installed on site;
 - (c) Photographs to document the completed installation of the drainage structures on site;
 - (d) The name and contact details of any appointed management company information.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011–2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Scheme of Written Archaeological Investigation

11. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with Government guidance contained within the National Planning Policy Framework.

Archaeological Evaluation and Mitigation

12. Following the approval of the Written Scheme of Investigation referred to in condition 11, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with Government guidance contained within the National Planning Policy Framework.

Pedestrian and Cycle Access

13. Prior to the first use or occupation of the development hereby permitted a plan showing the additional pedestrian and cycle access as indicated on Drawing No: shall be submitted to and approved in writing by the Local Planning Authority the submitted plan shall provide details of the route and surfacing of a track suitable for pedestrians and cyclists linking this access to the existing hard surfacing within the site. The track and access shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of Highway Safety and of promoting sustainable transport modes in accordance with Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

91 Land Adj To Cotswold Country Club and South of Properties on Bunkers Hill, Shipton on Cherwell

Application 21/02503/M106 had been withdrawn from the planning process by the applicant.

92

37 Woodhall Drive, Banbury, OX16 9TY

The Committee considered application 21/02614/F for a single storey extension at 37 Woodhall Drive, Banbury OX16 9TY for Louise Tustian.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

- (1) That permission be granted for application 21/02614/F subject to the following conditions:

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Job No: 21_037_ Drawing No. 102 Rev A, 103, 104 and 001

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

93

Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury

The Committee considered application 21/00218/DISC for the Discharge of Condition 27 (Highway Signage Strategy) of application 16/02366/OUT (Castle Quay 2) at Land Adjacent to the Oxford Canal, Spiceball Park Road, Banbury for Cherwell District Council.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

- (1) That permission be granted to discharge condition 27 of application 16/02366/OUT based on the following:

Condition 27 (Highway Signage Strategy)

- Additional/Delivery Signage 5764-H106 Rev C PH1
- Road Markings and Signage 5764-H204 Rev D PH2

94

Bicester Leisure Centre, Queens Avenue, Bicester

The Committee considered application 21/02924/CDC for the removal of existing biomass equipment, installation of an air source heat pump and car port PV panels at Bicester Leisure Centre, Queens Avenue, Bicester for Cherwell District Council.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

- (1) That permission be granted for application 21/02924/CDC subject to the following conditions:

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: application form and drawing numbers 104 Rev A (Air Source Heat Pump Proposed Plans), 106 (Air Source Heat Pump Proposed Elevations), 107 (Air Source Heat Pump Site Plan), 109 Rev A (Car Ports – Proposed Site Plan), 110 (car port plans/ elevations).

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Tree Planting

3. During the first planting season (mid-November to end of March) following the removal of the trees; as labelled on the site plan submitted with the application, replacement trees shall be planted. Full details of the replacement trees, including siting/species/girth, and their location shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and if, within a period of five years from being planted the replacement tree dies, is removed or becomes seriously

damaged or diseased, it shall be replaced in the current/next planting season in accordance with the approved details.

Reason - In the interests of the visual amenities of the area and to comply with good arboricultural practice and Government guidance contained within the National Planning Policy Framework.

95 **Dovecote Approximately 50 Metres South of Old Place Yard House, Old Place Yard, Bicester**

The Committee considered application 21/02394/LB listed building consent for the removal of the roof tiles and set aside for re-use, replacing any damaged tiles to match existing; remove remaining ivy growth to roof; inspect roof timbers and replace where decayed and damaged; replace roofing felt; replace timber fascias and soffits to match existing; replace PVCu rainwater goods to match existing; remove Asbestos surrounds to stained glass and vents at first floor level; re-bed stained glass and vents within holes with mortar to match existing; repair first floor concrete landing to staircase. Remove corrosion to stair balustrade and decorate; strip out all electrical services back to distribution board and replace with new and replace heating and lighting throughout at Dovecote approximately 50 metres south of Old Place Yard House, Old Place Yard, Bicester for Cherwell District Council.

In reaching its decision the Committee considered the officer's report and presentation.

Resolved

- (1) That permission be granted for application 21/02394/LB subject to the following conditions:

Time Limit

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

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents:
 - Drawings: Site Location Plan, NTBS3589/TDB/01, NTBS3589/TDB/02 and NTBS3589/TDB/05
 - Design and Access Statement

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply

with Government guidance contained within the National Planning Policy Framework.

Ecology

3. The development hereby approved shall be carried out in accordance with the recommendations set out in section 6 of the Ecology Survey prepared by Landscape Science Consultancy LTD dated August 2021.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Materials Finishes and Methodology

4. Prior to the removal of any roof tiles a condition survey of the tiles shall be undertaken and submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. All the existing tiles that are shown to be re-useable in the condition survey submitted under Condition 4 shall not be disposed of but shall be conserved and re-used in the re-roofing of the building as part of the works hereby approved.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the re-roofing of the building a sample of any new tiles required to re-roof the building shall be submitted to and approved in writing by the Local Planning Authority. The re-roofing of the building shall be carried out in accordance with the approved samples.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Any roof timbers that are decayed or damaged shall be replaced in accordance with details that shall first be approved in writing by the Local Planning Authority.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and

to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the replacement of the roofing felt full details of the eaves shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the replacement of the timber fascias and soffits, full details of the timber fascias and soffits shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. Notwithstanding the proposed details for the rainwater goods the rainwater goods to be replaced shall be replaced with cast iron. Details of the replacement rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Prior to the removal of corrosion to the balustrading details of the method to be used for the said corrosion removal shall be submitted to and approved in writing. Thereafter the development shall be completed in accordance with the approved details.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

12. Prior to the painting of the repaired balustrade the specification and

colour of the proposed paint shall be submitted to and approved in writing by the Local Planning Authority and thereafter the works shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Prior to the rewiring and installation of heating and lighting details of the wiring routes and fittings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Prior to the repointing of the building a sample of the lime mortar shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the repointing shall be carried out in accordance with the approved sample.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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Appeals Progress Report

The Assistant Director Planning and Development submitted a report which keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Resolved

- (1) That the position on planning appeals contained within the report be noted.

The meeting ended at 4.55 pm

Chairman:

Date:

Cherwell District Council

Planning Committee

2 December 2021

Development Brief for Local Plan Partial Review Site PR9 – Land West of the A44

Report of Assistant Director - Planning and Development

This report is public.

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR9 – Land West of the A44.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR9 (Land West of the A44) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report.
- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief subject to any necessary presentational or other minor corrections in consultation with the Chairman.

2.0 Introduction

- 2.1 The Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need was adopted 7th September 2020, effectively as a supplement or addendum to the adopted Cherwell Local Plan 2011-2031, and forms part of the statutory Development Plan for the district.
- 2.2 The Partial Review Plan provides a vision for how Oxford's unmet housing needs will be met within Cherwell, which seeks to respond to the key issues faced by Oxford in providing new homes, in addressing the unaffordability of housing, in supporting economic growth and in dealing with its land supply constraints.
- 2.3 The Partial Review Plan allocates land to deliver 4400 houses across six sites:
 1. Land East of Oxford Road, North Oxford (policy PR6a) - Gosford and Water Eaton Parish
 2. Land West of Oxford Road, North Oxford (policy PR6b) - Gosford and Water Eaton Parish

3. Land at South East Kidlington (policy PR7a) - Gosford and Water Eaton Parish
4. Land at Stratfield Farm Kidlington (policy PR7b) - Kidlington Parish
5. Land East of the A44 at Begbroke/Yarnton (policy PR8) - Yarnton and Begbroke Parishes (small area in Kidlington Parish)
6. Land West of the A44 at Yarnton (policy PR9) - Yarnton and Begbroke Parishes

- 2.4 For each of the six sites, the Local Plan policy includes a requirement for the application to *“be supported by, and prepared in accordance with, a comprehensive Development Brief for the entire site to be jointly prepared and agreed in advance between the appointed representative(s) of the landowner(s) and Cherwell District Council”*. It further states, *“The Development Brief shall be prepared in consultation with Oxfordshire County Council and Oxford City Council”*.
- 2.5 The development brief will then be a material consideration in the determination of any future planning applications for the site to which it relates.
- 2.6 Further to the Partial Review Plan’s requirement, Development Briefs are being prepared for each of the six sites. The first two to be ready are those relating to sites PR7b and PR9.
- 2.7 Design consultants appointed by the Council have prepared the briefs working with officers and with the benefit of input from technical consultees, stakeholders and public consultation. This report presents the proposed, final brief for approval and in doing so explains how it meets the Council’s objectives and the requirements of the Partial Review’s policies.
- 2.8 The Development Brief has been the subject of public consultation, for six weeks from 11 August to 22 September 2021. The report summarises the representations received and explains what changes have been made in response.

3.0 Report Details

- 3.1 Policy PR9 of the Partial Review of the Local Plan relates to land west of Yarnton, located to the west and north of Yarnton and south of Begbroke, adjacent to the A44. Yarnton Nursing Home and William Fletcher Primary School lie immediately to the south-east of the site. The site is currently in agricultural use. It contains Yarnton Medical Practice on its eastern boundary which is to be retained. The site is adjacent to Begbroke Ancient Woodland and is crossed in the north by Dolton Lane, an important historic bridleway, and Frogwelldown Lane to the south which is a District Wildlife Site. Land in the western part of the site (outside the residential area) rises steeply and is retained as Green Belt.
- 3.2 The site is allocated for 540 homes on c. 25 hectares of land, of which 50% is required to be affordable housing. There are policy requirements for 1.8 hectares of land for school expansion of the existing William Fletcher Primary School and replacement of playing pitches and amenity space; the provision of facilities for formal sports, play areas and allotments to adopted standards within the developable area; public open green space as informal parkland on 24.8 hectares of land to the west of the residential area; a new Local Nature Reserve accessible to William Fletcher Primary School; and, a community woodland on 7.8 hectares of land to the north-west of the developable area and to the east of Dolton Lane.

- 3.3 The Development Brief sets out its background, purpose and status, its structure and the community involvement that has taken place (Chapter 1); the strategic vision and context, the role of the site, its economic relationships and movement corridors (Chapter 2); the planning policy context, spatial context and the site's attributes (Chapter 3); a site appraisal including opportunities and requirements (Chapter 4); the vision and objectives for the site (Chapter 5); then the development principles (Chapter 6); and closes with a section on delivery and monitoring (Chapter 7).
- 3.4 Preparation of the Development Brief included review of baseline information and the planning policy context, preparation and agreement of the scope for the Brief, identification of opportunities and constraints, workshops to establish the vision, the principles concerning movement, water management, landscape, biodiversity, heritage and archaeology, and subsequent workshops and one to one engagements with technical consultees including the preparation of parameter plans, review of early drafts of the Brief and discussion with the site promoters.
- 3.4 The vision for Land West of the A44, set out in Chapter 5 of the Brief, is as follows:

The development site will become an extension of Yarnton village that will be well connected with the existing and proposed services and facilities, will respond to its proximity with the A44 corridor, planned development to the east of A44 and the historic context of Begbroke and Yarnton villages. Improved public access to the countryside including the creation of community woodland and informal parkland will enhance the beneficial use of the Green Belt, provide for significant ecological and biodiversity gains, will help to retain separation between Yarnton and Begbroke villages and provide a buffer to Begbroke Ancient Woodland, while corridors of green infrastructure including historic Dolton Lane will act as connecting features that provide enhanced areas of habitat, green walking and cycling routes and enable access to the countryside.

- 3.5 Each Partial Review policy sets out a detailed list of required elements for the Development Brief. There are common elements to each site, for example:
- a scheme and outline layout for the delivery of the required land uses and associated infrastructure,
 - protection and connection of existing public rights of way (where applicable) and an outline scheme for pedestrian and cycle access to the surrounding countryside,
 - design principles which seek to deliver a connected and integrated extension to the adjacent built settlement,
 - outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment, and
 - an outline scheme for vehicular access by the emergency services.
- 3.6 Policy PR9 sets out the following particular requirements for inclusion in the Development Brief:
- At least two separate points of vehicular access and egress to and from the A44 with a connecting road between.
 - An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site (including public transport), to services and facilities in Yarnton, including William Fletcher Primary School, to the allocated site to the east of the A44 (Policy PR8) enabling access over the Oxford Canal and to

existing or new points of connection off-site and to existing or potential public transport services.

- Design principles which seek to deliver a village extension to Yarnton which responds positively to development planned to the east of the A44 and the historic context of Begbroke (west).
- The land reserved for education use by William Fletcher Primary School.

- 3.7 The Development Brief for PR9 sets the development framework for the site. The parameters for the brief are established by the Local Plan. The brief is intended to provide additional detail to help implement the Local Plan policy and guide the preparation and consideration of applications for planning permission.
- 3.8 The Brief provides a scheme and outline layout for delivery of the required land uses and associated infrastructure. There is no material change in the extent of the residential area between the policy map for the site (page 139 of the Partial Review Plan) and the development framework plan (page 25 of the draft Development Brief). The area allocated for residential development now also includes a green corridor (the 'Dolton Lane Green Corridor') through the site, connecting Spring Hill Road in the north to Cassington Road in the south, as well as a shorter green corridor in the centre of the site on a broadly west-east axis, and reinstated/new hedgerows through the site, in particular as a device for separating built form from the new green space/park which forms part of the retained Green Belt which itself acts a buffer between the developed site and the wider countryside.
- 3.9 In common with all Partial Review site policies, Policy PR9 allows for the consideration of minor variations in the location of specific land uses where evidence is available. That said, there are no such variations in this Development Brief.
- 3.10 The Development Brief for PR9 provides an outline scheme for vehicular, cycle, pedestrian and wheelchair connectivity within the site, for pedestrian and cycle access to the surrounding countryside, and for vehicular access by the emergency services. The Brief identifies three separate pedestrian/cycle crossing points over the A44 and three additional bus stops, two on the A44 and one on the eastern side of Rutten Lane in the vicinity of the Yarnton Medical Practice. The Brief also provides outline measures for securing net biodiversity gains, and reserves land for education use by William Fletcher Primary School. It also sets out the requirement for three equipped areas of play across the development – one combined LEAP and NEAP in the central-northern part of the developable area, one combined LAP and LEAP in the northern part of the area and an additional LAP in the central-southern part of the developable area.
- 3.11 The Development Brief for PR9 sets the design principles for the site, which seek to deliver a village extension to Yarnton that responds positively to development planned to the east of the A44 and the historic context of Begbroke (west).
- 3.12 The Brief requires a graduation in the heights of built form, from 2.5 – 4 storeys in the northern part of the site adjacent to the A44, down to 2 – 2.5 storey houses on the western and southern edges of the site including where development backs onto existing Rutten Lane properties and in the vicinity of the land reserved for the expansion of William Fletcher Primary School.
- 3.12 On the subject of the Primary School, the County Council has advised that it would not require both the expansion of the William Fletcher Primary School and the

provision of two primary schools on the PR8 site east of the A44, that the requirement would be for either/or depending on which development came forward first. This is reflected in the text of the Development Brief.

- 3.13 The outline layout for the site sets out the positions of key frontages for buildings. These are labelled 'indicative' in brackets, but importantly show no frontages facing towards existing Rutten Lane properties – development adjacent to these neighbours will need to be 'side-on' or gardens to new dwellings, while some of the Rutten Lane properties would instead be bounded by allotments.
- 3.14 A material deviation in the Development Brief from the requirements of Policy PR9 is that one of the two vehicular accesses is shown to connect to Rutten Lane approx. 150 metres south of its junction with the A44. This has been raised in responses to the public consultation. This change has been worked up through detailed discussion between CDC officers, OCC as local highway authority and the site's promoter. Officers consider that the local highway authority's contentment with this relocated access point means that this is an acceptable change from the policy's requirement.
- 3.15 The Development Brief also sets out development principles in relation to school playing fields, education provision, preservation of historic ridge and furrow earthworks, and sensitive design of the community woodland.

Consultation

- 3.16 The brief was published for public consultation from 11 August to 22 September by way of advertisement on the Council's website, emails directly to parish councils and technical consultees, and invitations to parish councils to a virtual meeting to raise or seek or clarification on particular matters. A total of 19 representations were received. The representations have been made publicly available alongside this report and a schedule containing a summary of each and officer responses is provided at Appendix 2. A precis is provided below.

Begbroke Parish Council

- 3.17 The comments raised from Begbroke Parish Council are summarised as follows:
- Believes the Brief offers very little for Begbroke and hard to see how the development would improve the village
 - Need for a pedestrian crossing in Begbroke
 - Proposals to Dolton Lane are upsetting to the Village
 - Believes Sandy Lane should be open for both ways of traffic if proposed new railway station is built
 - Funding for improvement to facilities in Begbroke is needed and if an option to develop the playing field in Begbroke then this should be done.
 - Possible issues for Begbroke villagers trying to cross A44 if traffic is allowed onto A44 at the science park junction as queuing would likely increase and gaps in traffic would reduce

Yarnton Parish Council

- 3.18 The comments raised from Begbroke Parish Council are summarised as follows:

- Concerns PR9 development is being considered in isolation to other development brief sites and unclear of the District Council's overall intentions
- Concerns that the development could have effect on flooding on new development and existing village
- Traffic (volume and speeding violations)
- Welcomes inclusion of green spaces and play areas with appropriate variety of equipment
- Concerns that sporting hub for all development brief sites is located in PR7a as this could lead to accessibility issues for some residents.
- Building heights should not exceed current buildings in the Cresswell Close/Hayday Close development
- Timed lighting should be a minimum requirement within the brief.
- Developers must adhere to Climate Change policies

Yarnton Flood Defence Group

- 3.19 A detailed representation was submitted by YFD which outlines issues related to flood risk and flood defence matters. YFD is concerned that there is no acknowledgment or consideration of the risk of groundwater and flash flooding at the development site and no acknowledgment or consideration regarding existing flood risk from foul sewage which occurs in village. It is of the view that there is limited understanding of historic drainage channels and local topography and inadequate drainage assets both historical and part of the development sites which have not considered the wider community context.

Councillor Ian Middleton

- 3.20 The comments raised by Councillor Middleton are regarding both PR7b and PR9 and are summarised as follows:
- Would like the Council to hold developers to a high standard of sustainable development
 - The Council should make sure biodiversity enhancements are applied and maintained long term
 - Seems to be a lack of health and education provision provided for both development briefs
 - Consideration into the effect on local roads the development and closure of Sandy Lane will have on traffic.
 - Pedestrian crossing are vital pieces of infrastructure and should respond to the local need.
 - Recommendation to set up a local forum consisting of councillors and residents to give back feedback to the LPA and developers.
 - Yarnton seeing more flooding events regularly often related with run off from Spring Hill. Endorses response from Yarnton Flood Defence Group

The majority of Councillor Middleton's comments pick up those made by other responses, and the majority are matters more appropriately picked up at planning application stage.

Members of the Public

- 3.21 The comments raised from members of the public are summarised as follows:

- Concerns of flooding on development both freshwater/groundwater and from foul sewage
- Building on apparent flood corridor for existing village could affect Yarnton in future with being more susceptible to flooding
- Need for a controlled pedestrian crossing in Begbroke
- Investment in existing facilities in Begbroke including playing field facility
- Desperate need for social housing for Oxford
- Green space/green corridor for existing dwellings backing onto new development wanted
- Construction traffic accesses site via A44 and not through Cassington Road and Rutten Lane
- Access to site off Rutten Lane not needed and could create issue with traffic through village.
- Pressure will be increased on local education and health facilities
- Development is under London Oxford Airport flight path

Where there is overlap between responders on these points the comment is only captured once in Appendix 2.

Site Promoter

- 3.22 Supports most elements of the brief document but highlights there are some aspects of variance between their thinking and what is within brief. These include the woodland area, the meadowland and elderly/extra care provision.

Tripartite (owner of part of PR8)

- 3.23 Believes strengthening of wording in certain areas of the development briefs is required. Regarding heads of terms for development contributions, clarity required in briefs on the way shared infrastructure across the Partial Review's strategic housing sites is to be delivered.

Oxfordshire County Council

- 3.24 The County Council's comments are:

- Supportive of purpose of the development briefs but believes affording them the status of Supplementary Planning Document would give them a stronger status.
- Development Brief should set out enhancement and beneficial use of the Green Belt land in the allocation will be achieved.
- Advises of certain requirements in Local Plan that the development needs to follow and certain developer contributions that the developer would need to make through a legal agreement. Requests certain wording changes within the development brief in certain areas.
- Limited information provided on the local flood risk issues and believes this should be withing within the development brief.

Berkshire Buckinghamshire Oxfordshire Wildlife Trusts

- 3.25 Welcomes the intention to create, “An enhanced green infrastructure network..., providing connected wildlife corridors through the development site and enhancing wildlife connections with Begbroke Woodland, and along Frogwelldown Lane (which is a District Wildlife Site) and Dolton Lane”
- 3.26 Makes some recommendations regarding items listed in the development brief for the enhancement of green infrastructure and the impacts on wildlife.

Highways England

- 3.27 Would expect transport assessments on Strategic Road Networks. This is a matter appropriately picked up at the planning application stage.

Historic England

- 3.28 No comments

Sport England

- 3.29 Makes recommendations regarding developer contributions to local sport facilities. Expresses disappointment that the brief sets out no formal requirement for the playing fields at the school. Advises on how to make areas in development safe for people to undertake informal exercise.

Thames Water

- 3.30 The scale of development will likely require upgrades of the water supply network. Asks for housing phasing plan at earliest opportunity. Advises that the scale of proposed development will not affect the waste network but that the developer should liaise with Thames Water and the local lead flood authority during the planning application and beyond.

Officer Response to Representations

- 3.31 Responses to the representations made are included in the summary schedule at Appendix 2. Several comments relate to matters which either relate to the principle of development – which has already been set in the adoption of the Local Plan – or to matters relevant to the planning application. Where this is the case it has been noted as such in Appendix 2. In certain cases, specific comments have been made by respondents which are not been taken forward in the final Development Brief – where this is the case explanation is provided in the summary schedule at Appendix 2. Officers are pleased to recommend to planning committee that some minor changes are made to the text of the Development Brief.

Summary of Changes

- 3.32 In response to comments by local residents and the parish councils, reference to the existing problems with foul sewerage have been added specifically to section 4.1 under site constraints. How these problems will be dealt with is a matter more appropriately dealt with at planning application stage.

- 3.33 In response to comments by a resident of Rutten Lane, section 6.3.3 has been amended to provide for a path from the rear of the properties on the western edge of Rutten Lane to provide direct access to the green corridor, and section 6.3.1 and figure 13 has been amended to require hedgerow planting along the site boundary with Rutten Lane properties which would be bounded by residential properties – this would have ecology benefits as well as for residential amenity.
- 3.34 In response to comments by Begbroke Parish Council, the second paragraph in 6.4.5 has been amended to read “northwards” rather than “southwards” and to remove the words “run alongside”.
- 3.35 In response to comments by Oxfordshire County Council,
- the early part of the Brief has been amended in relation to enhancement and beneficial use of the Green Belt land
 - various minor edits to the text, including in relation to bus stops, wayfinding in cycle routes, the requirement for contributions towards the off-site A44 bus lane enhancement and for increased service provision, replacement of CDC Flood Officer with the Local Lead Flood Authority (LLFA), pedestrian footpaths, routes to the school site, the promotion of health and wellbeing, cycle parking, cycle route connectivity, biodiversity, archaeology and EV charging points.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Overall, officers are happy to conclude that, having regard to the representations received, the final Development Brief for the site accords with Policy PR9 and the vision and objectives for the site, and provides an appropriate development framework, to achieve the quality of development expected by the Local Plan and to guide future decision making.
- 4.2 It is recommended that the planning committee approved this Development Brief as a framework for the development and delivery of site PR9 - Land west of Yarnton and so that it will be a material consideration in the determination of any future planning applications for the site.

5.0 Consultation

Councillor Colin Clarke - Lead Member for Planning (briefing only)
Councillor George Reynolds, Chairman – Planning Committee (briefing only)

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to endorse the Development Brief. Since Policy PR9 requires the planning application for the site to be supported by and prepared in accordance with

a Development Brief, this option would require a new Brief to be prepared, adding significant expense for the Council and delaying delivery of the development.

Option 2: To request further significant changes to the Development Brief. Officers consider that the final brief presented to Members represents an appropriate response to Local Plan policy and will assist in achieving high quality development. This option would also delay the determination of any planning application and may require further public consultation, thereby creating uncertainty.

7.0 Implications

Financial and Resource Implications

- 7.1 External work on the development briefs is being funded by the respective site promoters through Planning Performance Agreements but controlled directly by Council officers. Otherwise, existing budgets are being used.

Comments checked by:

Michael Furness, Assistant Director of Finance

Tel. 01295 221845

michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 The brief has been prepared to be non-statutory guidance to support the implementation of the statutory Development Plan. It is generally consistent with the Local Plan policy it supports and its preparation has been assisted by stakeholder engagement and public consultation. Approval of the brief by the Committee would enable it to be taken into account as a material consideration[Insert legal implications]

Comments checked by:

Matthew Barrett, Planning Solicitor

Tel. 01295 753798

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Risk Implications

- 7.3 The relevant Local Plan policy requires a Development Brief to be produced. Whilst not a reason for approval, not approving the brief may require re-consideration of the Planning Performance Agreement with the respective promoter.

Comments checked by:

David Peckford, Assistant Director – Place & Development

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Equality & Diversity Implications

- 7.4 The proposed brief supports Local Plan policy that has been the subject of Equalities Impact Assessment and has been reviewed in line with this report. As there are no new impacts arising from this report, no new mitigations are required.

Comments checked by:
Emily Schofield, Acting Head of Strategy
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Emily.Schofield@oxfordshire.gov.uk

8.0 Decision Information

Key Decision (Executive reports only; state N/A if not Executive report)

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

Kidlington East

Other wards affected by Partial Review sites: Kidlington West

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Document Information

Appendix 1: Development Brief – Land West of A44 (Site PR9)

Appendix 2: Summary of representations and officer responses

Background papers

None

Reference Documents

Cherwell Local Plan 2011-2031 Partial Review:

<https://www.cherwell.gov.uk/info/83/local-plans/215/adopted-cherwell-local-plan-2011-2031-part-1-partial-review---oxfords-unmet-housing-need>

Report Author and contact details

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Executive summary

The Cherwell Local Plan 2011-2031 (Part 1) Partial Review (LPPR), which provides for Cherwell's share of Oxford City's unmet housing needs, identifies land west of Yarnton as one of six strategic housing sites. A comprehensive Development Brief is required as guidance for future planning applications.

This Development Brief has been jointly prepared between Cherwell District Council, Oxfordshire County Council, landowners and key stakeholders.

It is a material planning consideration in the determination of any future planning applications for the site.

The Development Brief includes a review of the site's context including the LPPR strategic vision and spatial strategy and the site specific development constraints and opportunities. Based on this analysis it goes on to provide a site specific vision and comprehensive development principles addressing land use, character, layout, green infrastructure, movement, utilities, healthy place making and sustainable design.

Site location

Land west of Yarnton is a 99 hectare site, located to the west and north of Yarnton and south of Begbroke, adjacent to the A44. Yarnton Nursing Home and William Fletcher Primary School lie immediately to the south-east of the site.

The site is currently in agricultural use. It contains Yarnton Medical Practice on its eastern boundary which is to be retained. The site is adjacent to Begbroke Ancient Woodland and is crossed in the north by Dolton Lane, an important historic bridleway, and Frogwelldown Lane to the south which is a District Wildlife Site. Land in the western part of the site rises steeply and is retained as Green Belt.

Vision and development framework

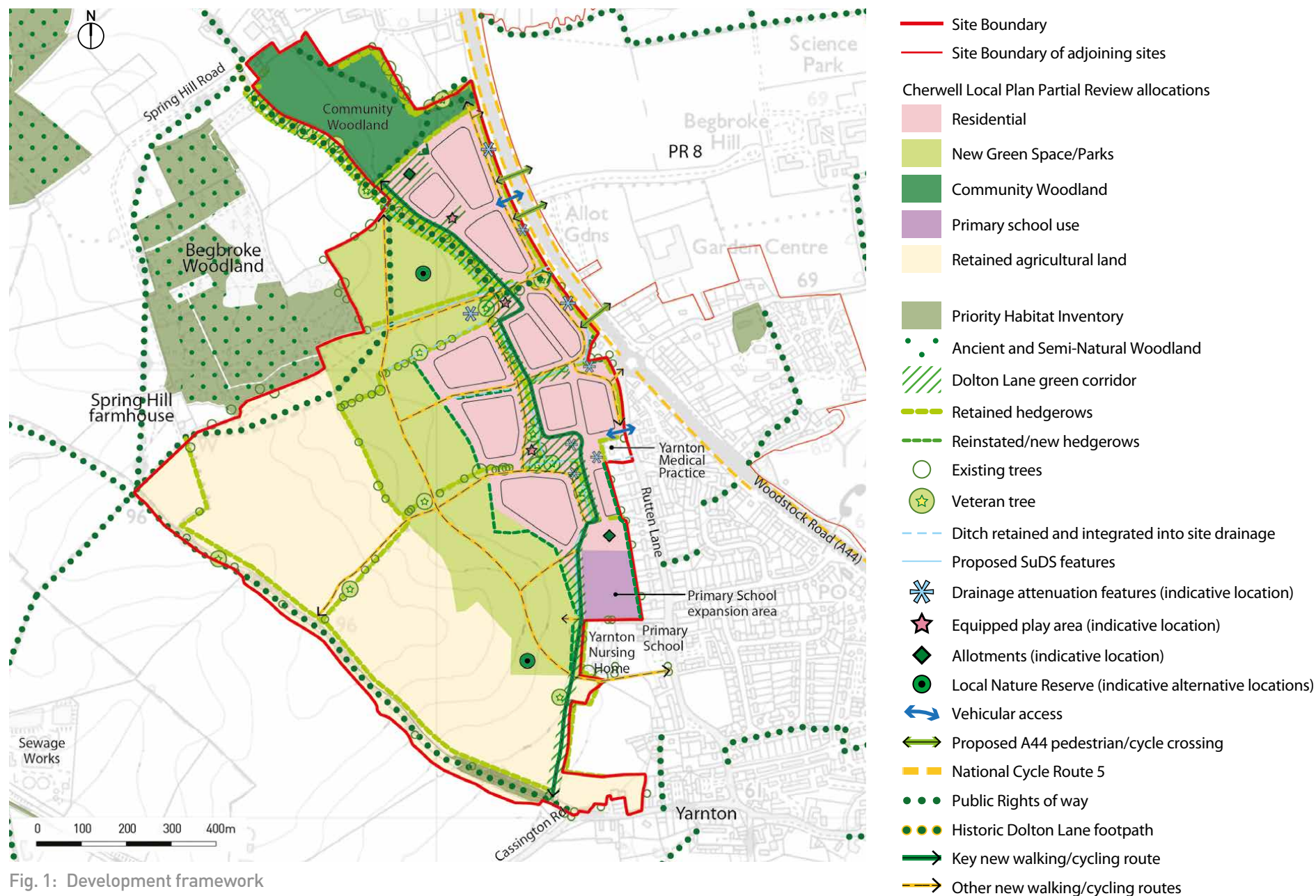
The site specific vision for land west of Yarnton is as follows and is explored in Chapter 5 of the Development Brief:

The development site will become an extension of Yarnton village that will be well connected with the existing and proposed services and facilities, will respond to its proximity with the A44 corridor, planned development to the east of A44 and the historic context of Begbroke and Yarnton villages. Improved public access to the countryside including the creation of community woodland and informal parkland will enhance the beneficial use of the Green Belt, provide for significant ecological and biodiversity gains, will help to retain separation between Yarnton and Begbroke villages and provide a buffer to Begbroke Ancient Woodland, while corridors of green infrastructure including historic Dolton Lane will act as connecting features that provide enhanced areas of habitat, green walking and cycling routes and enable access to the countryside.

Policy PR9 of the LPPR sets out the policy requirements for the site which include:

- Residential development
 - 540 net dwellings (net) on approximately 25 hectares of land
 - 50% affordable housing
- 1.8 hectares of land for school expansion of the existing William Fletcher Primary School and replacement of playing pitches and amenity space
- formal sports, play areas and allotments within the developable area
- public open green space as informal parkland on 24.8 hectares of land to the west of the residential area
- a new Local Nature Reserve accessible to William Fletcher Primary School
- a community woodland on 7.8 hectares of land to the north-west of the developable area and to the east of Dolton Lane

The Development Framework plan (overleaf) reflects the vision and the requirements of Policy PR9. Detailed design requirements which underpin the delivery of this development framework are set out in the Chapter 6 of the Development Brief. Chapter 7 lists the information which will be required to accompany a planning application.



1.0 Introduction

1.1 Background

The Cherwell Local Plan 2011-2031 (Part 1)¹ which was adopted in July 2015 ("The 2015 Plan") committed the Council to work jointly with other Oxfordshire councils to assess the extent of the housing need that could not be met elsewhere in the Oxfordshire Housing Market Area. In particular, it was understood that there could be a need arising from Oxford that could not be met by Oxford City Council due to its tight administrative boundaries and its limited supply of land. Cherwell District Council's commitment was to consider the extent of the need and, if necessary to 'partially review' its Local Plan.

The Council has now undertaken this 'partial review' with the adoption of the Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need in September 2020 (LPPR)².

The Partial Review which is effectively a supplement or addendum to the 2015 Plan, provides a vision, objectives and specific policies for delivering additional development to help meet Oxford's housing needs. It seeks to do this in a way that will best serve Oxford's needs and provide benefits for existing communities in Cherwell and adjoining areas.

The LPPR provides for the development of a total of 6 strategic housing sites that will best achieve the Council's vision and objectives and deliver sustainable development of, in total, 4,400 new homes to meet Oxford's needs together with supporting infrastructure. The LPPR requires single comprehensive, outline schemes for the entirety of each strategic site.

Each of the site allocations has a policy which sets out its key delivery requirements and place shaping principles, and each allocation is supported by a Policies Map.

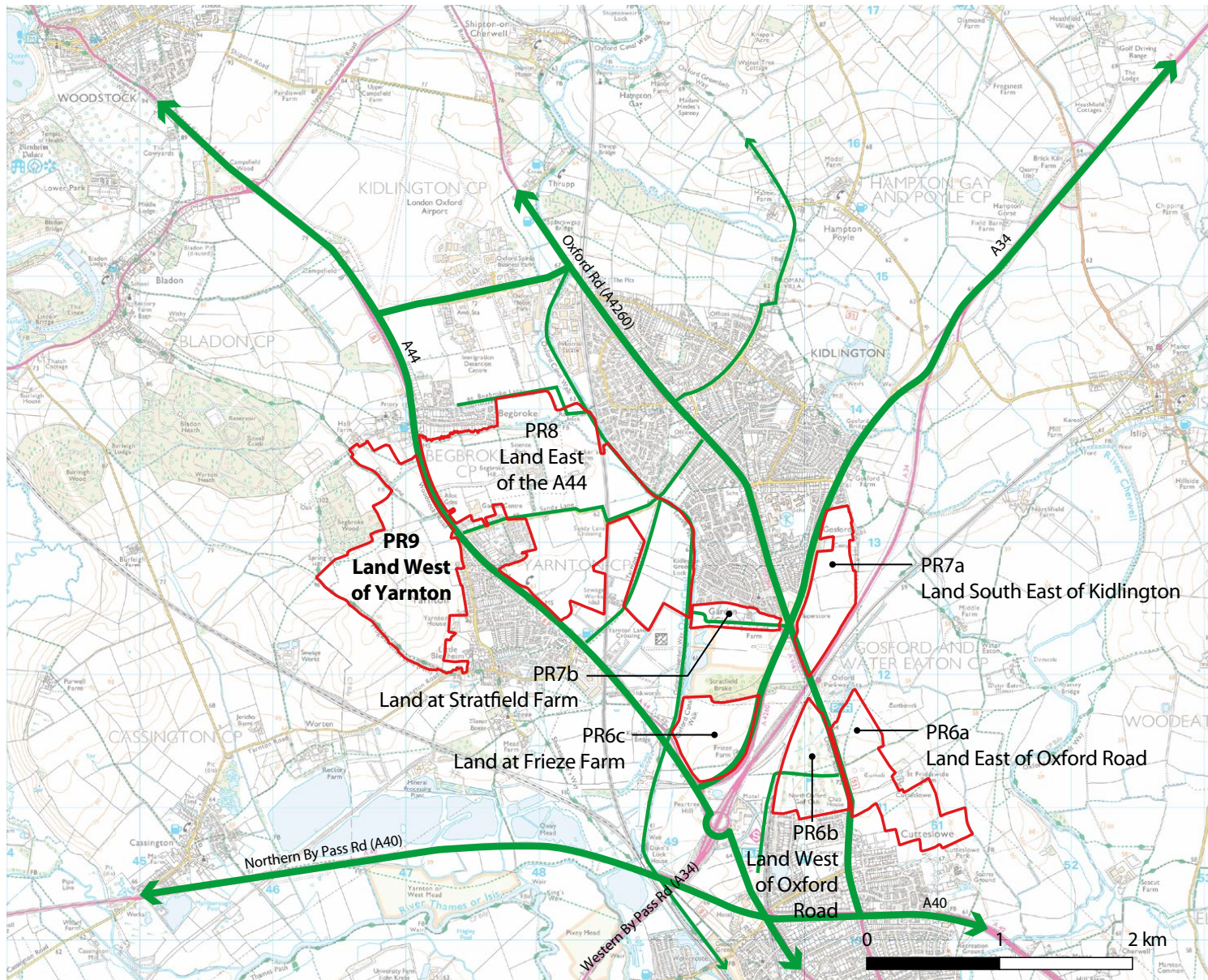
Each of the site allocation policies requires planning application(s) for the site to be in accordance with a Development Brief for the site which has been jointly prepared by the landowner(s), Cherwell District Council, Oxfordshire County Council and other stakeholders, including Oxford City as appropriate. The site allocation policy also sets out a series of requirements that the Development Brief should address.

This is the development brief to guide the development of Land West of Yarnton, site PR9. The Development Brief has been prepared in accordance with policy requirements, the site allocation policy and the Policies Map. As well as including the required detail, the Development Brief also reflects the detailed key delivery requirements and place shaping principles as set out in the policy.

Site	Housing allocation	
North Oxford		
Policy PR6a – Land East of Oxford Road	690	N.B. Site allocation PR6c shown on Fig 1 is the allocation of Land at Frieze Farm which is reserved for the potential construction of a golf course should this be required as a result of the development of Land West of Oxford Road under Policy PR6b.
Policy PR6b – Land West of Oxford Road	670	
Kidlington		
Policy PR7a – Land South East of Kidlington	430	
Policy PR7b – Land at Stratfield Farm	120	
Begbroke		
Policy PR8 – Land East of the A44	1950	
Yarnton		
Policy PR9 – Land West of Yarnton	540	
Total	4400	

Housing allocations (LPPR)

¹ Local Plan Part 1 ² Local Plan Partial Review Sep 2020



- Allocation site boundaries
- Key sustainable movement routes (public transport and/or walking/cycling)

Fig. 2: Local Plan Partial Review Site Allocations Location

1.2 Purpose and status of the Development Brief

1.2.1 Purpose

The Development Brief has 4 main objectives:

- To create a site specific vision to guide future site development in a manner which supports the wider aims of the LPPR spatial strategy for North Oxford, Kidlington and the A44/A4260 Corridors
- To provide a development framework and a clear set of site specific development principles to inform the submission and determination of planning applications and achieve comprehensive and holistic development in accordance with the LPPR site policy
- To improve the efficiency of the planning and development process by reducing uncertainty and setting a framework for development that provides landowners, developers and the wider community with clear guidance on what is expected from development
- To raise the standard of design and to create exemplary places which are functional, beautiful, promote health and wellbeing and which engender a sense of community.

The Development Brief, where necessary and appropriate, proposes or reflects solutions and proposals outside the individual site boundary to help facilitate a joined up approach to development.

The Development Brief should be read in conjunction with relevant Development Plan policies, national planning policy and guidance and the Council's adopted Supplementary Planning Documents ("SPD"). Particular attention is drawn to the Council's design policies and guidance including Policy ESD15: The Character of the Built and Historic Environment, and the Cherwell Design Guide SPD which provides design guidance relevant to the District as a whole. Further information on relevant Policy and guidance is provided in chapter 3 and throughout the Development Brief.

1.2.2 Status

The Development Brief has been endorsed by Cherwell District Council's Planning Committee. It will be used as a material planning consideration in the determination of any planning applications for the site.

For the avoidance of doubt, the Development Brief does not have the status of a Supplementary Planning Document and does not introduce new planning policy.

1.3 Structure of the Development Brief

The structure of the Brief is as follows:

Chapters 1 to 3 provide contextual information relating to the site and the Development Brief process, including the strategic vision and spatial strategy for the North Oxford, Kidlington and A44 corridor.

Chapter 4 provides a synthesis of policy context and important site constraints and opportunities which are to be reflected in the site's development. This builds on the LPPR Evidence Base.

Chapter 5 describes the site specific vision and development objectives.

Chapter 6 contains a comprehensive set of design and development principles for the site which respond to the site opportunities, constraints and context set out in the preceding chapters and which are to be reflected in planning applications.

Chapter 7 lists the information which will be required to accompany a planning application.

1.4 Consultation and stakeholder engagement

The Development Brief has been jointly prepared by Cherwell District Council and the site owners and their representatives and in consultation with Oxfordshire County Council and Oxford City Council.

Throughout the process there has been engagement and consultation with the following stakeholders in addition to those mentioned above:

- Parish Councils
- Thames Valley Police
- Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)
- Thames Water
- Environment Agency
- Scottish and Southern Electric (SSE)
- Network Rail
- Natural England
- Sport England

This has included collaborative workshops focussing on key stages during the preparation of the Development Brief:

- Baseline review and analysis
- Vision and development principles

These collaborative workshops with specialist stakeholders, were preceded by a joint workshop in October 2018 with Parish Councils, landowners and their representatives and stakeholders. This workshop introduced the Development Brief process, provided an opportunity for site promoters and stakeholders to introduce themselves, and enabled Parish Councils to explain their aspirations/requirements for the Development Briefs.

Technical information and emerging design work provided by the landowners and their representatives has been considered by the Council in preparing the Development Brief.

1.4.1 Community Engagement

Public consultation on the Draft Development Brief took place between 11 August and 22 September 2021.

Comments received have informed the final Development Brief.



Aerial view of site PR9

2.0 The Strategic Vision and Context

2.1 Local Plan Partial Review Vision

The LPPR vision across all sites is:

To provide new development that meets Oxford's agreed, identified housing needs, supports the city's world-class economy, universities and its local employment base, and ensures that people have convenient, affordable and sustainable travel opportunities to the city's places of work, study and recreation, and to its services and facilities. This development will be provided so that it:

- i. creates balanced and sustainable communities
- ii. is well connected to Oxford
- iii. is of exemplar design which responds distinctively and sensitively to the local built, historic and environmental context
- iv. is supported by necessary infrastructure
- v. provides for a range of household types and incomes reflecting Oxford's diverse needs
- vi. contributes to improving health and well-being, and
- vii. seeks to conserve and enhance the natural environment.

LPPR Vision for Meeting Oxford's Unmet Housing Needs in Cherwell

To deliver this vision, the LPPR identifies sites for new homes in locations which have the strongest socio-economic connections to Oxford, and which can deliver the necessary social, movement and green infrastructure to support the health and wellbeing of the population.

The sites are located at the edge of existing communities to the north of Oxford and will be fully integrated with them to share the benefits of new facilities and support existing local centres, in particular Kidlington village centre.

2.1.1 The Role of Individual Sites

Each site plays a role in delivering the vision and objectives of the LPPR, in a joined-up and holistic manner as shown on the LPPR key diagram overleaf, and thematic figures 4-7 which follow. Full details of each site's role are contained with LPPR policies.

The role of Yarnton (PR9)

A linear village extension to Yarnton will create an attractive frontage to the A44 and connect into the existing movement network of streets, and public footpaths including historic Dolton Lane. The site will provide space for school playing fields to enable the potential expansion of William Fletcher School. The majority of the site will remain in the Green Belt and public access will be provided alongside community woodland and a new Local Nature Reserve, offering enhanced access to the countryside and opportunities for community involvement in the management of green infrastructure.

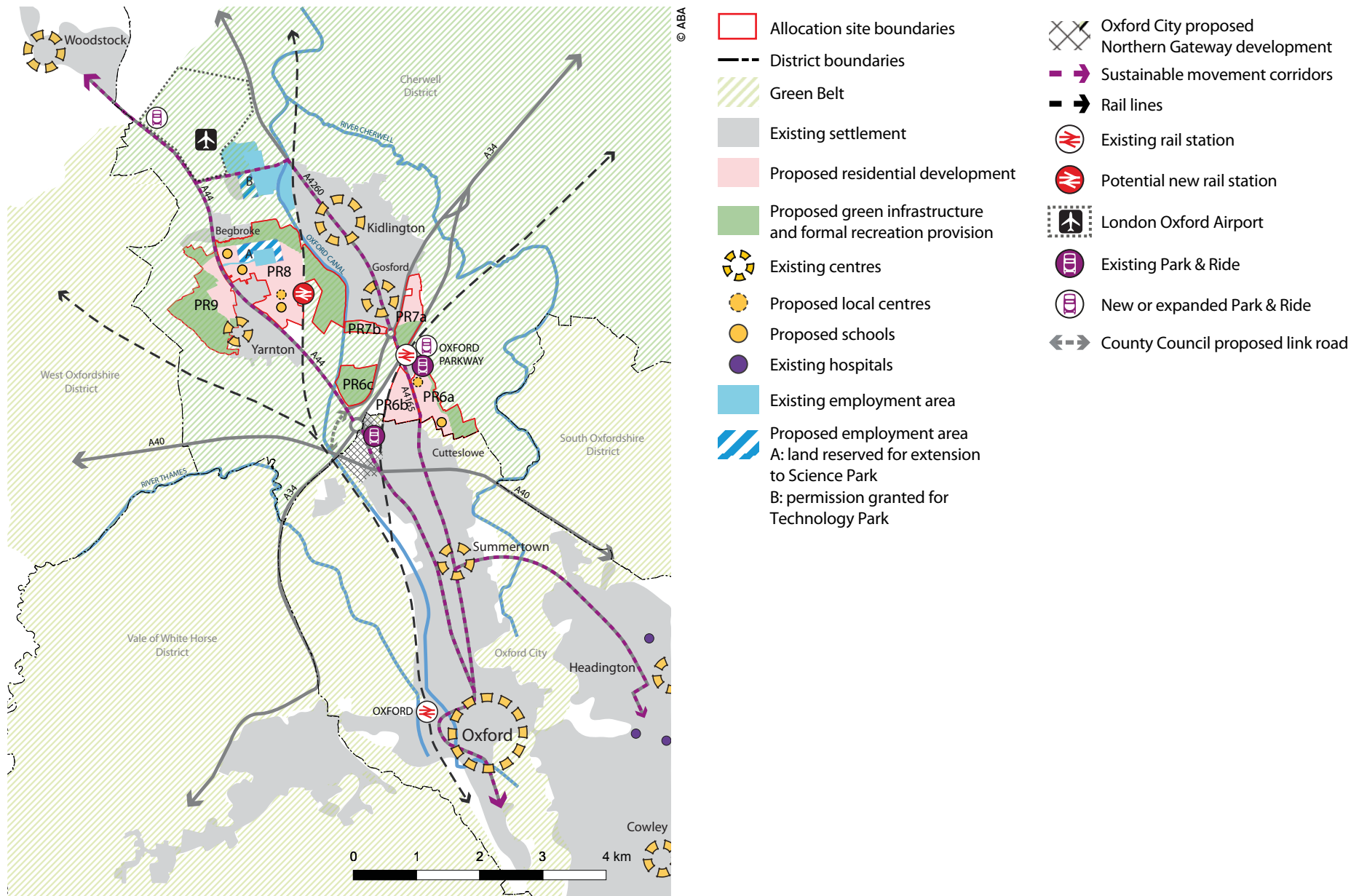


Fig. 3: LPPR key diagram - for illustrative purposes only

2.1.2 Economic relationships

The sites are located in close proximity to local centres, key employment sites and sites which have an important economic relationship with Oxford and form part of Oxfordshire's 'Knowledge Spine'. These include existing locations within Cherwell (Oxford Parkway Railway Station, London-Oxford Airport, Langford Lane commercial area in Kidlington and Begbroke Science Park) and within the city of Oxford (the Oxford Northern Gateway site – also known as Oxford North), which will be a key driver of employment growth.

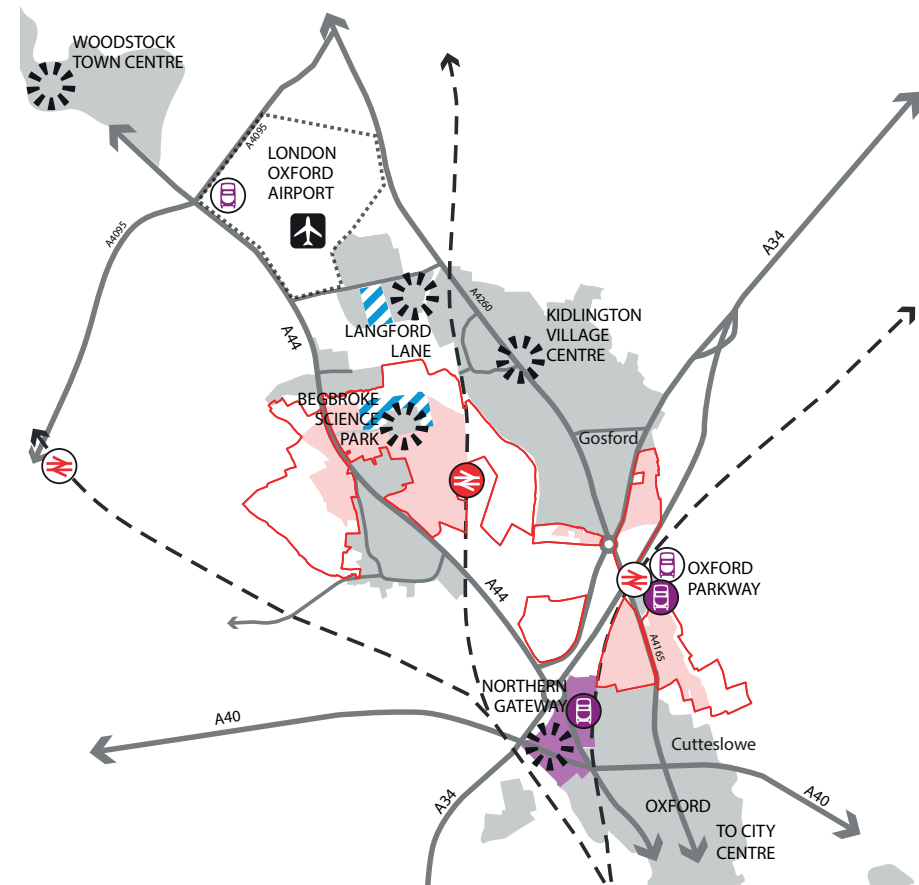


Fig. 4: Economic links



2.1.3 Sustainable movement corridors

All sites are located on the major public transport routes of the A44 and A4260/A4165 connecting southern Cherwell to Oxford City and Oxford Parkway station. Significant enhancements to public transport and walking and cycling provision are to be delivered on these routes through the County Council's Local Transport Plan and its strategy for Park and Ride and Rapid Transit. Additional walking and cycling routes are to be created through corridors of green infrastructure including the Oxford Canal corridor.

The emphasis on sustainable modes of travel enables less 'car-centric' movement patterns, promotes active and healthy travel choices and supports inclusion through the provision of convenient, accessible and affordable travel to places of work, recreation and community services.

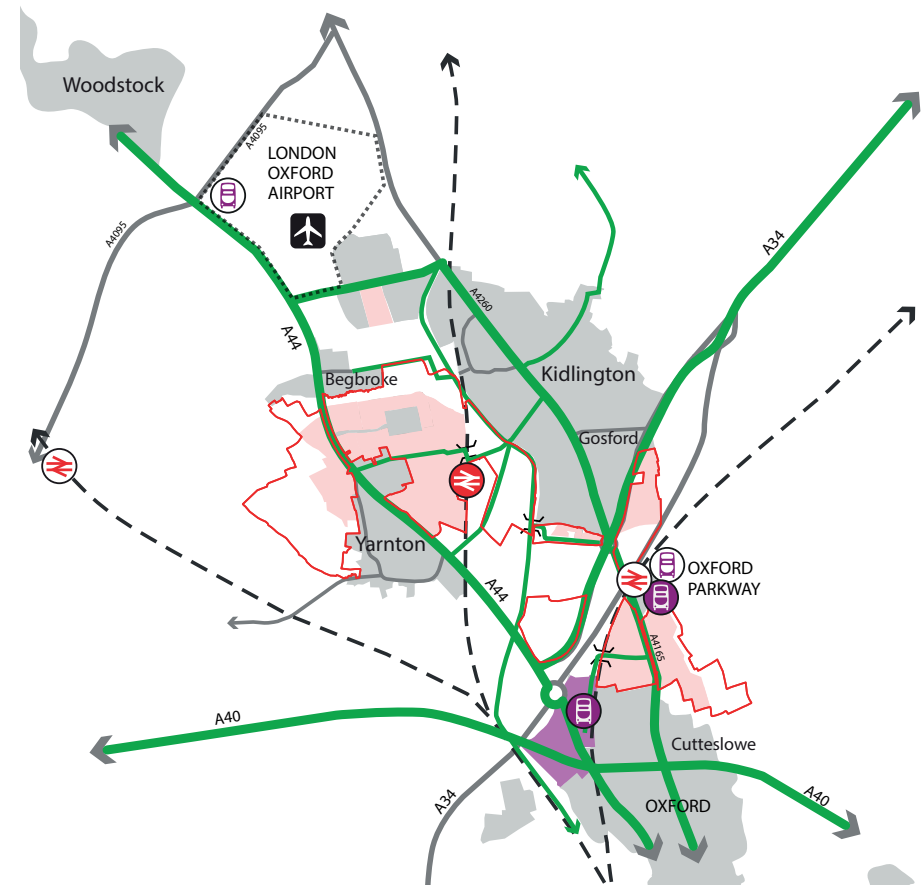
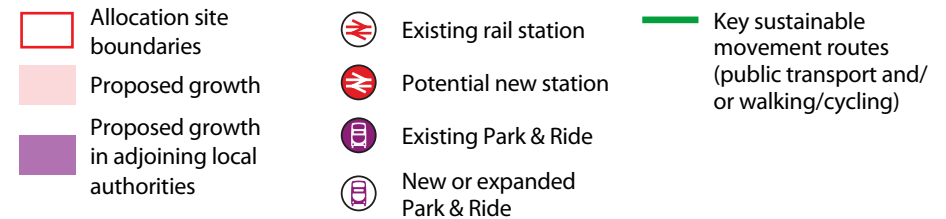


Fig. 5: Sustainable movement routes



2.1.4 Strategic green infrastructure corridors

The sites deliver significant areas of new publicly accessible green infrastructure (GI) and habitat which form part of strategic GI corridors:

- ① to the west of Yarnton, Begbroke and Oxford
- ② along the Oxford Canal
- ③ to the east of Oxford and Kidlington/Gosford
- ④ between Kidlington/Gosford and Oxford

The corridors provide an attractive setting for development and have multiple benefits. They help to maintain separation and distinction between individual settlements; create an appropriate edge and access to the countryside; protect and enhance natural, historic and biodiversity assets; provide corridors for wildlife; and provide leisure and recreation opportunities and walking/ cycling routes which encourage health and wellbeing in the existing and new population. Further details of the strategic GI corridors are shown in Appendix 6 of the LPPR.

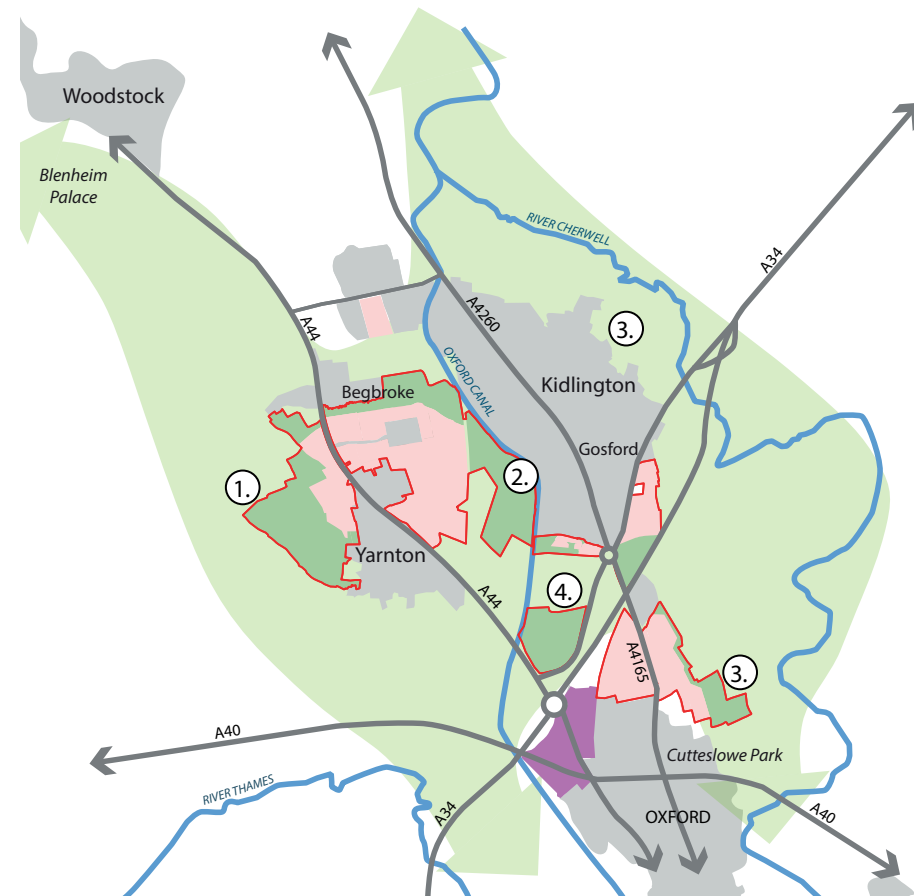
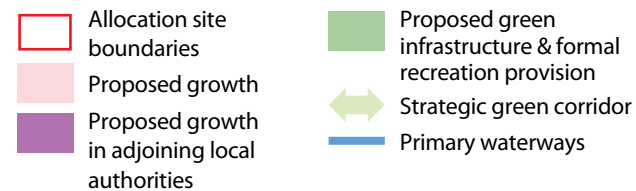


Fig. 6: GI corridors



2.1.5 Community services

The planned local provision, through the new housing development, of schools (a primary school in North Oxford and two primary schools and a secondary school at Begbroke), new local centre facilities (in North Oxford and Begbroke) and formal sports/play areas, provides new facilities which benefit the existing and new population.

Locating facilities within the sites in accessible locations will further support and enhance the potential for widespread uptake of walking and cycling for local trips.

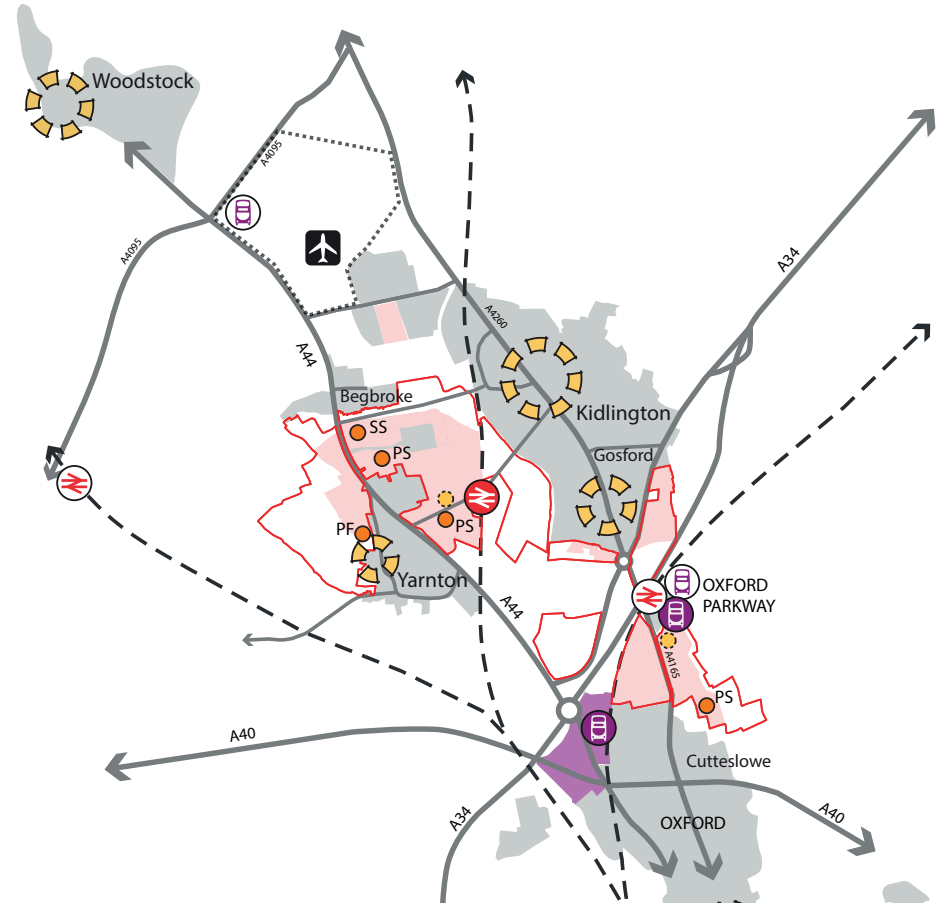
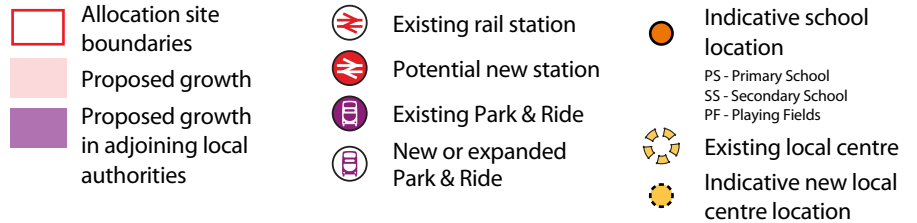


Fig. 7: Local centres and schools



3.0 Context

3.1 The Planning Policy Context

The site subject to this Development Brief - Land West of Yarnton – is guided by Policy PR9 of the LPPR and its associated Policies Map. In addition to the individual site allocation policy (PR9) the LPPR also contains a number of policies which seek to guide the development of each of the sites and ensure they deliver the homes that are needed, supported by the necessary infrastructure.

Where appropriate, these policies have influenced the content of the Development Brief. In other cases they will need to be followed when planning application(s) are submitted to the Council and all planning applications will be assessed against these policies.

2.1.6 PR9 - Landuse Requirements

A village extension to Yarnton on 99 hectares of land to the west of Yarnton with the following land use requirements:

- residential development
 - 540 net dwellings (net) on approximately 25 hectares of land
 - 50% affordable housing
- 1.8 hectares of land for school expansion of the existing William Fletcher Primary School and replacement of playing pitches and amenity space
- formal sports, play areas and allotments within the developable area
- public open green space as informal parkland on 24.8 hectares of land to the west of the residential area
- a new Local Nature Reserve accessible to William Fletcher Primary School
- a community woodland on 7.8 hectares of land to the north-west of the developable area and to the east of Dolton Lane

The landuse requirements have been included in the brief for reference only.

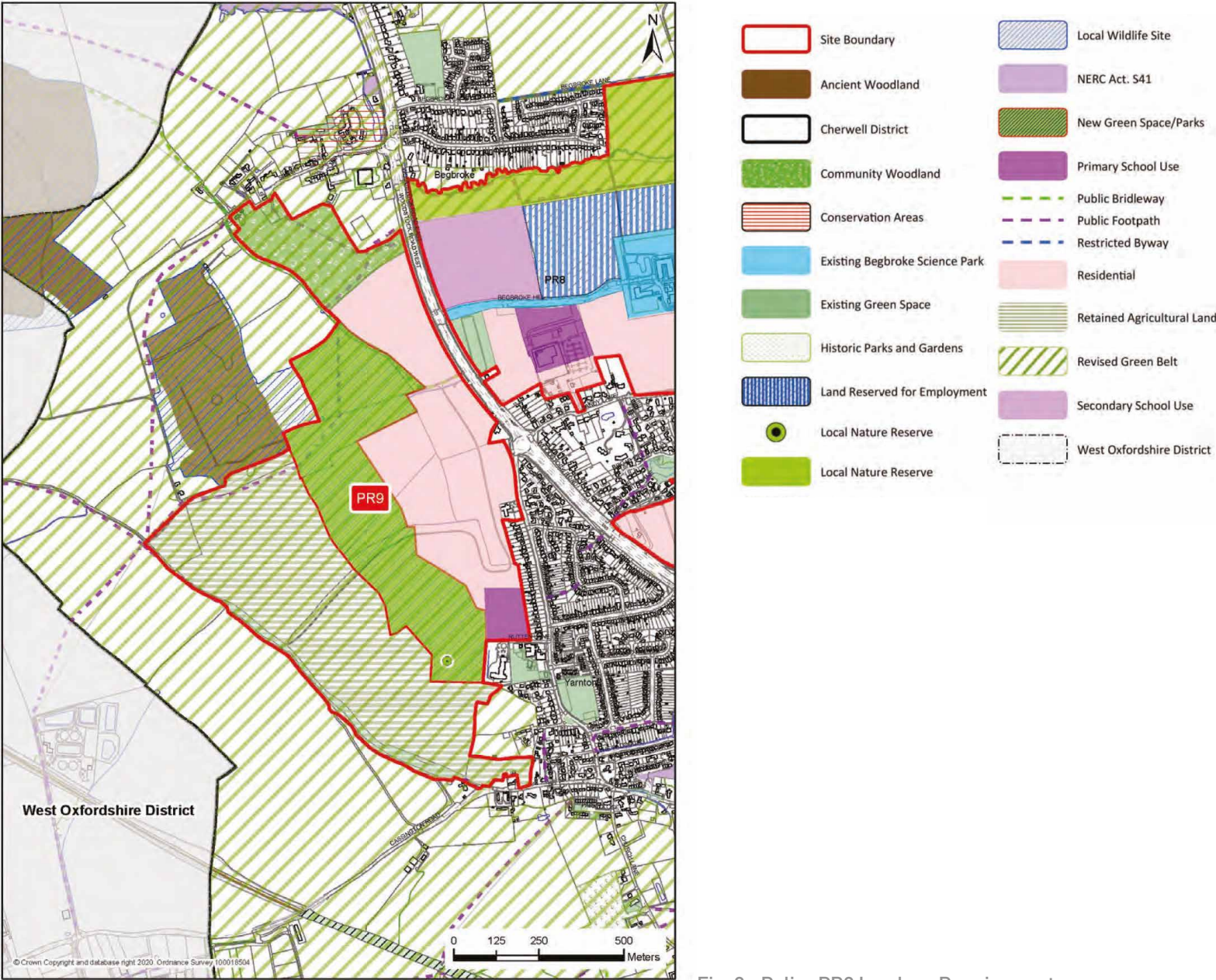


Fig. 8: Policy PR9 Landuse Requirements

2.1.7 Submission of Planning Applications

Applications for planning permission for housing in Cherwell to meet Oxford's unmet housing needs will be considered having regard to the policies of the Development Plan and other material considerations such as the National Planning Policy Framework and Planning Practice Guidance.

The Council will need to assess whether or not development proposals meet the vision, objectives and policies of the LPPR and any other relevant policies from other parts of the Development Plan. This Development Brief will be a material planning consideration. See Section 1.2 which explains the status of the Development Brief.

Other material considerations will include relevant Supplementary Planning Documents (SPDs). A list of relevant policy and guidance that has informed this Development Brief is provided at Appendix A.

Further guidance on the submission of planning applications is given in section 7.0 of this Development Brief.

3.2 The Site Context

This section provides a brief overview of the site PR9 and its context.

3.2.1 Location and Size

- 99 hectare site located to the west and north of Yarnton and south of Begbroke of which 25 hectares is allocated for residential development.
- Part of the site lies within the Oxford Green Belt. The Green Belt boundary is shown on Fig. 9.
- The site is bounded by Yarnton and the A44 to the east. The built-up area of Yarnton adjacent to the site comprises of one to two storey detached and semi-detached housing including post-war properties and modern homes some of which reflect more traditional materials and styles.
- Yarnton Nursing Home and William Fletcher Primary School lie immediately to the south-east of the site.
- To the south lies the historic core of Yarnton, around the Cassington Road/ Rutten Lane junction, within which are several listed buildings.
- To the west of the site lies farmland with hedgerows along with the Grade-II listed Spring Hill Farmhouse.
- To the northwest of the site lies Begbroke Wood which comprises Ancient Woodland.
- Begbroke Conservation Area covers the historic core of Begbroke village to the north of the site.
- A sewerage works is located to the southwest of the site.

3.2.2 Topography

- The site is located on an east and north east facing slope which, when abutting the western edge of Yarnton, is very shallow and increases in its steepness when moving westwards.

3.2.3 Existing Land Uses and Services/Facilities

- The site is currently in agricultural use. It contains Yarnton Medical Practice on its eastern boundary which is to be retained.
- Other facilities in Yarnton include a village hall, a Church, a pharmacy and two public houses (Red Lion on Cassington Road and Turnpike on the A44 Woodstock Road) and an employment site further south.

3.2.4 Existing Access and Movement Network

- The site is accessed from Woodstock Road (A44) and via Rutten Lane in the east, via Cassington Road in the south and via Spring Hill Road in the north.
- Access to the Medical Practice is from Rutten Lane.
- The site is well-served by a number of public rights of way. Frogwelldown Lane to the south and Dolton Lane to the north are particularly prominent, historic and well-used routes. There are no roads or cycle paths within the site.
- There are two signalised crossing points on Woodstock Road (A44).
- The eastern boundary of the site runs alongside the Woodstock-Oxford cycleway that forms a part of National Cycle Route 5.
- Bus services towards Oxford, Kidlington and Woodstock are routed on the A44 and Rutten Lane. Bus stops are indicated on Fig. 9.

3.2.5 Development Proposals in Surrounding Areas

- Land East of the A44 (PR8) lies opposite the site on the eastern side of A44.
- A proposed Park and Ride site is located to the north east at London Oxford Airport.

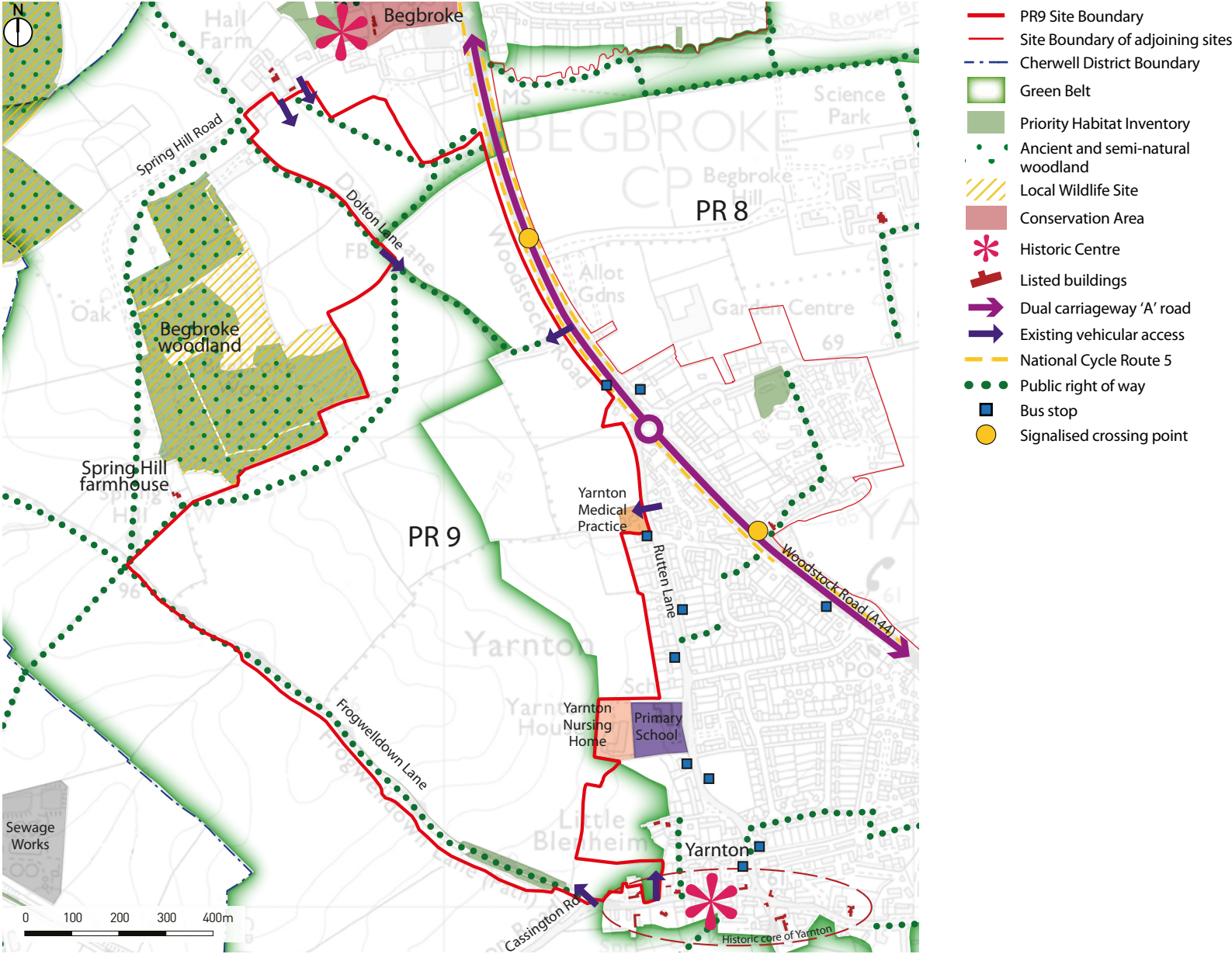
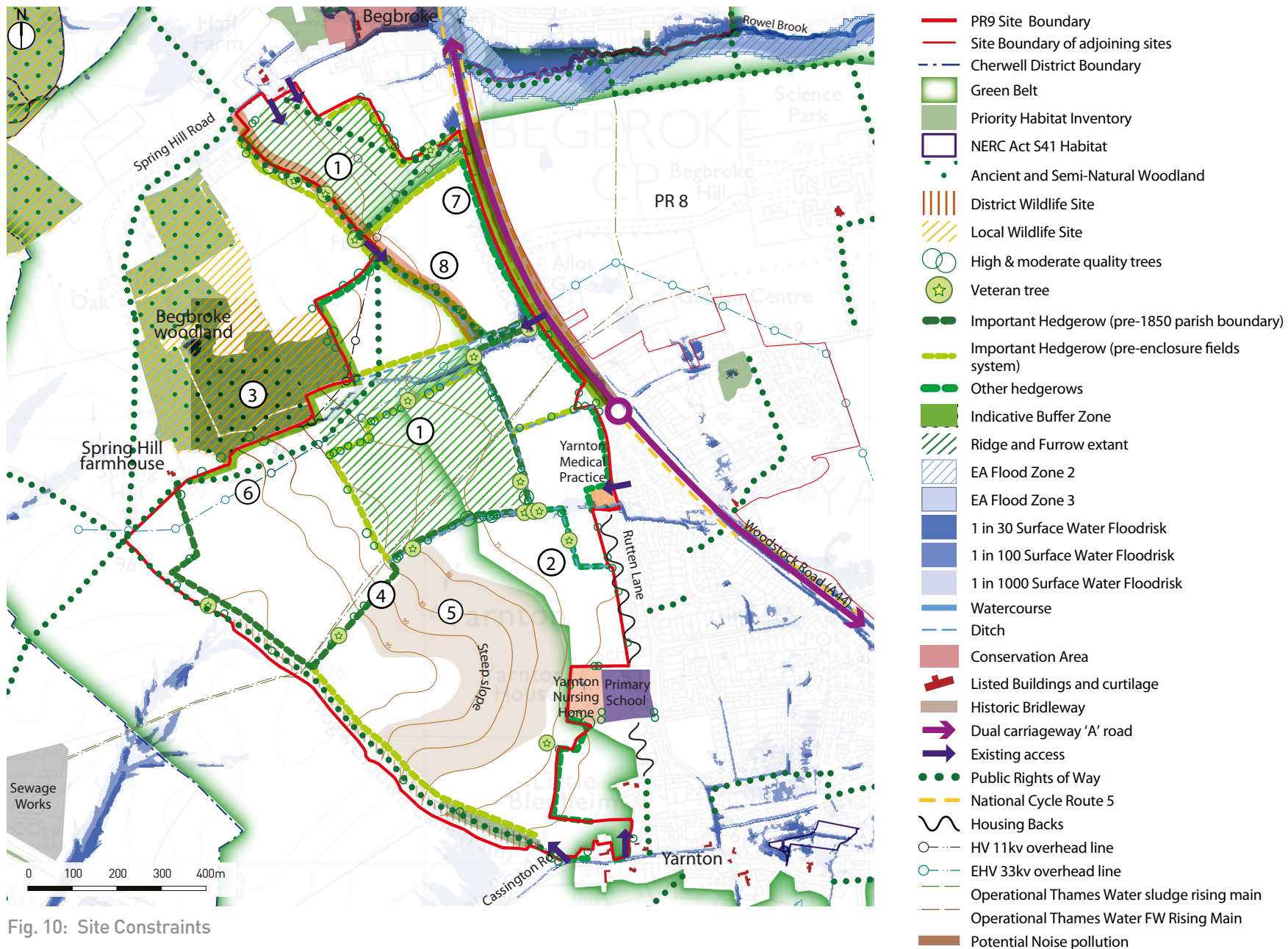


Fig. 9: Site context

4.0 Site Appraisal

4.1 Site Constraints

- The site is situated within an area of historic agricultural land comprising extant medieval ridge and furrow earthworks and historic field systems. ①
- It is located within an area of known archaeological potential with prehistoric finds recorded within the site.
- Rear gardens, together with the Yarnton Nursing Home abut part of the site. Otherwise, site edges are well defined by hedgerows. ②
- Begbroke Wood to the north-west of the site is an Ancient Woodland and a Local Wildlife Site. ③
- Approximately 29 hedgerows which could be classified as 'Important Hedgerows' are contained within the site. These include those which pre-date enclosure field systems and pre-1850 parish boundary formations. ④
- The site contains a number of veteran trees and high or moderate quality trees which are situated along the field boundaries.
- The site increases in its steepness when moving westwards. Policy PR9 limits the extent of the developable area. ⑤
- The site is crossed by two EHV 33kV and two HV 11kV overhead lines. ⑥
- There is potential noise impact from aircraft towards the north-western corner of the site.
- There is potential noise pollution from Woodstock Road (A44). ⑦
- There is potential for future noise constraints associated with the proposed playing fields at the rear of gardens on Rutten Lane.
- Dolton Lane which is an important historic bridleway is located in the northern part of the site. ⑧
- Begbroke Conservation Area lies to the north of the site.
- Frogwelldown Lane which is also a District Wildlife Site is located to the south of the site.
- Highways improvements to the A44 may have an impact on the eastern boundary of the site.
- It is reported that foul sewage has overtopped drains within Yarnton village during flood events.



4.2 Site Opportunities and Requirements

The detailed requirements for this site are set out in Policy PR9 of the PR Plan. In addition to these requirements the following opportunities have been identified.

4.2.1 Place Shaping

- In line with Policy PR9, there is opportunity to create a village extension to the north-west of Yarnton which relates to the existing village and site PR8 across the A44. ①

4.2.2 Heritage and Townscape Character

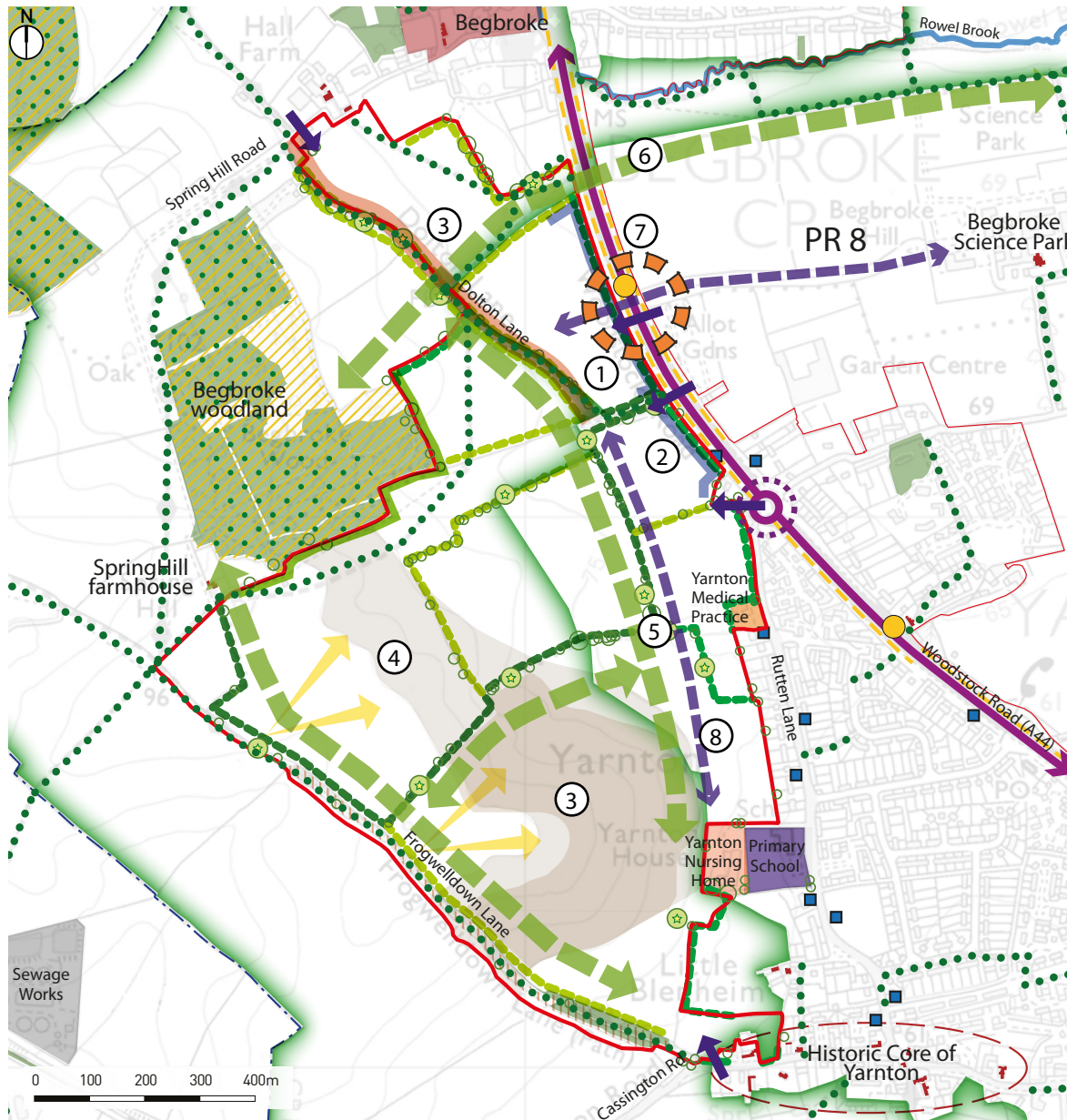
- Opportunity to create a frontage to the A44 which relates to, and connects positively with PR8. ②
- Opportunity to take on board characteristics of the traditional vernacular of Yarnton and create an extension which relates strongly to the existing village.
- Requirement to enhance the attractive landscape setting of the village and increase public access including the creation of a new Local Nature Reserve and Community Woodland in line with Policy PR9. ③
- Opportunity to reflect elements of the character of Begbroke Conservation Area within the design of the site, whilst retaining the separate identities of Begbroke and Yarnton.
- Opportunity to create an appropriate edge between townscape and landscape to the west reflecting the character of historic village boundaries.

4.2.3 Views and Sightlines

- From within the centre of the site there are long distance panoramic views to the south, west and north-west over the rolling landscape and Yarnton townscape to the distant landscape horizon. There is an opportunity to maintain openness in line with Policy PR9; sensitively respond to the topography of the site with consideration of landmarks; and create viewing points. ④

4.2.4 Landscape Character

- Opportunity to maintain hedgerows and reinstate historic boundaries where lost, incorporating them into the scheme to improve habitat connectivity through the site. However, this should be carefully considered in the context of wider placemaking objectives and connectivity (see Cherwell Design Guide section 4.7) to avoid a fragmented development.
- Opportunity to extend the character of historic Dolton Lane through the site and create a potential safe pedestrian and cycle route connection to William Fletcher School. ⑤
- Requirement to provide a Community Woodland and a Local Nature Reserve within the site to achieve net bio-diversity gains. There is scope to locate the Local Nature Reserve close to William Fletcher Primary School to facilitate an outdoor learning environment. ⑥
- Opportunity to provide additional and linking habitat for protected and notable species within the site, including within/and adjacent to the proposed Community Woodland and Local Nature Reserve and to form an east-west link across to PR8.
- Opportunity to incorporate sustainable drainage features into the landscape structure of the site and deliver amenity and biodiversity benefits, including consideration of foul sewer overtopping in Yarnton Village.



Site Context

- PR9 Site Boundary
- Site Boundary of adjoining sites
- Cherwell District Boundary
- Green Belt
- Priority Habitat Inventory
- Ancient and Semi-Natural Woodland
- Indicative Buffer Zone
- Local Wildlife Site
- District Wildlife Site
- Watercourse
- Ditch
- Conservation Area
- Historic bridgeway
- Listed buildings and curtilage
- Dual carriageway 'A' road
- National Cycle Route 5
- Public Rights of Way
- Signalised crossing point
- Bus stop

Opportunities

- Green corridor forming links
- Potential improvements to existing junctions to enable access
- Important connection
- Important node
- Create frontage to A44 which responds to noise constraint
- Create viewpoints
- Retain important hedgerow (pre-1850 parish boundary)
- Retain important hedgerow (pre-enclosure fields system)
- Other hedgerows to retain wherever possible
- Veteran tree to retain
- High & moderate quality trees to retain wherever possible

Fig. 11: Site Opportunities

4.2.5 Movement and Access

- Potential for a new arm off the existing A44/Science Park signalised junction serving the northern part of the site; and a second access to the A44 via Rutten Lane. ⑦
- Opportunity to provide connectivity to Yarnton Medical Centre and William Fletcher Primary School through the site. ⑧
- Opportunity for new network of streets and footpaths to link the site with Rutten Lane and Yarnton beyond, and the A44 providing direct connections to bus stops and cycleways, and education and recreation facilities proposed within Land East of the A44 (PR8).
- Opportunity to create new pedestrian, cycle and wheelchair routes through the site to surrounding countryside, connected with the existing rights of way network.
- Opportunity to provide access to the National Cycle Route 51 that runs along the Woodstock Road (A44).
- Opportunity to connect the site via A44 to the London-Oxford Airport and the proposed Park and Ride facility located off Upper Campsfield Road.
- Opportunity to increase bus frequencies and provide new southbound bus stop on Rutten Lane near Aysgarth Road.



Existing A44 bus and cycling infrastructure

5.0 Vision and objectives

5.1 Vision

In response to the site's local surrounding context and constraints, the vision for land west of Yarnton has gradually evolved to affirm the design opportunities available to meet the objectives of the LPPR and is described below. The vision is further developed by the Design Principles contained in this document which set out the detailed requirements.

The development site will become an extension of Yarnton village that will be well connected with the existing and proposed services and facilities, will respond to its proximity with the A44 corridor, planned development to the east of A44 and the historic context of Begbroke and Yarnton villages. Improved public access to the countryside including the creation of community woodland and informal parkland will enhance the beneficial use of the Green Belt, provide for significant ecological and biodiversity gains, will help to retain separation between Yarnton and Begbroke villages and provide a buffer to Begbroke Ancient Woodland, while corridors of green infrastructure including historic Dolton Lane will act as connecting features that provide enhanced areas of habitat, green walking and cycling routes and enable access to the countryside.

The land west of Yarnton is to be developed following the guidance contained within this document and in line with the policies of the Adopted Cherwell Local Plan 2011-2031 (Part 1), Cherwell Local Plan Partial Review 2011-2031 (Part 1) Partial Review – Oxford's Unmet Needs, guidance in the Cherwell Residential Design Guidance (2018) and other relevant national and local policy and guidance. Key relevant local policies and guidance are listed at the end of each section of this chapter and the Development Principles chapter (chapter 6) although all relevant policies, including those not listed, should be responded to. In particular, the development should meet the requirements set out in Partial Review Plan Policy PR9 (see chapter 3.0 for details).

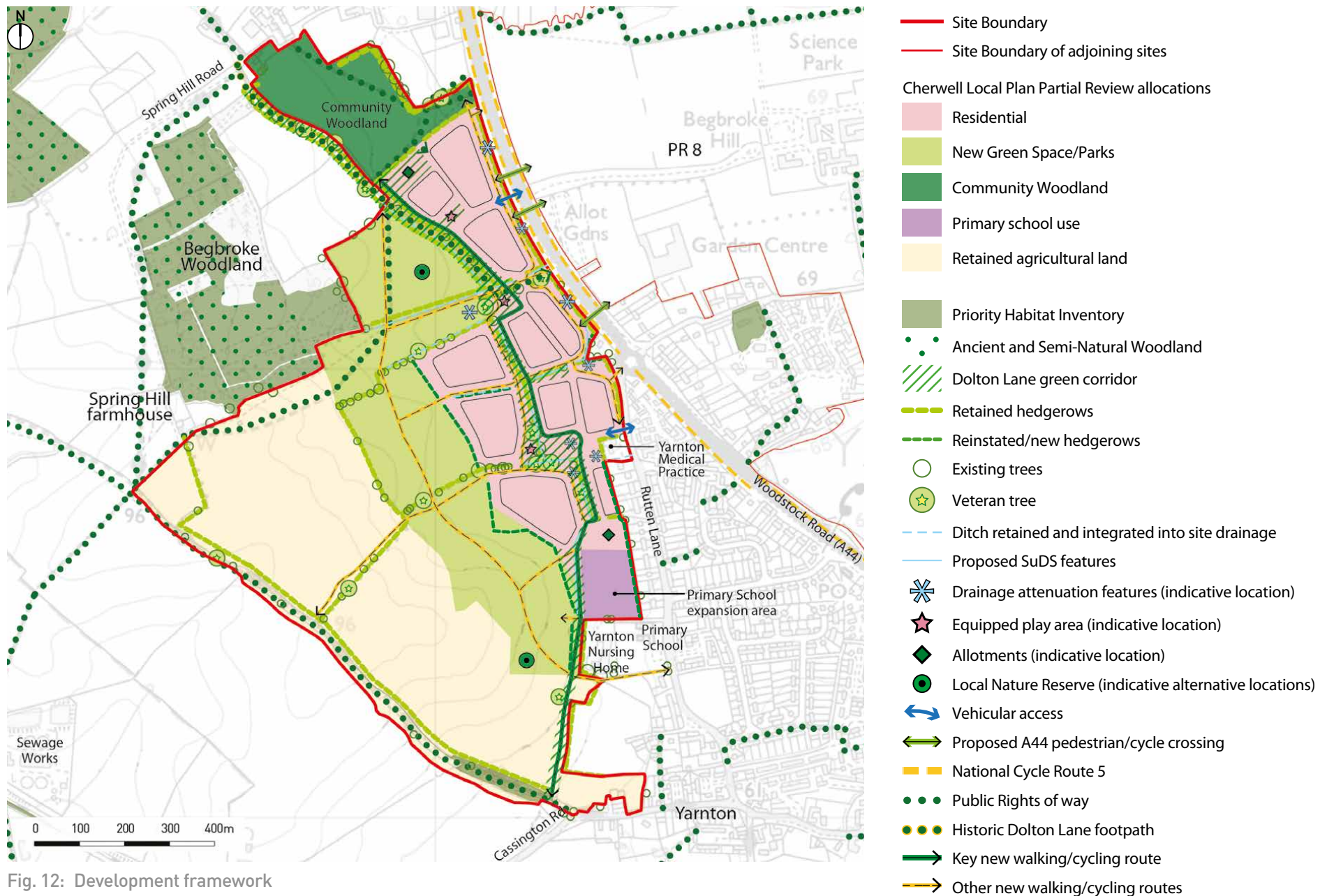
In summary, key delivery requirements under Policy PR9 are:

- 540 homes on 25 hectares of land
- 1.8 hectares of land for school expansion
- informal parkland area on 24.8 hectares of land, that incorporates a new Local Nature Reserve accessible to William Fletcher Primary School
- 7.8 hectares of land for community woodland
- 39.2 hectares retained for agricultural use
- facilities for formal sports, play areas and allotments

It is the Council's preference that in lieu of on-site formal sports provision an appropriate financial contribution be made towards new and improved facilities at south east Kidlington.

The design process is to reflect a 'landscape led' approach where the evolving layout is influenced by the analytical Landscape and Visual Impact Assessment.

Fig. 12 illustrates the development framework for the site reflecting the Vision and the requirements of Policy PR9. Detailed design principles which underpin the delivery of the development framework are set out in the next chapter.



6.0 Development Principles

6.1 Sustainable construction and energy efficiency

The development is to comply with and where possible exceed the local and national standards for sustainable development. This includes mitigating and adapting to climate change, increasing local resource efficiency, minimising carbon emissions, promoting decentralised and renewable or low carbon energy and ensuring that the risk of flooding is not increased.

The detailed layout of the development will need to encourage the sustainable and safe management of waste in each individual household while minimising visual and pollution impacts. The use of recycled materials in the construction of the development and consideration of the Circular Economy is supported.

Construction Exclusion Zones and haulage routes are to be incorporated into the build programme in order to protect the site's green infrastructure and topsoil resource. Topsoil is to be managed in accordance with the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009 (CCoP) published by the Department of Environment, Food and Rural Affairs (Defra)

Electric vehicle charging is to be provided in accordance with the most recently adopted policy.

Refer to the following policies set out the Council's current detailed requirements.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy ESD 1: Mitigating and Adapting to Climate Change

Policy ESD 2: Energy Hierarchy and Allowable Solutions

Policy ESD 3: Sustainable Construction

Policy ESD 4: Decentralised Energy Systems

Policy ESD 5: Renewable Energy

Policy ESD 6: Sustainable Flood Risk Management

Policy ESD 7: Sustainable Drainage Systems

Policy ESD 8: Water Resources

Policy ESD 15: The Character of the Built and Historic Environment

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 7: Building Elevations and Details

Chapter 8: Innovation and Sustainability

6.2 Healthy Place Shaping

Healthy place shaping is a strategic priority for both Oxfordshire's Health & Wellbeing Board and the Future Oxfordshire Partnership (formerly the Oxfordshire Growth Board) which is using the Oxfordshire Housing & Growth Deal to embed healthy place shaping in the planning process, especially in light of emerging evidence from local and national experience of Healthy New Towns (including the initiatives at Barton Park and Bicester Healthy New Towns) and the significant positive impact on health and well-being. This is reflected in the guiding principles of the Oxfordshire Strategic Vision.

This early planning and provision of health promoting design and infrastructure, such as community facilities, green spaces and safe and legible walking and cycling routes, has been shown to be important in influencing and establishing positive behaviour, healthier life-style habits and cohesive, connected communities. The site will be developed in a way which contributes to healthy living and the well-being of local residents. It will:

- provide new and enhanced walking, wheelchair and cycling connections which support active lifestyles at any age and which prioritise pedestrians and cyclists over the car
- improve and enhance connectivity to the existing public rights of way, National Cycle Route 5 and existing facilities at William Fletcher Primary School and Yarnton surgery
- provide connections with new planned facilities on site PR8 and towards the Oxford Canal, and Kidlington and Oxford
- create significant areas of new accessible public open space, a Nature Reserve Conservation Area, community woodland, food growing opportunities and children's play space
- meet the need for early provision of health promoting infrastructure
- meet high quality design standards as specified in Building for a Healthy Life

Accessibility is to be considered in the design of streets, public realm and properties. For example in relation to property accessibility for wheelchair users this would include providing private access from the ground floor to flats, accessible parking spaces next to the entrance, and avoiding reliance on lift access to upper floors.

The Health Impact Assessment commissioned for the Oxfordshire Authorities has been developed as an HIA proforma/toolkit and methodology to be applied to local plans and major developments in the county to achieve a consistent approach. The toolkit was published in 2021.

The development of the site should comply with policies that promote the creation of healthy communities including those listed below.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 7: Meeting Education Needs

Policy BSC 8: Securing Health and Well-Being

Policy BSC 9: Public Services and Utilities

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

Policy BSC 11: Local Standards of Provision- Outdoor Recreation



The character of Dolton Lane will be preserved

6.3 Character and layout

The site is to be developed as an extension of Yarnton village with a visible and strongly defined frontage to the A44 and a softer edge onto the hillside parkland to the west and community woodland to the north. Green corridors through the site including the historic Dolton Lane will be characterful multi-functional spaces for use by the community for movement, play and recreation.

The development is to closely follow the design approach set out in the Cherwell Residential Design Guide.

6.3.1 Development principles:

- The layout is to provide a legible hierarchy of streets and spaces, with urban form varying in response to the proposed character area and local setting. A monotonous suburban layout and highways-led design is to be avoided.
- The design is to integrate with existing streets to the south and east and public rights of way (PRoW). The existing school, nursing home and medical centre are to be integrated into the overall layout.
- The layout and appearance are to sensitively respond to the sloping topography and landscape character of the site.
- Green infrastructure within the site including hedgerow and drainage corridors is to be designed as a connective element which supports the movement of wildlife and encourages walking and cycling, biodiversity and community use. This is to avoid the creation of a fragmented place.
- Play spaces are to be safe and exciting areas for children's play, and accessible for all. Play spaces are to have robust play equipment and materials that are fit for purpose.
- Homes are to overlook the open green spaces including the informal parkland to allow for visual connectivity and encourage passive surveillance along the western edge.
- A variety of different house types are to be provided including terraces, townhouses, semi-detached and a smaller proportion of detached houses and apartments, with the mix varying in response to the proposed character areas. Individual properties are to be arranged to create enclosure and a well-defined frontage to the street. Refer to the Cherwell Residential Design Guide for details of appropriate house types, groupings and relationship to the street.
- Housing is to meet the Nationally Described Space Standards – Technical Standards and CDC's Developer Contributions SPD.
- The affordable housing tender mix is to be agreed with Cherwell District Council. There is a preference for social rent tenure in line with Oxford City Council policy.
- Locally appropriate building materials should be used such as natural limestone and limited red brick. This applies to the main buildings, outbuildings and boundaries. Refer to the Cherwell Residential Design Guide for further details of local materials for use within the Clay Vale of Otmoor within which the site is located.

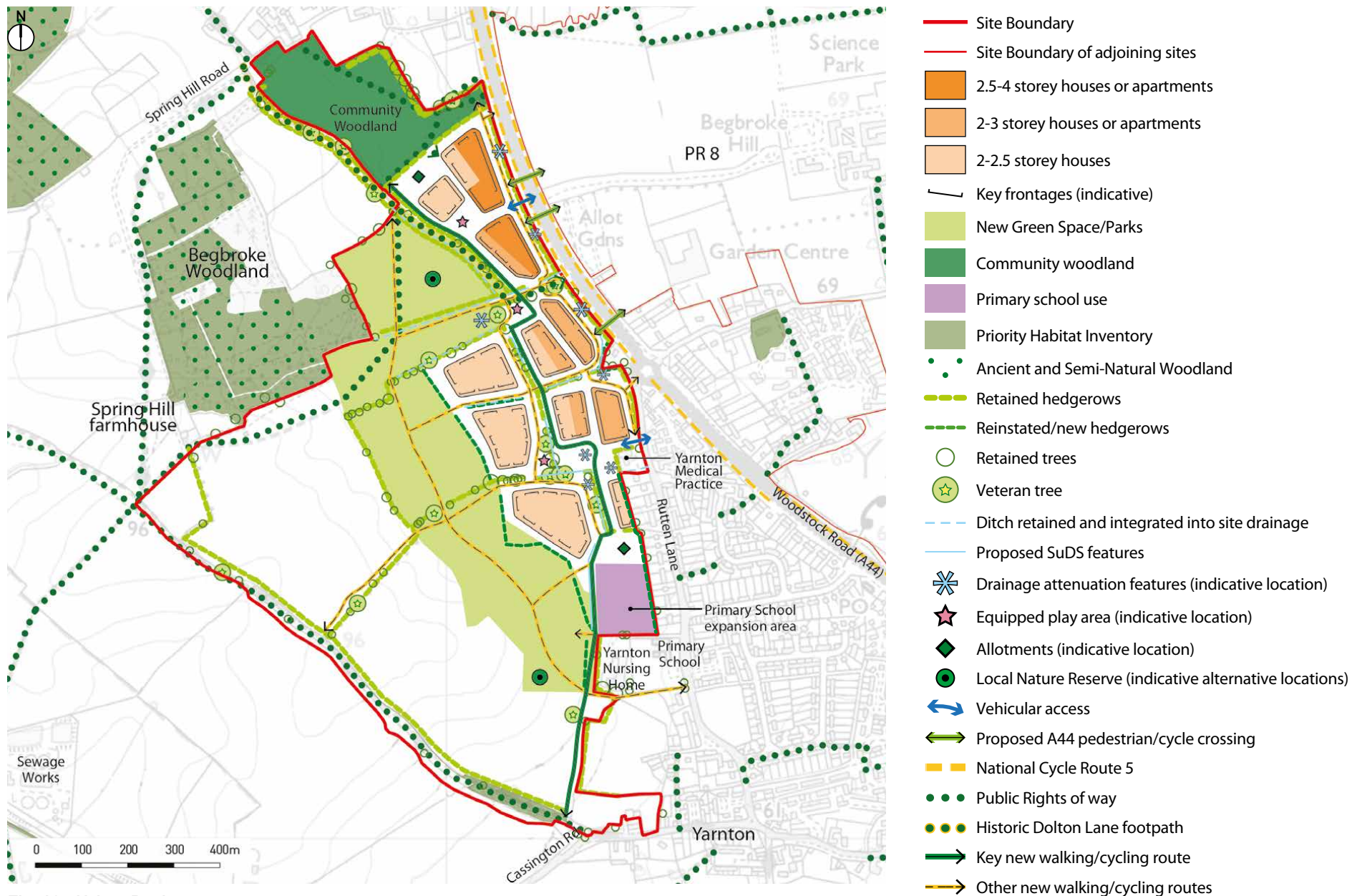


Fig. 13: Urban Design

The development will create four distinct but complementary areas of character. Each character area is identified by its location and generates a sense of place in relation to movement corridors, landscape features and the relationship with its surroundings. There are three residential character areas described in this section. Further detail of the fourth character area, the Green Corridor, is presented in section 6.5.

- A44 frontage
- Dolton Lane
- Rural edge
- Green corridor

Each area is described in more detail below in this section. Fig. 14 provides an overview of the development site character areas. Fig. 13 provides further detail on urban design considerations including layout, frontages and building heights.

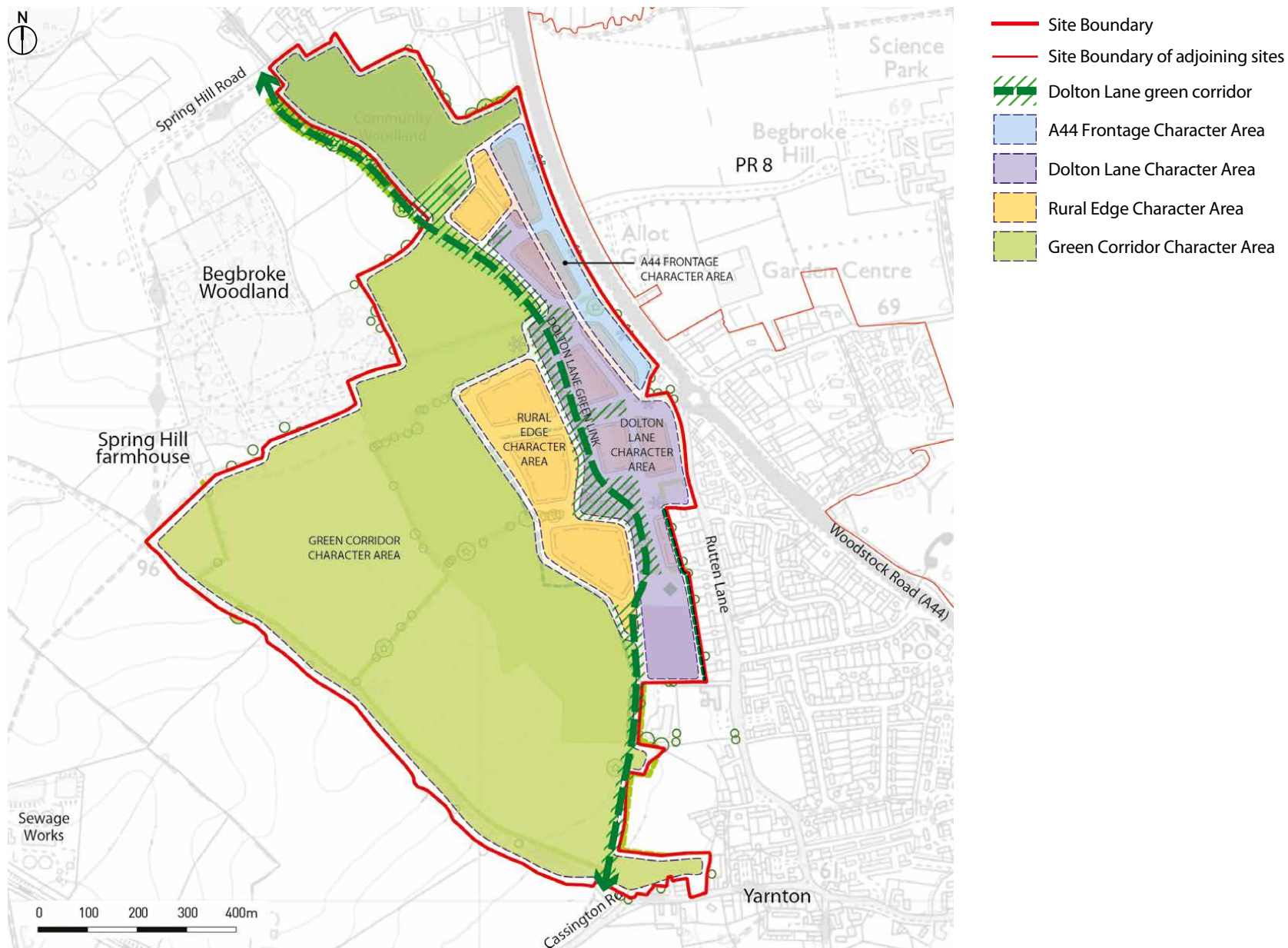


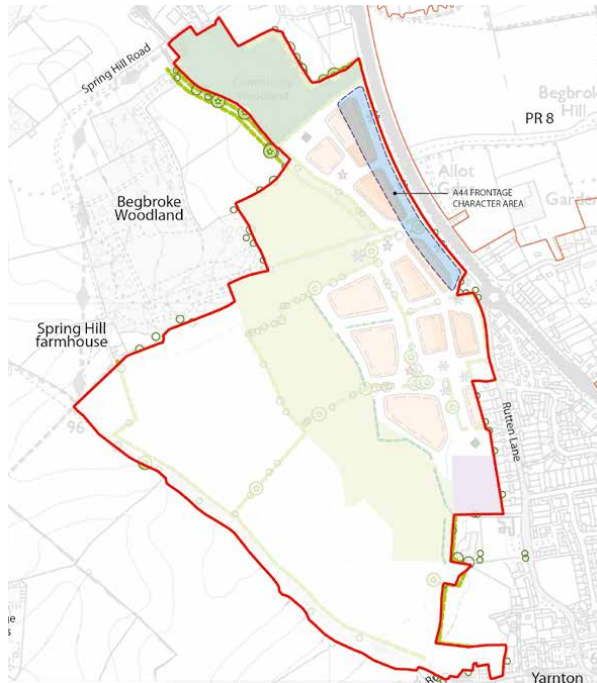
Fig. 14: Character areas

6.3.2 A44 frontage character area

Development in this character area will provide a high quality, formal frontage onto the A44. It will both reflect the character of Yarnton and respond to the planned development to the east of the A44.

Development principles:

- Properties are to front towards the A44 behind an appropriate landscaped set-back subject to noise and air pollution mitigation measures and drainage requirements.
- In general, the principles of good acoustic design are to be followed in the site layout and the internal design and specification of properties and gardens to mitigate the impact of potential noise pollution arising from the A44, while creating an attractive and accessible development frontage to the A44.
- The housing frontage needs to positively address any acoustic measures to primarily meet habitable rooms requirements, and if necessary to be near-continuous and itself act as a further barrier to the noise arising from the A44. Breaks in the frontage are to be limited.
- Buildings are to be generally 2.5-3-storeys in height taking a townhouse or terrace typology and a formal layout.
- Taller buildings of up to 4 storeys, including small apartment buildings with a well-articulated elevation and townhouses, are appropriate at the gateway to the site around the northern junction. Buildings in this location are to provide a sense of arrival and an attractive entrance to Yarnton from the A44.
- Garages in the front elevation are to be avoided, to maximise active ground floor frontage.
- The landscape corridor adjacent to the A44 is to retain existing high-quality mature trees and introduce new structural tree planting to formalise the frontage to the A44. The landscape corridor is to be publicly accessible and contain a walking and cycling route which connects with east-west routes at regular intervals giving access to the National Cycle Route 5 and bus stops on the A44. It will accommodate sustainable drainage features, form an attractive setting for the development, provide new areas of ephemeral wetland habitat and informal play opportunities, and support noise and air pollution mitigation.



Location plan



3 storey townhouses providing a continuous frontage



On plot parking provided to the rear



Townhouses at North West Bicester



Terrace properties at Elmbrook, Bicester

6.3.3 Dolton Lane character area

Running north-south in the middle of the site, this character area contains both the primary street and the extended Dolton Lane green corridor and provides a transition in scale and character from the A44 in the east to the open parkland in the west. It will provide a mix of family housing and include a number of green open spaces, pedestrian and cycle routes and drainage corridors. It provides access to Yarnton Medical Practice, Yarnton Residential Nursing Home and William Fletcher Primary School and contains the proposed school playing fields extension.

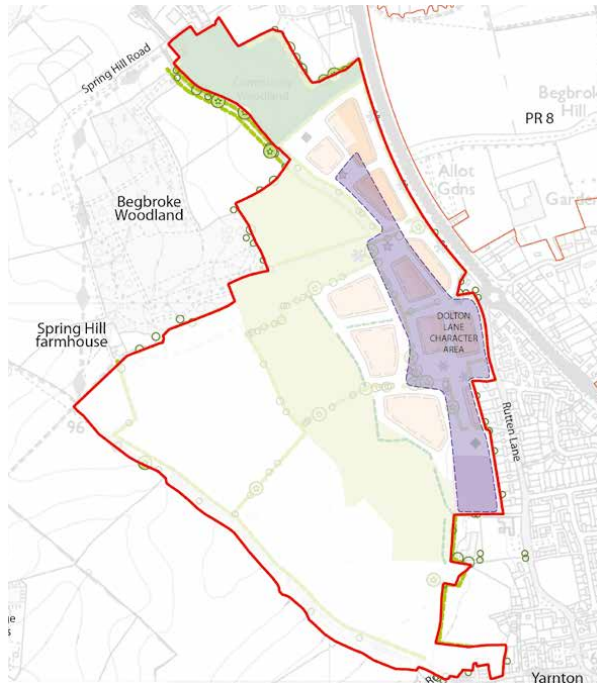
Development principles:

Primary street frontage

- The primary street runs north from a new junction with Rutten Lane adjacent to the Medical Practice and is to have a formal character, with a regular arrangement of homes and a near continuous building line behind small front gardens or privacy strips, creating a strong frame to the street.
- Homes fronting the primary street are to be generally 2-2.5 storey short terrace runs and townhouses and semi-detached houses, with a smaller proportion of detached properties. Occasional 3 storey buildings may be appropriate, for example at key corners or at the entrance to the site.
- On plot vehicle parking in front of properties is to be avoided. Easily accessible cycle parking is to be provided.
- Yarnton Medical Practice is to be incorporated into the street frontage with an appropriate boundary treatment and access from the primary street.
- Where existing properties are to back onto housing or school playing fields, a landscaped buffer is to be provided such as a planted hedgerow.
- Consideration should be given to maintaining direct pedestrian access to the rear gardens of properties on Rutten Lane, where this can be achieved securely and without impacting on privacy.

Dolton Lane green corridor frontage

- The historic Dolton Lane is a key structuring element of the overall plan. It is to be buffered and extended within a substantial green corridor (hatched on the development framework plan) connecting the community woodland in the north with William Fletcher Primary School and Frogwelldown Lane in the south. Further details of the Dolton Lane green corridor requirements are provided in section 6.5.
- The green corridor will contain new north-south pedestrian and cycle routes which are to sit outside the historic hedge lined lane, in order to preserve its rural character. To minimise breaks in the hedgerow, walking and cycling routes should be provided on both sides serving properties to the east and west. For more detail please see chapter 6.4.
- Properties adjacent to the green corridor are to front onto and provide passive surveillance of the green space and PRoW.
- Where properties back onto existing properties on Rutten Lane, hedgerow planting is to be provided to the rear.
- A more informal, organic arrangement is appropriate in this area with a semi-continuous building line of short runs of terraces, combined with semi-detached houses with occasional detached dwellings of 2-2.5 storeys, framing local views into the green spaces.
- Landscaped front gardens of up to 4m will be bounded by stone walls or hedges.
- Two east-west pedestrian routes will cross the character area providing direct routes to the A44 National Cycle Route and bus stops, A44 crossing points and onwards to proposed facilities at PR8, Kidlington village centre and to the parkland to the west.



Location plan



John Harper Road, Adderbury, arrangement of different house types to create a corner and varied terrace form with archway to rear parking court



Houses fronting onto a green corridor



Pedestrian and cycle route with drainage corridor

6.3.4 Rural edge character area

Situated in the western part of the developable area this character area will provide a soft transition between the urban environment and the open parkland to the west.

Development principles:

- Buildings are to front onto the informal parkland, Dolton Lane green corridor, allotments and the community woodland to promote natural surveillance.
- A mix of house types including a greater proportion of semi-detached and detached houses on larger plots is appropriate in this character area. Buildings are to be arranged to form a cohesive overall street frontage, with an informal layout, while avoiding arbitrary variation in building set back and alignment.
- Houses should be generally 2-storey in height with occasional 2.5-storeys in key locations, i.e. corner buildings or to provide stronger enclosure to open space.
- Wider, landscaped front gardens bounded by hedgerows or low stone walls, or planted privacy strips will provide a soft interface between the building line and green spaces.
- The principles for Dolton Lane green corridor under 6.3.3 also apply to parts of this character area.

6.3.5 Green corridor

The fourth character area covers the western part of the site which is designated Green Belt. Uses in this area include agriculture, community woodland, publicly accessible informal parkland and local nature reserve. It is to be kept free from built development.

Retained Green Belt within the allocation boundary is to be enhanced to provide community and biodiversity benefits including new publicly accessible green space, community woodland, public rights of way, and habitat creation and enhancement.

Development principles relating to green infrastructure within this character area are provided in section 6.5.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 3: Affordable Housing

Policy BSC4: Housing Mix

Policy ESD 15: The Character of the Built and Historic Environment

Policy ESD 17: Green Infrastructure

Policy Villages 2: Distributing Growth across the Rural Areas

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR9 – Land West of Yarnton

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

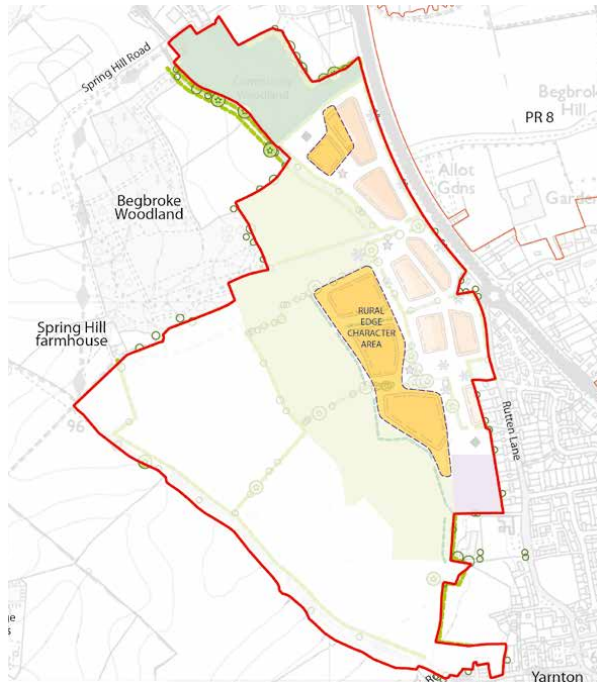
Chapter 4: Establishing the Structuring Principles

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Location plan



A mix of house types overlooking green space at Milton Road, Adderbury



Buildings fronting onto green spaces, Trumpington Meadows, Cambridge



Detached house with parking to the side, Heyford

6.4 Movement and access

6.4.1 General principles

The layout of the site is to prioritise movement by active and sustainable modes by creating excellent pedestrian, cycle, wheelchair connectivity within the site, to Yarnton and its local services and facilities including William Fletcher Primary School, to public transport routes on the A44, to Begbroke village, and to allocated site PR8 and the proposed community facilities, and towards Kidlington village centre. In doing so, and by connecting directly with the surrounding street network, the layout will encourage movement by walking and cycling and limit unnecessary car trips.

The design of streets within the site should follow the guidance set out in the Cherwell Residential Design Guide and the Manual for Streets, in a manner which is appropriate to the character and quality of place which is to be created as described below. A standardised highways-led layout is not acceptable: carriageway space and turning radii are to be limited (in line with adopted guidance).

6.4.2 Vehicle access

Policy PR9 requires at least two site access points be provided from the A44. However, further analysis has indicated a preference for the second access to be taken from Rutten Lane adjacent to the Medical Practice, rather than from the A44.

Development Principles:

- Vehicular access in the northern part of the site will be provided from a new arm to the existing signalised junction on the A44. The size and type of the reconfigured junction required will need to be determined by the scale of impact of sites PR8 and PR9 assessed together and is to be agreed with OCC Highways. The junction will need to have sufficient capacity to cope with demand from both developments. Bus priority measures may be included along with pedestrian and cycle crossings on all arms, in line with OCC policy requirements for bus and cycle connections into Oxford.
- The second vehicle access point will be provided from Rutten Lane, adjacent

to the existing Yarnton Medical Practice.

- A direct, connecting primary street will be created between these two access points. The primary street will provide a new access to the Medical Practice, with secondary routes providing access to all parts of the site and towards Yarnton Residential and Nursing Home.

6.4.3 Pedestrian and cycle access

Pedestrian, wheelchair and cycle access points into the site will be provided on all boundaries, connecting north-south and east-west routes across the site with the surrounding area (see Fig. 15 for indicative locations).

Development principles:

The following access points for pedestrians, wheelchair users and cyclists are to be provided:

- At least four access points east onto the A44 corridor, providing direct access to the bus stops and cycling infrastructure along the A44. These should provide direct connections with A44 pedestrian and cycling crossings and onward routes to the east of the A44 through site PR8.
- Access onto Spring Hill Road to the north.
- Access to Cassington Road/Frogwelldown Lane to the south.
- One access point to Rutten Lane adjacent to the Medical Practice.
- To the south of the primary school and nursing home a pedestrian footpath should be provided to Rutten Lane (subject to survey and agreement with the pre-school, school and nursing home and agreement on how this will be managed in perpetuity). The accesses from Rutten Lane to the school will be of the school site and secured as required for safeguarding purposes.
- Regular access points from the developable area, into the parkland and community woodland to the north and west, connecting with the existing network of public rights of way and the surrounding countryside. This will include some pedestrian/wheelchair only access points.

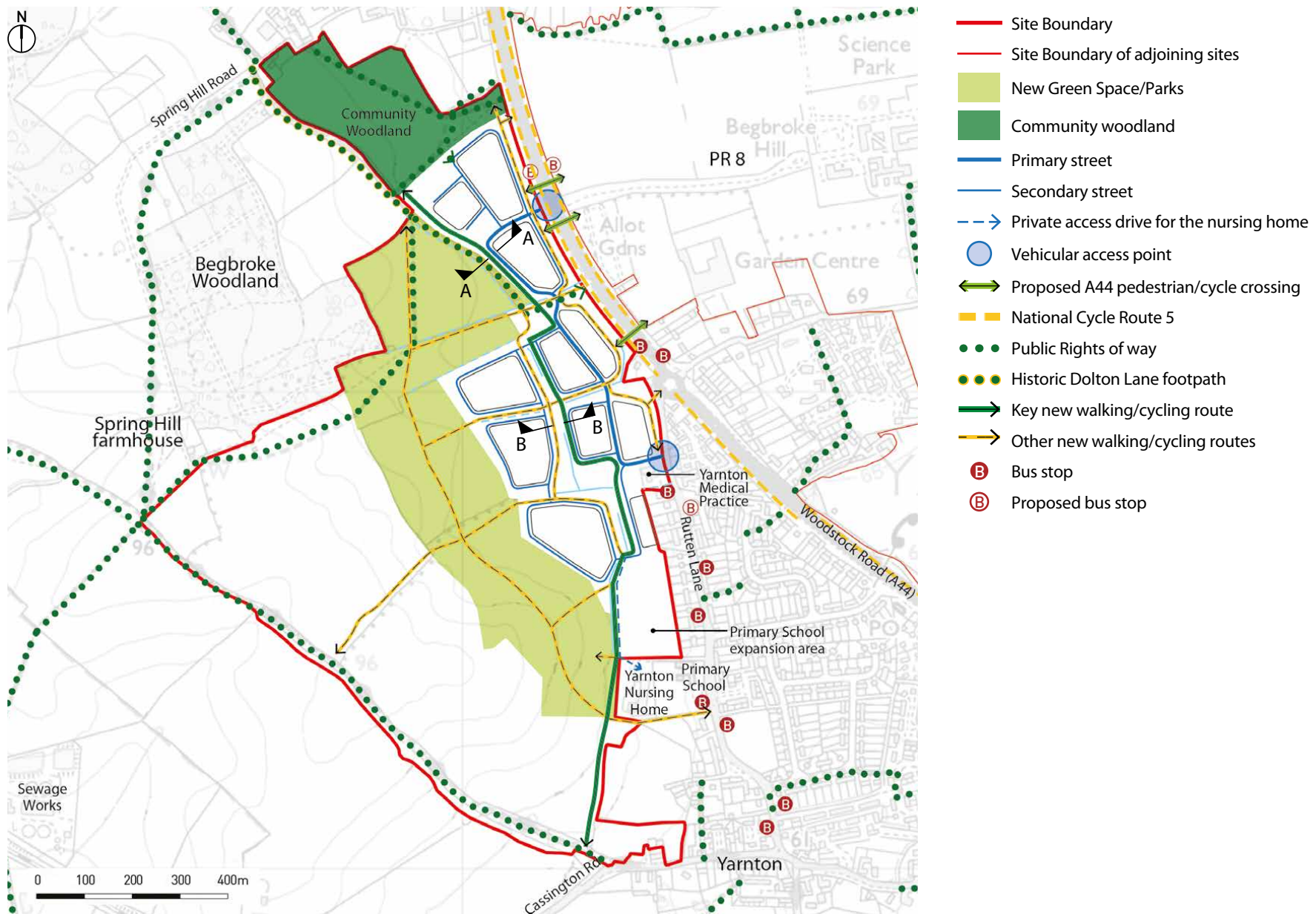


Fig. 15: Movement and access

6.4.4 Street hierarchy and typologies

The street hierarchy for the site identified on Fig. 15, follows the street typologies set out in the Cherwell Residential Design Guide SPD. Streets are classified into two typologies:

- Primary – general residential street typology
- Secondary – minor residential street or lane typology

In addition, a private access drive is to be provided to Yarnton Residential Nursing Home at the southern end of the site. This is to be managed and maintained by the nursing home. Subject to agreement with the nursing home.

All streets across the site should have a maximum design speed of 20mph.

Primary street

The primary street is to provide a north-south connection between the two access junctions and give access to a connected network of secondary streets.

Development principles:

- The primary street is to follow the design guidance for general residential streets set out in chapter 5.0 of the Cherwell Residential Design Guide.
- It is to have a formal character with a near-continuous building line and small front gardens or privacy strips.
- The street should have a carriageway of between 4.8 – 5.5m varying to accommodate street trees, opportunities for on-street parking and pinch points for traffic calming (which should also be reflected in the building line).
- The street design is not required to accommodate bus movements.



Near-continuous building line and small front gardens

Secondary streets

Secondary streets run off the primary street and will be provided throughout the development site serving urban blocks.

Development principles:

- The secondary streets are to follow the design guidance for minor residential streets or lanes set out in chapter 5.0 of the Cherwell Residential Design Guide.
- Streets should generally accommodate a 4.8m carriageway plus footways. On no through routes, or where they abut green spaces, they may take the form of shared lanes, subject to the necessary safety audits.



Secondary street precedent



Shared surface lane, houses overlooking footway/cycleway

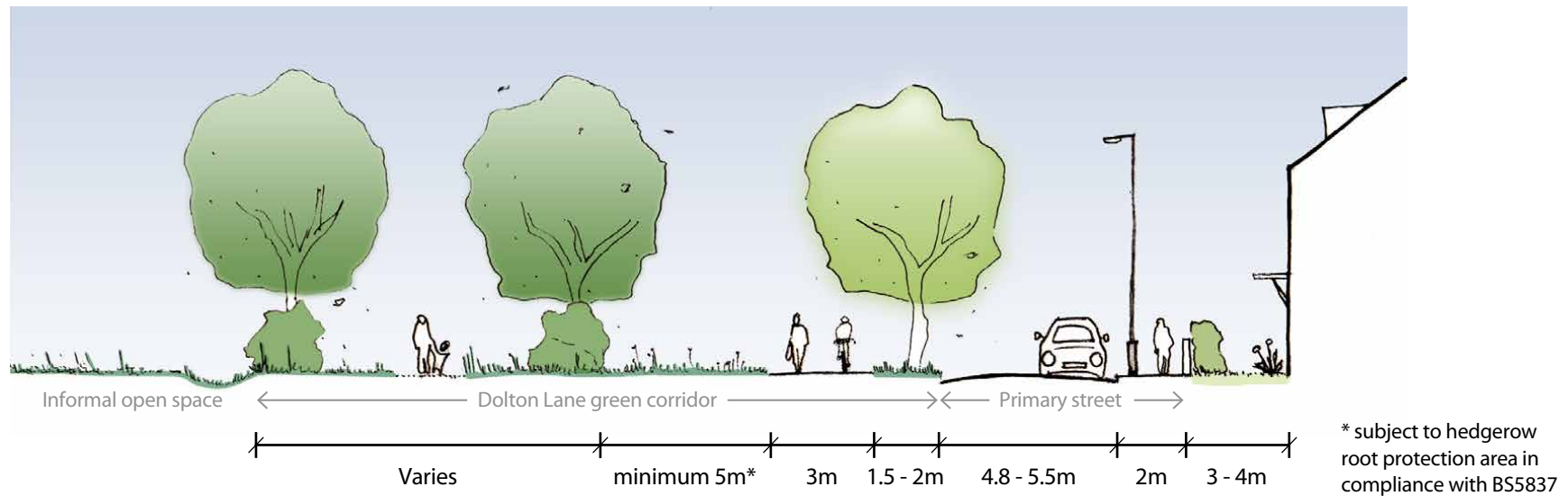


Fig. 16: A-A – typical primary street cross section showing relationship to Dolton Lane (refer to Fig. 15 for section location)

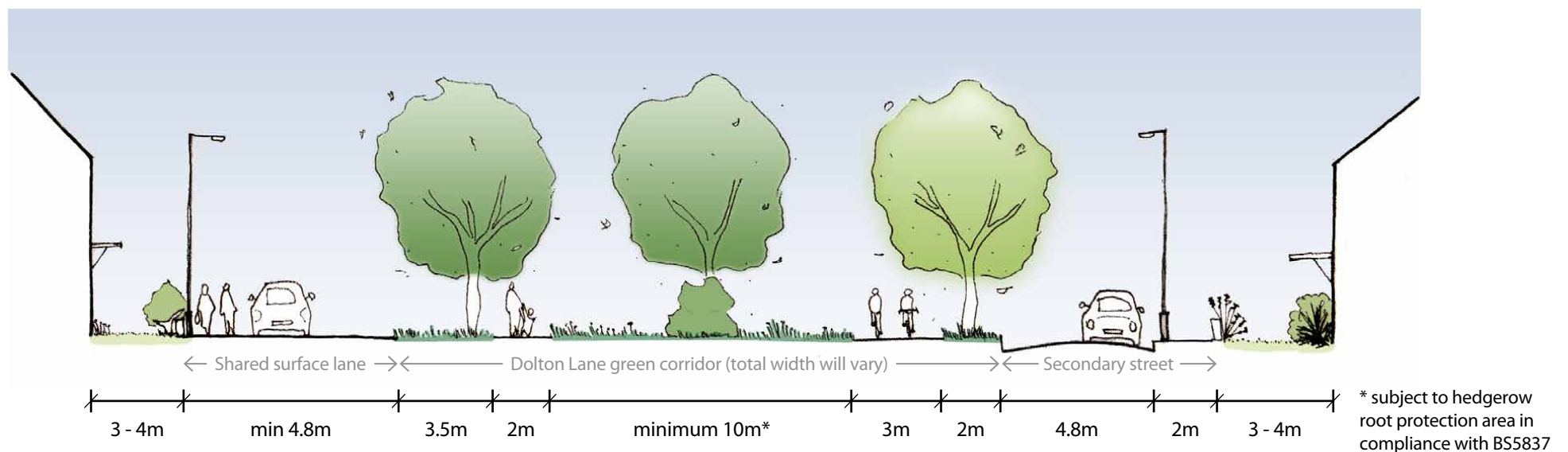


Fig. 17: B-B – typical secondary street cross section showing relationship to Dolton Lane green corridor (refer to Fig. 15 for section location)

6.4.5 Walking and cycling network and strategic links

In addition to provision for walking and cycling on the connected street network, a series of new and enhanced walking and cycling links will be provided as part of the green corridors running north-south and east-west across the site.

A new north-south walking and cycling route will create a continuous route through the development and provide a safe route to William Fletcher Primary School.

The development is to protect, integrate and extend existing public rights of way and create new routes through the publicly accessible open spaces and countryside to the north and west.

Routes should support wider connectivity, in line with the emerging Kidlington Local Cycling and Walking Infrastructure Plan (LCWIP).

The design of cycling routes is to be in line with the LTN 1/20 Cycle Infrastructure Design, 2020 and should include appropriate signage or surfacing treatments to encourage use and support a modal shift away from car use.

Development principles:

Dolton Lane green corridor

- The historic hedge-lined Dolton Lane is to retain its rural character.
- A paved, north-south walking and cycling route (with potential for a bridleway) within a generous landscape corridor is to run to the east of Dolton Lane and on either side of hedgerows further south, extending from the community woodland to Frogwelldown Lane/Cassington Road.
- It should be sensitively designed in response to habitat and green space character. This includes appropriate lighting to minimise impact on wildlife.



High quality rural footpath

- The potential to upgrade Frogwelldown Lane footpath to a bridleway should be explored, connecting with Dolton Lane to create a traffic free route for equestrians.

Other new routes

- At least two east-west walking and cycling routes are to be created across the developable area connecting into the Dolton Lane green corridor. These are primarily to provide connectivity to the allocated site to the east of the A44 and into Yarnton.
- At least two new/extended public rights of way (footpath or bridleway) are to be provided running west across the informal open space to connect with existing footpaths. Bridleways are to be suitable for equestrians in line with British Horse Society Guidance.

- A new pedestrian footpath from Rutten Lane to the Dolton Lane green corridor, immediately to the south of the school and nursing home is to be provided (subject to survey and agreement with the pre-school, nursing home and the school and agreement on how this will be managed in perpetuity).
- Routes within the developable area are to be overlooked by building frontages to provide passive surveillance.
- A new formal pedestrian and cycle crossing is to be provided on the A44 at the existing bus stops in order to provide safe crossing between these and to allow direct connections between PR9 and the south west corner of PR8. The location is to be agreed with OCC Highways subject to detailed assessment and Road Safety Audit.
- Improvements to off-site connections south towards Oxford to connect in the with the Cassington Roundabout to Peartree Interchange scheme will be required and are to be agreed with OCC.

6.4.6 School access and drop-off

Refer to section 6.6 for requirements in relation to school access and parking.

6.4.7 Parking

Car parking provision and design will be in line with adopted Oxfordshire County Council parking standards and the Cherwell Residential Design Guide SPD Section 5.8 as well as the good practice recommendations in Manual for Streets.

Development principles:

- A range of parking solutions should be used, appropriate to the street and plot typology.
- The Council advocates the use of unallocated on-street parking wherever possible, to increase flexibility and reduce the number of spaces required overall. This should be integrated into the street design and clearly defined.



On street parking

Where on street parking bays are provided they should be broken up in maximum groups of four spaces.

- Visitor parking is to be provided on street serving residential and leisure uses.
- Rear parking is generally the least preferred solution, but may be necessary to maintain a continuous street frontage. Where rear parking is necessary it should be clearly related to individual properties, ideally located within rear gardens of properties rather than in a communal parking court and accessed from a secure rear lane.
- Cycle parking provision is to be in line with OCC's adopted cycle parking standards in secure and convenient locations relating to private dwellings. Cycle parking is to be easily accessible (ideally to the front of properties) to promote active travel.

- Public cycle parking should be provided to serve green spaces, the community woodland and school and be located close to walking and cycling routes.

6.4.8 Emergency access and refuse collection

Streets within the development will be designed to allow access for emergency and refuse vehicles.

Refer to Cherwell Residential Design Guide section 5.13 for the requirements for service access and refuse bin storage design.

6.4.9 Public transport

There is no requirement for a bus route to run through the site.

As noted above, the site layout walking routes must provide direct walking routes to the existing and proposed bus stops on the A44 and Rutten Lane and pedestrian crossing points.

There will be a requirement for contributions towards the off-site A44 southbound bus lane enhancement, and for increased service provision. These are to be agreed with OCC.

An additional pair of bus stops on the A44 serving the northern part of the site is required. The locations of these are likely to be immediately north of the main access from the A44, subject to further discussion with OCC Highways.

An additional southbound bus stop opposite the existing north bound bus stop in the vicinity of Yarnton Medical Practice on Rutten Lane is required.

There will be a requirement for contributions towards the off-site A44 southbound bus-lane enhancement which is to be agreed with OCC.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy SLE 4: Improved Transport and connections

Policy ESD 1: Mitigating and Adapting to Climate Change

Policy ESD 15: The Character of the Built and Historic Environment

Cherwell Local Plan 2011-2031 – Partial Review

(adopted September 2020)

Policy PR4a: Sustainable Transport

Policy PR9 – Land West of Yarnton

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 5: Streets and Spaces

Chapter 8: Innovation and Sustainability

6.5 Green infrastructure

6.5.1 Landscape character areas

In line with Policy PR9, significant areas of open landscape are to be retained in the western part of the site and a community woodland created to the north forming the Green Corridor character area. A series of integrated green spaces and corridors created are to be provided within the developable area. Together these and other features form a multi-functional green and blue infrastructure network across the whole development site providing a range of ecosystem services.

The hillside landscape in the western part of the site, the historic hedgerows and lanes including Dolton Lane, and the site's veteran trees are defining features of the site's character which are to be retained and sensitively integrated with the development.

An enhanced green infrastructure network will be created, providing connected wildlife corridors through the development site and enhancing wildlife connections with Begbroke Woodland, and along Frogwelldown Lane (which is a District Wildlife Site) and Dolton Lane.

Key features include:

- informal parkland area on 24.8 hectares of land, that incorporates a new Local Nature Reserve
- 7.8 hectares of community woodland
- 39.2 hectares retained for agricultural use
- connected green corridors including the retention and enhancement of existing hedgerow corridors and trees
- habitat buffer to Begbroke ancient woodland
- public play spaces
- 0.49 hectares of community allotments
- retention of drainage features and new sustainable drainage features
- private gardens

Policy PR9 requires a Biodiversity Impact Assessment be submitted as part of the planning application for the site and a supporting Biodiversity Improvement and Management Plan. The Government's forthcoming Environment Bill is likely to introduce a mandatory approach to require 10% biodiversity net gain. In recognition of that, in October 2019, the Council's Executive endorsed seeking a minimum of 10% biodiversity net gain through engagement with the planning process. PR9 Policy delivery requirements 9, 10, 11, 23 and 24 indicate measures to be incorporated into the development scheme and are reflected below.

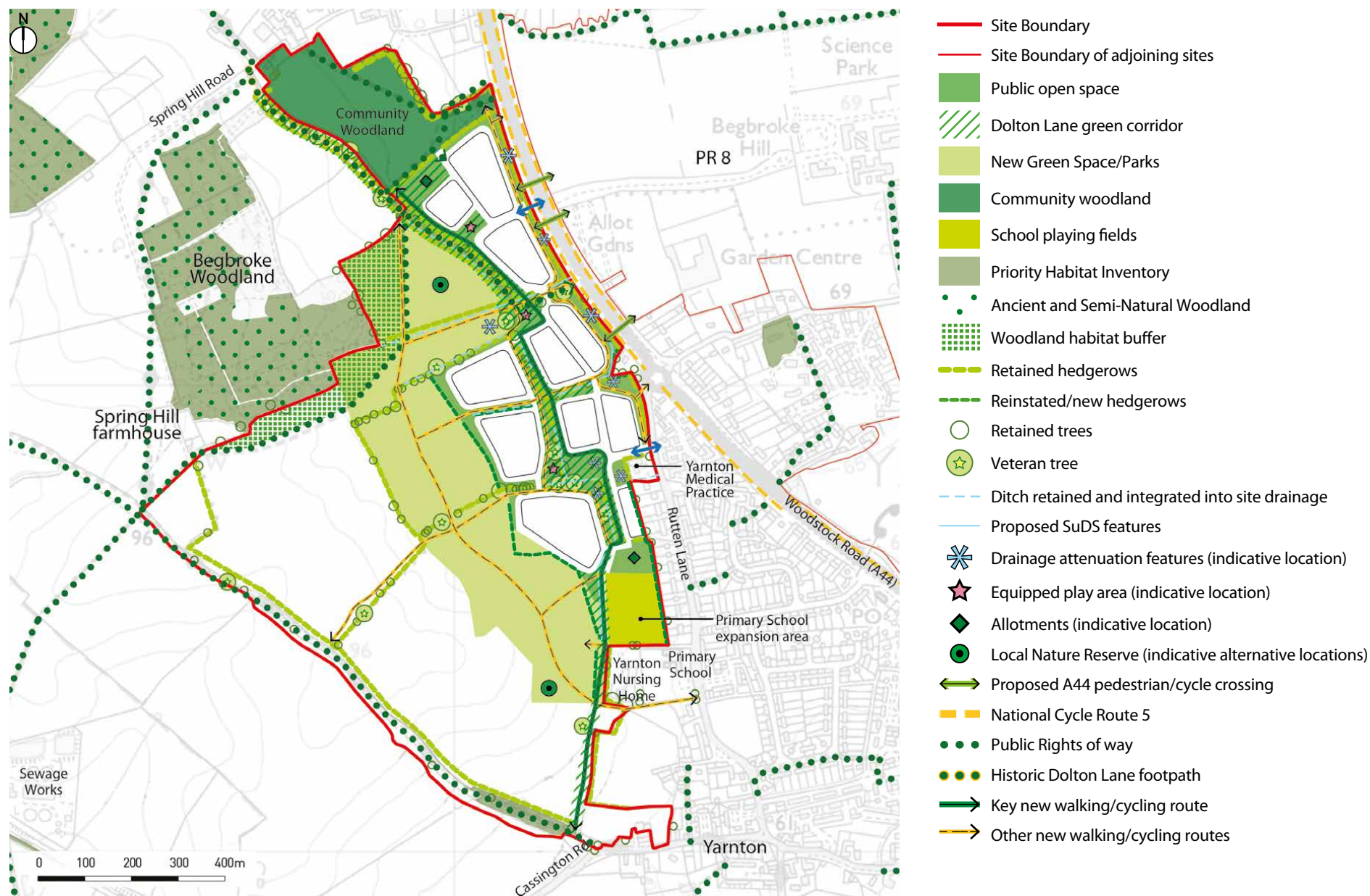


Fig. 18: Green infrastructure

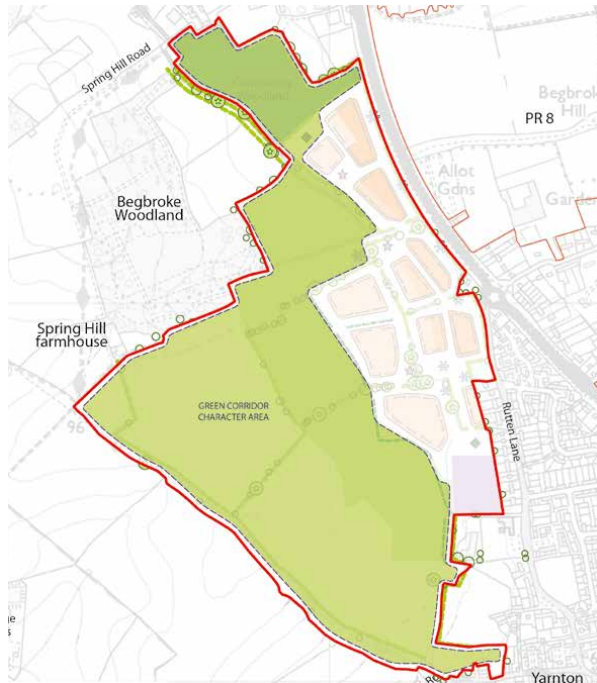
Development principles:**Green Corridor character area**

- The Green Corridor character area is to comprise retained agricultural land with enhanced public access, informal parkland open space, community woodland, woodland buffer planting to Begbroke Wood and a local nature reserve. These spaces will be connected by an enhanced network of public rights of way.
- Land immediately to the west of the residential area is to become publicly accessible informal parkland comprising managed grassland suitable for informal recreation, meadows, scrub and new and existing hedgerow corridors and footpaths.
- A local nature reserve is to be provided of a potentially viable size to enable the following features:
 - Connect Dolton Lane to Frogwelldown Lane (to be agreed, subject to location)
 - Establish a Wildlife Corridor
 - Habitat to encourage local flora and fauna
 - Accessibility to William Fletcher School as a key community space
- The location and extent of the Local Nature Reserve remains flexible and subject to surveys and agreement with the Council. Two possible locations are shown on Fig. 18.
- Habitat creation within the nature reserve area is to support notable and protected species such as the silver-washed fritillary and black hairstreak butterflies and great crested newt which have been recorded at the site. Footpaths in this area are to be appropriately fenced to limit access to areas of habitat.

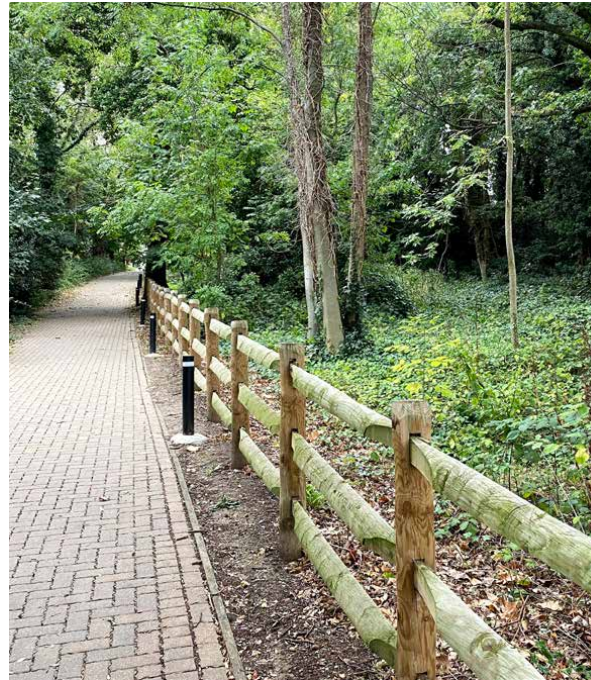
- A community woodland is to be established to the north of the residential area. The woodland will help to secure net biodiversity gain, provide a buffer to Begbroke village and help to protect Begbroke Wood Ancient Woodland by providing an alternative focus for recreation. There is an opportunity to engage the local community in the planting and management of the woodland.
- In line with Government guidance a buffer zone of at least 15m is to be provided at the edge of Begbroke ancient woodland. Ideally the buffer should extend from the woodland to the existing footpath as shown on Fig. 18. The existing woodland has areas of abundant violet which are the larval food plant for the silver washed fritillary butterfly and some rides. The buffer should create of additional areas of similar woodland and wide, sunny, flower rich rides and/or glades to provide additional feeding areas for the adults.
- Land on the western boundary of the site is to be retained in agricultural use. Existing footpaths are to be retained and enhanced in this area, with the potential for additional routes connecting the development site with the wider public right of way network.
- The site offers long distance views from the western boundary. These views are to be retained. Seating and interpretation material could be provided at key viewpoints.

Dolton Lane green corridor

- The historic, hedge-lined Dolton Lane is to be protected and a north-south corridor of green space extended southwards connecting with Frogwelldown Lane (District Wildlife Site). The green corridor is to be a generous, multi-functional green space running the length of the development and containing and linking green spaces for play, allotments, informal recreation, existing and new hedgerows and trees, and habitat areas.



Location plan



Green infrastructure precedents



Other green infrastructure features

- Community allotments totalling 0.49 hectares in size are to be incorporated within the allocated developable area. Two potential locations are indicated on Fig. 18. The design, location and character of the allotments are to be agreed with the Council.
- Existing individual and groups of veteran, high and moderate quality trees are to be retained. Appropriate buffer zones are to be provided to avoid root damage and should be considered when planning sustainable drainage infrastructure.
- Existing intact species rich and other hedgerows within the site will be retained as far as possible. When the need to cross them occurs, existing gaps will be used wherever possible. The reinstatement of historic hedgerows is encouraged. A grassland habitat buffer of minimum 5m is to be introduced on either side of the hedgerows, subject to hedgerow root protection area in compliance with BS5837.
- Individual native trees will be planted within habitat buffers, public open spaces, as street trees on all streets and within private gardens. The overshadowing effect on gardens and windows from proposed trees should be minimised by planting small/medium native trees (i.e. Field Maple).
- Where front gardens or privacy strips are provided these are to be planted. Tree and shrub planting should be incorporated into the design of the play area and any rear lanes and parking areas. For the health of the children tree and shrub planting associated with play areas must not be spiny or thorny and be non-toxic.
- The scheme is to include provision of in-built bird and bat boxes, wildlife connectivity between gardens and the provision of designated green walls and roofs where viable. Refer to the Council's Biodiversity and the Built Environment report (2009) for recommendations on establishing wildlife habitat in buildings.

6.5.2 Play and sports

It is the Council's preference that in lieu of on-site formal sports provision an appropriate financial contribution be made towards new and improved facilities at south east Kidlington.

A range of different types of play space are to be provided within the site in safe, accessible locations. Potential play space locations are indicated on Fig. 18, but alternative locations would be considered.

Development principles:

The following play spaces are to be provided within the site:

- **One Local Area of Play (LAP)** for 2 to 6-year old children located in the central-southern part of the developable area:
 - Minimum 100 sq. m (10m x 10m) equipped activity zone set within a landscaped area designed to provide a safe area for alternative play for children aged 2 to 6. The size of the landscaped area (incorporating the equipped activity zone) will be informed by the development context (acknowledging activity zone buffer requirements) and local design guidance.
 - A minimum of 3 individual items of play equipment of an urban (steel frame) character suitable for a range of play experiences and/or single multi-functional play units.
 - The equipped activity zone should be located a minimum of 5m from the nearest dwelling boundary. The landscaped area around the equipped activity zone could be used to incorporate this buffer.

- **One combined LAP and Local Equipped Area for Play (LEAP)** to be provided for 2 to 8-year old children to be provided in the northern part of the developable area:
 - Minimum 500 sq. m equipped activity zone set within a landscaped area designed to provide a safe area for alternative play for children aged 2 to 8. The size of the equipped activity zone should be a minimum of 10m x 10 m in respect of the LAP element and 20m x 20m in respect of the LEAP element. The size of the landscaped area (incorporating the equipped activity zone) will be informed by the development context (acknowledging activity zone buffer requirements) and local design guidance.
 - A minimum of 8 individual items of play equipment for a range of different play experiences and/or a number of multi-functional play units, depending on the design layout of the play space.
 - The equipped activity zone within the landscaped area should be located a minimum of 10 m from the nearest dwelling boundary and 20 m from the nearest habitable room façade. The landscaped area around the equipped activity zone could be used to incorporate this buffer.
- **One combined LEAP and Neighbourhood Equipped Area for Play (NEAP)** for 4 to 12-year-old children is to be provided in the central-northern part of the developable area:
 - Minimum 1400 sq. m equipped activity zone comprising an area of play equipment and structures and a hard-surfaced area of at least 465 sq. m, set within a landscaped area designed to provide a safe area for alternative play for children aged 4 to 12. The size of the equipped activity zone should be a minimum of 20m x 20m in respect of the LEAP element and 31.6m x 31.6m in respect of the NEAP element. The size of the landscaped area (incorporating the equipped activity zone) will be informed by the development context (acknowledging activity zone buffer requirements) and local design guidance.



- A minimum of 13 individual items of play equipment for a range of different play experiences and/or single multi-functional play units depending on the layout of the play area.
- The equipped activity zone within the landscaped area should be located a minimum of 10 m from the nearest dwelling boundary AND 20 m from the nearest habitable room façade. The landscaped area around the equipped activity zone could be used to incorporate this buffer.
- Play areas are to be well overlooked. They should be located within the 400m walking distance of all new homes within the development and close to pedestrian and cycling routes.
- In respect of Health and Safety public play space and play equipment are to be designed to the most current safest, standards possible, to minimise the risks for children. Refer to Play Safety Forum: Managing Risk in Play and RoSPA.
- The location and design of play areas is to consider the risks to children's safety in relation to any areas of water including features forming part of the SuDS system (see 6.5.12).
- All play surfaces, gate openings are to be accessible for disabled children, parents and carers with limited mobility. Each public play space should accommodate play equipment specifically designed for disabled children.
- Play areas are to be constructed from robust and durable materials to last into the future. Full construction details are required for planning approval under reserved matters. Valid suppliers' guarantees for play equipment, furniture and safer surfaces should be provided.
- There is to be no underground or above ground utilities for play areas given the potential disruption to children's physical and social development when a play area has to be closed for essential maintenance and refurbishment of such utilities.

- The public play space locations are not to be used for constructor's compounds, contractor parking, or storage of building materials. This is to prevent the contamination and compaction of topsoil and subsoil, resulting in a health risk for children.

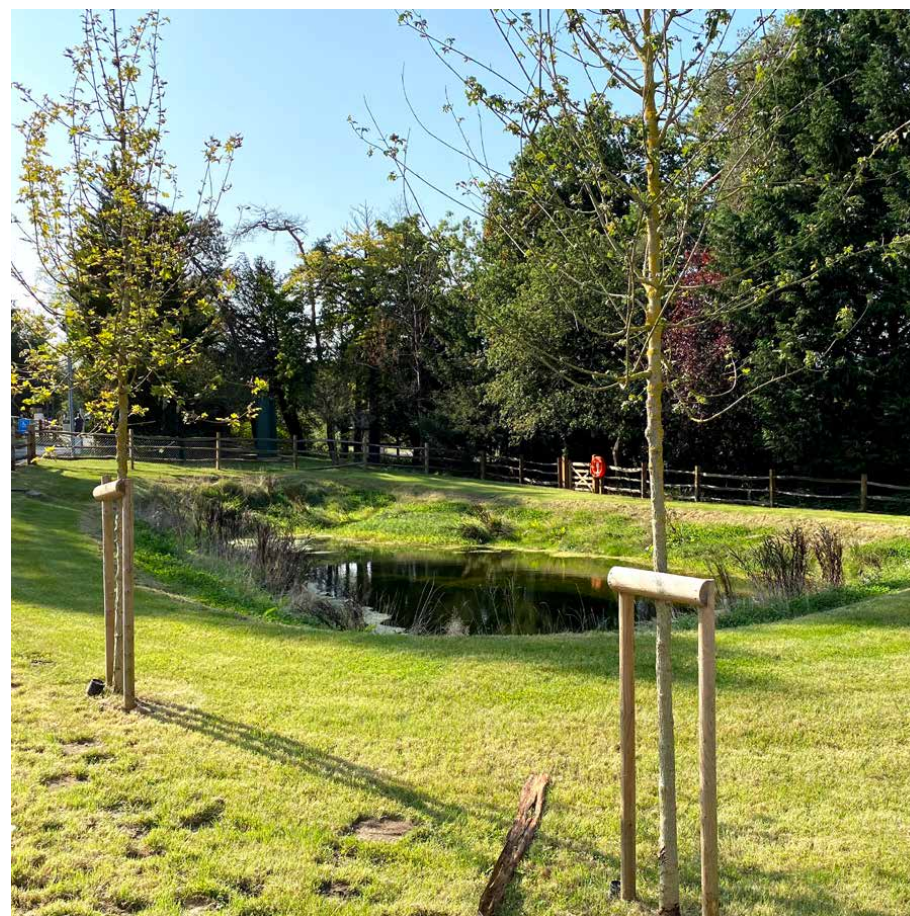
6.5.3 Blue infrastructure

The site is highly impermeable and run-off from it already poses a significant flood risk. It contains a series of steeply sloping ditches which discharge at high velocity to the west of Rutten Lane and onto Cassington Road. Areas of concern include; the medical practice, Stoutsfield Close and at the junction of Cassington Road and Rutten Lane, at Cassington Road where run-off from the west discharges onto it causing Cassington Road to act in the manner of a fast-flowing watercourse. This in turn exacerbates the flooding at the junction of Cassington Road with Rutten Lane. There has been reported foul sewer overtopping in Yarnton Village during flood events. Further work will be required for a planning application to determine flood risk and the measures needed for the site. Sustainable Drainage Systems (SuDS) within the development site will be carefully designed in line with the principles provided in CIRCA SuDS Manual (C753), the Cherwell Residential Design Guide section 4.7 and the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire (2018).

Development principles:

- Existing ponds and ditches are to be retained as part of the site drainage system. Together with proposed drainage features they are to be integrated into green space network creating environments for planting, habitat creation and interaction with wildlife.
- It is expected that the site will drain towards the eastern part of the site, reflecting the topography and existing outfalls on the eastern boundary, with drainage attenuation Fig. 18 to be agreed in detail with the Lead Local Flood Authority (LLFA), as an integral part of the overall landscape strategy for the site.

- Consideration must be given to diverting all overland surface water flows away from development.
- Wherever possible, opportunities should be taken to reduce flood risk to existing development by intercepting and diverting and/or attenuating overland surface water flows from the west.
- Attenuation ponds should not be placed within the area identified for school expansion. Runoff from the hillside to the west will need to be attenuated before it reaches both the new nursing home access road and the school boundary. The LLFA recommends the applicant places the attenuation for the school site outside the immediate school boundary. This should be in the form of an on the surface attenuation basin as opposed to underground storage. The LLFA feels this would provide bio-diversity benefits, cost savings and a reduced maintenance liability.
- Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required.
- Open drainage systems including ponds and swales should be used wherever possible, rather than crates.
- Groundworks associated with drainage must avoid damage to existing trees and hedgerows and their root protection zones.
- Drainage infrastructure should generally be provided within the residential developable area outside and outside the Green Belt, however subject to justification and detailed design, it may be acceptable to provide drainage features of a semi-natural appearance within the Local Nature Reserve west of the school.



SuDS feature, Princes Chase, Leatherhead

6.5.4 Definition and treatment of Green Belt Boundary

The site will be developed in a way that respects its edge of Green Belt location and does not harm the Green Belt's visual amenities.

The new Green Belt boundary will be clearly defined within the site by a new hedgerow line along the western boundary of the developable area (to include new hedgerow and tree planting), Dolton Lane and the community woodland.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

Policy BSC 11: Local Standards of Provision- Outdoor Recreation

Policy ESD 3: Sustainable Construction

Policy ESD 5: Renewable Energy

Policy ESD 6: Sustainable Flood Risk Management

Policy ESD 7: Sustainable Drainage Systems (SuDS)

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

Policy ESD 11: Conservation Target Areas

Policy ESD 13: Local Landscape Protection and Enhancement

Policy ESD 14: Oxford Green Belt

Policy ESD 15: The Character of the Built and Historic Environment

Policy ESD 17: Green Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review

(adopted September 2020) Policy PR3: The Oxford Green Belt

Policy PR5: Green Infrastructure

Policy PR9 – Land West of Yarnton

Cherwell Residential Design Guide SPD

(adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 5: Streets and Spaces

Chapter 8: Innovation and Sustainability

6.6 Community infrastructure

In addition to the green infrastructure for community use identified above, Policy PR9 requires the provision of 1.8ha of land for playing fields for William Fletcher School to enable the expansion of the school on its current site to the south of PR9.

There is no formal requirement for community use of the school playing fields.

Development principles:

- The shape and location of the proposed school playing fields in the Development Brief, is indicative and will be subject to further detailed assessment as part of the master planning process.
- To ensure that the school site is in the optimal location and layout for satisfactory education provision, it shall comply with the County Council's design requirements, processes, interrogations and checklists as described within the following documents:
 - Information required to assess the suitability of a school site
 - Design criteria for Primary school sites
 - Education checklist
- The playing fields should have a gradient no greater than 1:100 along the line of play and 1:50 across the line of play.
- The playing fields are to be contiguous with the existing school site and within a secure perimeter boundary.
- Potential noise arising from the playing fields is to be assessed as part of the noise assessment required for the planning application and an appropriate noise mitigation strategy implemented to protect the residential amenity of properties fronting Rutten Lane. A commuted sum will be required to cover the long-term maintenance of acoustic fencing or other mitigation measures within the school site.

Access requirements

- A pedestrian path is to be provided within the school boundary safely connecting the main school site with the walking and cycling route along Dolton Lane and a school drop-off area at the northern end of the playing fields.
- Vehicle access routes for school drop-off are to be provided to the northwest of the playing fields site on a through route or loop to avoid vehicles reversing near children. There shall be no dead ends in the vicinity of the school. 20 parking spaces for pupil drop off and pick up are required.
- Vehicular access routes into the school expansion land are to be provided at the north and south ends of the playing fields. These accesses are to be no steeper than 1:21 from the highway to the level at the boundary of the school playing field expansion site.
- The existing vehicular access from Rutten Lane to the school and nursing home is to be retained as a vehicular route to access the school site only, that will be secure and that will not cross the children's pedestrian routes within the school site. Subject to agreement with the nursing home.
- To enable an integrated and secure primary school site, the existing vehicle and pedestrian access to Yarnton Residential Nursing Home from Rutten Lane is to be rerouted via the site. This route, where it runs alongside the playing fields is to be a private access for the nursing home and will be managed and maintained by the nursing home (subject to agreement with the nursing home).
- The vehicular access and pedestrian routes into the school and nursing home sites are to be shallower than 1:21 from the drop off area into the school and nursing home access and along all routes to the school site.
- A new pedestrian footpath between the Nursing Home and Rutten Lane is to be created along the southern boundary of the school (subject to survey and agreement with the pre-school, nursing home and school and agreement on how this will be managed in perpetuity).

**Cherwell Local Plan 2011-2031 (adopted 20 July 2015)**

Policy BSC 7: Meeting Education Needs

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

Policy BSC 11: Local Standards of Provision- Outdoor Recreation

Policy Villages 4: Meeting the Need for Open Space, Sport and Recreation

**Cherwell Local Plan 2011-2031 – Partial Review
(adopted September 2020)**

Policy PR9 – Land West of Yarnton

6.7 Heritage and archaeology

The site is located to the south of Begbroke Conservation Area. The site sits within an area of known archaeological potential and prehistoric finds have been recorded within the site. As shown on Fig. 10, the proposed development and community woodland, overlaps with identified medieval ridge and furrow earthworks.

Planning applications for development on the site will need to include a desk based assessment incorporating the results of an archaeological evaluation, to assess the significance of any archaeological deposits on the site.

An archaeological mitigation strategy, including provision for the preservation in situ of any significant archaeological deposits, will need to be submitted along with any planning application for the site.

Development principles:

- The community woodland and its boundaries are to be designed sensitively in response to the setting of Begbroke Conservation Area.
- Historic ridge and furrow earthworks located within the proposed informal parkland should be left intact and integrated into the landscape design of the green space.
- Opportunities to retain and incorporate ridge and furrow earthworks within the community woodland and green spaces of the developable area should be explored.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy ESD 15: The Character of the Built and Historic Environment

Policy ESD 17: Green Infrastructure

Saved policies contained in the Cherwell Local Plan 1996

C23: Retention of features contributing to character or appearance of a conservation area

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR9 – Land West of Yarnton

Reference should also be made to:

The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition), Historic England 2017

6.8 Utilities and infrastructure

In addition to the movement and blue/green infrastructure requirements set out in earlier sections, design principles for utilities and infrastructure are as follows:

Development principles:

- A coordinated approach to utilities planning should ensure that utilities are provided from the outset and integrated into utilities corridors. The street layout is to be organised to minimise utilities diversions wherever possible.
- The existing power lines are to be appropriately reflected in the site layout or rerouted in agreement with utilities providers.
- The site is crossed by an abandoned and replacement sewage rising mains. Thames Water must be consulted on the width of corridor they require to be reserved for future access and on the future use of the reserved corridor.
- Potential noise pollution arising from the A44 should be mitigated by following the principles of good acoustic design. For example, it is assumed that houses at the eastern boundary of the site should face onto the source of the noise to shield gardens and provide mitigation to rest of the development site (see Fig. 14). Structural landscape or acoustic fencing along the eastern boundary should be introduced to protect existing residential properties from potential noise arising from school's playing fields.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 9: Public Services and Utilities

Policy INF 1: Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR9 – Land West of Yarnton

Policy PR11 - Infrastructure Delivery

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 5: Streets and Spaces

7.0 Delivery and monitoring

7.1 Information to accompany planning applications

In accordance with Policy PR9 a single comprehensive, outline scheme shall be approved for the entire site.

The check list below provides an indication of documents required at application stage. It is recommended that pre-application discussions are undertaken with Cherwell District Council prior to the submission of planning applications to agree the scope of the documentation to be provided.

- Delivery and Phasing Plan
- Planning Statement
- Housing Mix and Affordable Housing Provision
- Design and Access Statement
- Topographical Surveys
- Masterplan and Parameter Plans
- Landscape Visual Impact Assessment
- Arboricultural Impact Assessment
- Transport Assessment and Framework Travel Plan
- Parking Principles (where not covered in the Brief)
- Public right of way statement
- Flood Risk Assessment and Drainage Assessment (foul and surface water drainage) including Water Infrastructure Capacity
- Air Quality Assessment
- Contamination Assessment
- Noise and Vibration Assessment
- Archaeological Surveys
- Heritage Impact Assessment
- Ecological surveys including a Habitat Suitability Index survey for great crested newts

- Biodiversity Impact Assessment
- Biodiversity Improvement and Management Plan
- Landscape and Ecological Management Plan
- Energy Strategy/ Sustainability Principles
- Employment, Skills and Training Plan
- Health Impact Assessment
- Community Involvement Statement
- Management Plan for the appropriate re-use and improvement of soils
- Services and Utilities
- Management and Maintenance Strategy for all Public Open Space
- S106 Draft Heads of Terms

Applicants are advised to submit a screening request for Environmental Impact Assessment to the local planning authority to ascertain whether an Environmental Statement should be submitted with any application.

Any detailed planning applications or reserved matter applications should also include:

- Materials Schedule
- Boundary Treatment Plan
- Soft and Hard Landscape Plan
- Parking Plan
- Services and Utilities Plan
- Waste and Recycling Plan including bin storage and bin collection points

The use of conditions to secure this additional detail will not generally be supported by the local planning authority.

7.2 Securing comprehensive development

It is essential that the site is developed in a comprehensive manner to deliver the site-specific requirements in Policy PR9 and support the wider aims of the LPPR spatial strategy.

Where land, services or infrastructure within the site is designed to serve wider Cherwell Local Plan Partial Review developments, planning applications will demonstrate how this can be co-ordinated and delivered effectively through site masterplanning and S106 agreements.

Any infrastructure links or open space networks that are common to more than one Cherwell Local Plan Partial Review development site will be either constructed to the site boundary or in such a way as to facilitate connection, where required, between development sites with access to residents/public provided so as to avoid a 'ransom' position being established which prejudices the effective delivery of this common infrastructure and/or its long term community benefit.

The development brief's site-specific vision, development principles and 'parameter plans' have been prepared to ensure a comprehensive development in compliance with Plan policies.

The Delivery and Phasing Plan accompanying the planning application is expected to demonstrate how the implementation and phasing of the development shall be secured comprehensively and how individual development parcels, including the provision of supporting infrastructure, will be delivered.

Obligations are to be secured via a planning agreement, entered into under section 106 of the Town and Country Planning Act 1990. Consistent with national planning policy and practice guidance and the Cherwell Developer Contributions SPD (February 2018), the allocation of S106 costs required to serve the development is to be agreed with the applicant to secure appropriate financial contributions and/or in-kind works under a direct delivery obligation.

Subject to statutory tests, these shall provide for "on site" and/or "offsite" facilities and infrastructure as required.

In preparing a draft Head of Terms, it is recommended that proposals applicants should have regard to matters including the LPPR Infrastructure schedule. Where facilities and infrastructure are required to be provided on land outside the site, these are to be secured by way of proportionate planning obligations and/or through the pooling of contributions as appropriate, in accordance with the Community Infrastructure Levy Regulations 2010, as amended.

It is recommended that pre-application discussions are undertaken with Cherwell District Council ahead of submitting the draft Head of Terms for developer contributions. In preparing a draft Head of Terms, it is recommended that proposals have regard to matters including the LPPR Infrastructure schedule and should consider in discussions with infrastructure providers whether infrastructure issues will require the phasing of development to ensure that necessary services, facilities or apparatus are provided in advance if needed.

Further guidance is contained in the Cherwell Developer Contributions SPD (February 2018).

7.3 Monitoring

Monitoring will be undertaken in accordance with Policy PR13 -Monitoring and Securing Delivery. The delivery of LPPR proposals will be monitored through the Council's Annual Monitoring Report process.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy INF 1: Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review

(adopted September 2020)

Policy PR9 – Land West of Yarnton

Policy PR11 - Infrastructure Delivery

PR12a-Delivering Sites and Maintaining Housing Supply

Policy PR13 -Monitoring and Securing Delivery

Appendix 3 – Housing Trajectory

Cherwell Developer Contributions SPD (adopted February 2018)

Appendix A: Relevant Development Plan Policies & Supplementary Planning Documents

Cherwell Local Plan 2011-2031 (Part 1) Partial Review, the “LPPR”:

- PR1 – Achieving Sustainable Development for Oxford’s Needs
- PR2 – Housing Mix, Tenure and Size
- PR3 – The Oxford Green Belt
- PR4a – Sustainable Transport
- PR4b – Kidlington Centre
- PR5 – Green Infrastructure
- Policy PR9 – Land west of Yarnton
- PR11 – Infrastructure Delivery
- PR12a – Delivering Sites and Maintaining Housing Supply
- PR12b – Sites Not Allocated in the Partial Review
- PR13 – Monitoring and Securing Delivery

Cherwell Local Plan 2011-2031 “The 2015 Plan”:

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC2 – The Effective and Efficient Use of Land, Brownfield Land and Housing Density
- BSC 3 – Affordable Housing
- BSC4 – Housing MixPolicy
- BSC7 – Meeting Education Needs
- BSC8 – Securing Health and Well-Being
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD4 – Decentralised Energy Systems
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD8 – Water Resources
- ESD9 – Protection of Oxford Meadows SAC
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD11 – Conservation Target Areas
- ESD13 – Local Landscape Protection and Enhancement
- ESD14 – Oxford Green Belt
- ESD15 – The Character of the Built and Historic Environment
- ESD16 – The Oxford Canal
- ESD17 – Green Infrastructure
- INF1 – Infrastructure

Adopted Cherwell Local Plan 1996

- GB2 - Change of use of land within the Green Belt
- TR1 - Transportation Funding
- TR11 – Oxford Canal
- TR22 - Roads
- C5 – Ecological Value of Features
- C14 – Trees and Landscaping
- C18 – Development proposals affecting a listed building
- C21 – Re-Use of Listed Buildings
- C23 – Conservation Areas
- C25 – Scheduled Ancient Monument
- C28 – Design Quality
- C29 – Design and The Oxford Canal
- C30 – Design Control
- C31 - Amenity
- C32 – Disabled Access
- ENV1 – Environmental Pollution
- ENV10 – Hazardous Installations
- ENV12 – Contaminated Land

Adopted SPD

- Cherwell Residential Design Guide (July 2018)
- Developer Contributions (February 2018)

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Reviewed by Clare Coats

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Comments raised in consultation on PR9

Commenter	Comment	CDC officer response	Edit needed to Development Brief
S W Smith (local resident)	Flood risk - the Development Brief says nothing about the need to address the combined risk of groundwater and flash flooding to which both the site and the existing village has been susceptible for at least 30 yrs. How would the additional housing impact on this? Reduce it to a 1 in 5 return period perhaps?	Mentioned at section 6.1 (pg26), para 6.5.4 (pg53-54) and section 7.1 (pg59)	None
S W Smith (local resident)	Flood risk - the Development Brief says nothing about addressing the flood risk from foul sewage overflowing TW and private drains which some residents had to ensure for a period during flooding. How would the additional housing impact on this?	Comments acknowledged - the existence of this problem should be noted in the Development Brief as a constraint or matter that needs to be appropriately addressed in the development proposals	Reference to foul sewerage to be added specifically to 4.1 under site constraints
S W Smith (local resident)	Flood risk - you are now proposing to extend the village yet further north closing what's left of the flood corridor around the village for both surface water and ground water off Spring Hill. What measures will the LPA require of the developer to safeguard existing residents as well as the new ones?	Mentioned at section 6.1 (pg26), para 6.5.4 (pg53-54) and section 7.1 (pg59)	None
Jon Young (local resident)	Increased chance of surface water run off, increasing flood risk to Yarnton properties - the developer should pay for an independent FRA chosen by the parish council - their recommendations in terms of improved piping and pumping should be paid for by dev under a s106 ag	Noted, but will be a matter for the planning application rather than the Dev Brief	None
Yarnton Flood Defence Group (Yarnton Parish Council makes the same point)	No acknowledgement or consideration of the combined flood risk from groundwater and flash flooding at the site or existing village both of which have been shown to be at real risk (not just hypothetical)	Mentioned at section 6.1 (pg26), para 6.5.4 (pg53-54) and section 7.1 (pg59)	None
Yarnton Flood Defence Group	No acknowledgement or consideration to address existing flood risk from foul sewage, again, which has occurred recently and historically	Comments acknowledged - the existence of this problem should be	Reference to foul sewerage to be added specifically to

		noted in the Development Brief as a constraint or matter that needs to be appropriately addressed in the development proposals	4.1 under site constraints
Yarnton Flood Defence Group	Limited understanding of historic drainage channels and local topography with disconnected development leading to a heightened flood risk for the whole community	Noted. This is something with the applicant will need to address in a planning application submission.	None
Yarnton Flood Defence Group	Inadequate drainage assets both historical and part of development sites which have not considered the wider community context and been neglected for many years	Noted. This is something with the applicant will need to address in a planning application submission.	None
Sport England	Off-road cycling: • Consideration should be given to off-road cycle routes within the community woodland and local nature reserve. I would draw you attention to Sport Scotland' guide to project development for mountain bike trails and training facilities https://sportscotland.org.uk/facilities/design-guidance/outdoor-facilities/guide-to-project-development-for-mountain-bike-trails-and-training-facilities/	The proposals include various new cycle routes. Any cycle routes through the community woodland would need to consider impact on nature conservation and biodiversity.	None
Sport England	Connectivity: need to ensure good connectivity in areas to be used by the public and to have low level lighting for safety. This will encourage those feeling anxious about taking informal exercise be it walking or running to continue to go out in the twilight hours. Also the introduction of trim trail equipment should be considered and signage to indicate length of walk, again to encourage informal activity.	Too detailed for the scope of the Development Brief, and would need to be considered in light of ecological impacts	None
Sport England	Contributions: • P51 – para 6.5.3. Sport England supports the principle of off-site contributions rather than onsite towards new and improved sports facilities, but this needs to be backed up with a robust and up to date strategy. There should be contributions towards both indoor and outdoor facilities. Based on 540 dwellings I estimate the population to be between 1350-1890 persons (2.5 -3.5 occupiers per dwelling. Therefore the level of contributions toward built facilities based on Sport England's Sports Facility Calculator are:	This seems more relevant to the planning application rather than the Development Brief	None

	https://www.activeplacespower.com/reports/sports-facility-calculator between £563,559 and £788,982. I accept that CDC may use other occupancy rates but the principles sound and has been tested at Public Inquiries successfully over the years.		
Sport England	<p>Playing fields: • P55 – there is a statement that no formal requirement for the playing fields at the school. This disappointing and I think it is in conflict the aim of creating healthy place shaping. There should be opportunities for the primary aged children to use their school playing fields to pursue formal sport which is age appropriate rather than travel to Kidlington or another town.</p>	<p>The requirements of the Development Brief have been developed in consultation with the Council's Recreation and Leisure team</p>	None
Begbroke Village Hall Management Committee	<p>PR9 stands in isolation... Begbroke is shown as peripheral to it...</p>	<p>Noted. This relates primarily to the principle of development. The role of the Development Brief is to guide developers as to the form, scale and layout of development with the aim of integrating the development as far as necessary with existing built form</p>	None
Begbroke Village Hall Management Committee	<p>There are facilities in Begbroke which could be to the benefit of the occupants of PR9</p>	<p>Noted</p>	None
Begbroke Village Hall Management Committee	<p>No public meeting place / community centre / hall for the new developments and, other than school grounds, no large expanse of ground available for sport and recreation</p>	<p>The requirements of the Development Brief have been developed in consultation with the Council's Recreation and Leisure team and having regard to the site's constraints and the requirements for the development as set out in Policy PR9. OCC has advised that the expansion of William Fletcher wouldn't be required if two schools are provided on PR8. The surplus land on either</p>	None

		could be proposed for this purpose. If this land does not become available, S106 contributions will be required towards off-site provision. Line 61 of Appendix 4 of the Partial Review Plan also applies.	
Begbroke Village Hall Management Committee	If PR8 and PR9 are to be examples of healthy place shaping, then it would seem sensible for CDC to consider the whole development and get commitment from developers to contribute toward improving facilities at Begbroke Playing Field	Would seem more relevant to the planning application stage than the Development Brief	None
Begbroke Village Hall Management Committee	Requests a signalised pedestrian crossing at Begbroke, to ensure safe passage across an increasingly busy A44	Would seem more relevant to the planning application stage than the Development Brief	None
Yarnton Parish Council	Needs to understand what measures will be in place to mitigate increased traffic and speeding	Matter for the planning application	None
Yarnton Parish Council	Increase in traffic on A44 is inevitable with the dev of PR8 and PR9. An updated traffic impact assessment must be a minimum requirement	Matter for the planning application	None
Yarnton Parish Council	Speeding problems, noise and air pollution, need for pedestrian crossing, comments re plans for 40mph speed limit	Matter for the planning application	None
Yarnton Parish Council	Measures to prevent parking outside William Fletcher School (by staff and during school drop off and pick up is already an issue) must be an explicit part of the brief	Would seem more relevant to the planning application stage than the Development Brief	None
Yarnton Parish Council	The proposed access point to PR9... introduces a potential hazard, further complicated by the proposed bus stop. Recommends the access point reverts to the A44 as in earlier plans as this is the most unsafe part of the road.	It is noted that the Local Plan policy requires two accesses onto the A44. The result of detailed discussions with OCC is the proposed variation as set out in the development brief	None
Yarnton Parish Council	Unless counter measures are established, access and egress at the proposed point in Rutten Lane will create increased traffic volume + associated increase in noise and air pollution. Traffic calming measures required	Would seem more relevant to the planning application stage than the Development Brief	None
Yarnton Parish Council	Against the closure of Sandy Lane	Not a relevant matter for the Development Briefs	None

Yarnton Parish Council	Yarnton is a village, and PR9 is described as an extension to a village. Four storey buildings are therefore out of keeping; any building heights should not exceed that of the buildings in the Cresswell Close/Hayday Close development to the south of the village. Single storey dwellings are needed...must all residents wishing to live in single floor accommodation be restricted to live in a multi-storey flat?	The Development Brief sets out a requirement for four storeys at the northern end of the site adjacent to the A44. Elsewhere the maximum will be three storeys and, adjacent to existing built form, two storeys. These heights would be appropriate in principle in design terms and would help Cherwell meet its commitments in terms of the overall number of houses on the site. Reduced heights would likely result in this commitment not being met or in the need for further Green Belt land release, neither of which is appropriate.	None
Yarnton Parish Council	If 4 storey building is allowed each side of the A44 (PR8 and PR9) a high sided corridor with claustrophobic impression will be created	Ditto	None
Yarnton Parish Council	Definite limits should be imposed to minimise light and noise pollution, for residents and wildlife in the green spaces	Already covered in the DB as far as it can be; beyond that is for the planning application	None
Yarnton Parish Council	Developers must adhere to climate change policies and highest env standards including solar panels, triple glazing and insulation	Matter for the planning application	None
Yarnton Parish Council	Developers should be penalised for deviation from the brief	The Development Brief will be a material consideration in the assessment of the planning application. The proposals will need to accord with the Development Brief	None
Yarnton Parish Council	Impact on primary care healthcare facilities	Matter for the planning application	None

Begbroke Parish Council	The proposals offer very little to Begbroke	Noted	None
Begbroke Parish Council	Pedestrian crossing for Begbroke village not included in the plans - this is a major priority for the village and there has been much correspondence between BPC and OCC on this	Would seem more relevant to the planning application stage than the Development Brief	None
Begbroke Parish Council	Lack of a controlled crossing	Ditto	None
Begbroke Parish Council	Ideas about Dolton Lane are upsetting. The nature of this lovely ancient rural lane is that sometimes it is impassable, but this is what makes it so special. It would be a disaster if it were turned into an urban pathway as shown on Pages 28 and 36. The character of the lane would be lost forever	Agreed that the designs shown on pgs28 and 36 would not be appropriate. This may need amending or clarifying in the text, but pg44 is clear that the rural character of the Dolton Lane must be retained	The 2nd para in 6.4.5 to be amended to read "northwards" rather than "southwards". Also, the words "run alongside" to be removed.
Begbroke Parish Council	All of Binfield should be turned into woodland	Noted	None
Begbroke Parish Council	No transport links - no direct bus link	Noted	None
Begbroke Parish Council	Sewage - current system unable to cope	See above	See above
Begbroke Parish Council	If the proposed new Railway Station is built surely keeping Sandy Lane open both ways would make sense.	Not relevant to the Development Briefs	None
Begbroke Parish Council	No retail provision meaning that all residents must go to a larger settlement such as Kidlington for shopping. The nearest small facility to Begbroke is Budgens Yarnton.	These matters have been worked through in consultation with Oxfordshire County Council and others to ensure that the developments provide for the additional infrastructure required	None
Begbroke Parish Council	Shopping trips will require car journeys either via Langford Lane or Loop Farm if Sandy Lane is closed. People without transport will be stuck especially with one mini-bus trip/week. This must be addressed.	Matter for the planning application	None
Begbroke Parish Council	How can agricultural land be considered to provide significant ecological and biodiversity gains	It is not intended that the Development Brief says this. Ecological and	None

		biodiversity gain will require the necessary level of positive action rather than merely retention of agricultural land – this is set out in the Development Brief and the detail/capture will be a matter for the planning application	
Begbroke Parish Council	Inhabitants to the north of the site would find the facilities in Begbroke e.g., village hall bowling green and playing field closer than that of Yarnton.	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
Begbroke Parish Council	<p>In item 5.1 there is reference to provision of sports facilities. 1. 'It is the Council's preference that in lieu of on-site formal sports provision an appropriate financial contribution be made towards new and improved facilities at southeast Kidlington'</p> <p>Given that there appears to be an option why not consider developing the playing field and village hall at Begbroke? There is already desire for an all-weather surface multi-sport facility - the current arrangements need improvement, and we have the space. This is likely to be cheaper and has the benefit of developing the social amenities within the village which can also be used by inhabitants of PR9 (and PR8) a pedestrian crossing is needed at Begbroke for safe access to these facilities.</p>	<p>The requirements of the Development Brief have been developed in consultation with the Council's Recreation and Leisure team and having regard to the site's constraints and the requirements for the development as set out in Policy PR9. OCC has advised that the expansion of William Fletcher wouldn't be required if two schools are provided on PR8. The surplus land on either could be proposed for this purpose. If this land does not become available, S106 contributions will be required towards off-site provision.</p> <p>In more general terms, line 64 of Appendix 4 of the Partial Review Plan applies: "Formal sports provision at Land West of Yarnton"</p>	None

Begbroke Parish Council	The design brief shows no public meeting place/community centre/or hall planned for the new developments. Money should be allocated to improve existing Begbroke facilities at village hall.	The requirements of the Development Brief have been developed in consultation with the Council's Recreation and Leisure team and having regard to the site's constraints and the requirements for the development as set out in Policy PR9. In more general terms, line 57 of Appendix 4 of the Partial Review Plan applies: "Expansion of community facility in the vicinity"	None
Begbroke Parish Council	Allowing traffic on to the A44 at the science park junction will further increase queuing and probably reduce the gaps in traffic through Begbroke making it even more difficult to cross - the current traffic light sensors are also defective.	These matters have been worked through in consultation with Oxfordshire County Council Highways and, as far as it is applicable, reflected in the Development Brief. Beyond that, this would relate more to the planning application, and/or matters needing to be addressed independently by the local highway authority, than to the scope of the Development Brief	None
Peter Hewis (local resident)	No mention of affordable housing	Mentioned at Exec Summary (pg1), 2.1.6 (pg14), 6.3.1 (pg29), 7.1 (pg59)	None
Michelle Mason (Local resident) NB. The points made by Michelle Mason are also made verbatim by	Comments regarding the need for housing, the impact on Yarnton and the outcome of the court case	Relates to the principle of development which has already been set in the Local Plan, and not to the Development Brief	None

Richard Quinnell			
Michelle Mason (Local resident)	Impact of development on transport infrastructure	Ditto	None
Michelle Mason (Local resident)	Please provide a path from the rear of properties on western edge of Rutten Lane to provide easy, direct access to the green corridor so that we can continue to enjoy the countryside without having to make a significant walk to an alternative access point	This seems a reasonable point and it may be appropriate for the Development Brief text to be amended, although there would be a concern regarding the security of these properties. Footpath access provision will be made just north of Yarnton Medical Practice	Section 6.3.3 to be amended accordingly
Michelle Mason (Local resident)	Seems unfair and unacceptable not to make the same allowance re mitigation for neighbours to the dev on Rutten Lane as is proposed for new houses on the development (green spaces such as allotments and green corridor). Please provide these residents with a similar green space separating the rear of the existing properties/gardens from the school playing fields to mitigate any sound pollution, not an unsightly acoustic fence/similar. At the very least hedging, but not a large fence.	Some of the Rutten Lane dwellings would be bounded by the allotments and some bounded partially by open land that would include drainage attenuation features; for others there would be residential development to the other side of the boundary - in these cases it would be reasonable to require hedgerow planting along the site boundary	Section 6.3.1 and Fig 13 to be amended accordingly
Michelle Mason (Local resident)	Request for financial compensation for the impact on property value	This falls outside of the remit of the planning system	None
Michelle Mason (Local resident)	Construction traffic to be via the A44 and not the Cassington Road or Yarnton Lane	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
Michelle Mason (Local resident)	Flood risks need to be understood before the plans are progressed further	This is a requirement of the planning application submission	None

Sue Blackshaw (local resident)	Shortage of indoor sports facility - would like to see an easy to run indoor provision allowing for two netball courts with 6ft run off	The requirements of the Development Brief have been developed in consultation with the Council's Recreation and Leisure team and having regard to the site's constraints and the requirements for the development as set out in Policy PR9. OCC has advised that the expansion of William Fletcher wouldn't be required if two schools are provided on PR8. The surplus land on either could be proposed for this purpose. If this land does not become available, S106 contributions will be required towards off-site provision. In more general terms, line 64 of Appendix 4 of the Partial Review Plan applies: "Formal sports provision at Land West of Yarnton"	None
Jon Young (local resident)	The proposed access to the site off Rutten Lane is not needed as there is access off the A44 - it has the potential to create a rat run through Yarnton	It is noted that the Local Plan policy requires two accesses onto the A44. The result of detailed discussions with OCC is the proposed variation as set out in the Development Brief	None
Jon Young (local resident)	Impact of traffic on Rutten Lane due to the development's proximity to the school - the developer should pay for speed decrease solutions under a S106 agreement, e.g. cameras, speed bumps	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None

Jon Young (local resident)	The improvements to non-vehicle transport infrastructure to support the dev are unsatisfactory - there should be a wider foot/cycle path and possibly on both sides allowing a satisfactory non-vehicle commute to Oxford	Being delivered by OCC	None
Jon Young (local resident)	Any increase in public transport should be directed along the A44 and not through Yarnton/Rutten Lane	There are a number of existing bus stops on Rutten Lane. It wouldn't appear to be the Development Brief's intention to direct more public transport use along Rutten Lane, but instead for the development not to adversely affect the capacity and safety of Rutten Lane	None
Jon Young (local resident)	Impact on medical and schooling	This relates to the principle of development rather than the Development Brief itself	None
Jon Young (local resident)	Noise pollution assessment of London Oxford Airport to be required as the new dev is under current agreed flight paths and likely to be affected.	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
OCC	The Development Brief should clearly set out how enhancement and beneficial use of the Green Belt land within the allocation will be achieved or conditioned upon an application for dev on any or all of the 25ha expected to be used for residential development	We have had regard to the positive use of the Green Belt in putting these allocations/policies together, and have identified in each case provision for open space and biodiversity etc.	Section 6.3.4 amended to refer to Green Belt benefits
OCC	Para 4.2.5 - the reference to Campsfield Road should read Upper Campsfield Road	Agreed	Para 4.2.5 amended accordingly
OCC	We request a new bullet point: "Opportunity for new southbound bus stop on Rutten Lane near Aysgarth Road" (as shown in Figure 15).	This would go against local third party responses but would reflect what is shown in Figure 15.	New point to be added to 4.2.5
OCC	Para 6.4.9 Alter final paragraph to "There will be a requirement for contributions towards the off-site A44 southbound bus lane enhancement, and for	Agreed	Para 6.4.11 amended accordingly

	increased service provision. These are to be agreed with OCC."		
OCC	No mention of adhering to the Oxfordshire Electric Vehicle Infrastructure Strategy for the residential dwellings. It is important that the minimum provisions are met from and also that consideration is given towards scalability with future demand.	This strategy was published after the Development Brief was formulated, and is new policy beyond the scope of the Development Brief, but a few words could be added in the sustainability section of the Development Brief	Added to 6.1 – 'Electric vehicle charging is to be provided in accordance with the most recently adopted policy'.
OCC	The designing of cycling routes should be accommodated with sufficient wayfinding to support the "less car-centric" movements and modal shift.	Noted	The words "appropriate signage or surfacing treatments to facilitate (encourage?) use in the support of modal shift" added; text amended in 6.4.7
OCC	Part of section 6.5.4 'Blue Infrastructure' is too specific for a high level design brief. The locations of drainage attenuation features must be agreed with the Lead Local Flood Authority (LLFA) following a detailed assessment of the existing hydrology and flood risk issues. As this is a major development, the location of any drainage features will need to be agreed with the LLFA as well as the CDC flood officer, regarding any changes in land drainage management. Please amend as indicated with the strikethrough and red: 'It is expected that the site will drain towards the eastern part of the site, reflecting the topography and existing outfalls on the eastern boundary, with drainage attenuation features broadly in the locations indicated on Fig.18 and to be agreed in detail with the LLFA and CDC Flood Officer, as an integral part of the overall landscape strategy for the site.'	Noted	Text to be amended accordingly, but also the words "and CDC Flood Officer" to be removed (replaced with LLFA)
OCC	Para 6.4.5 Please amend as indicated by the changes in red: 'A new pedestrian footpath from Rutten Lane to the Dolton Lane green corridor, immediately to the south of the school and nursing home is to be provided (subject to survey and agreement with the pre-school, nursing home and the school and	Agreed	Para 6.4.7 amended

	agreement on how this will be managed in perpetuity).’		
OCC	Para 6.4.3 Please amend as indicated by the changes in red: ‘One access point to Rutten Lane: adjacent to the Medical Practice. To the south of the primary school and nursing home a pedestrian footpath should be provided (subject to survey and agreement with the pre-school, school and nursing home and agreement on how this will be managed in perpetuity). The accesses from Rutten Lane to the school will be part of the school site and secured as required for safeguarding purposes.’	The para referred is the penultimate one on pg39. The first suggested change appears to relate to vehicular access rather than pedestrian access, which is covered instead in 6.4.2	The latter addition ("and agreement on how...") to be made; the earlier changes to be made but using slightly amended text to what is suggested
OCC	6.5.4 Please amend as indicated by the changes in red: ‘Attenuation ponds should not be placed within the area identified for school expansion. Runoff from the hillside to the west will need to be attenuated before it reaches both the new nursing home access road and the school boundary. The LLFA recommends the applicant places the attenuation for the school site outside the immediate school boundary. This should be in the form of an on the surface attenuation basin as opposed to underground storage. The LLFA feels this would provide bio-diversity benefits, cost savings and a reduced maintenance liability.’	Noted	Para 6.4.14 amended
OCC	6.6 Please amend as indicated by the changes in red: ‘To ensure that the school site is in the optimal location and layout for satisfactory education provision, it shall comply with the County Council’s design requirements, processes, interrogations and checklists as described within the following documents:’	The change requested here is for the County Council to be referred to as such rather than OCC. This makes sense as it would distinguish it from the City Council	Para 6.5 amended
OCC	‘The existing vehicular access from Rutten Lane to the school and nursing home is to be retained as a vehicular route, to access the school site only, that will be secure and that will not cross the children’s pedestrian routes within the school site. NB All subject to agreement with the nursing home, see below.’	Noted	Para 6.5 amended
OCC	The vehicular access and pedestrian routes into the school and nursing home sites are to be shallower than 1:21 from the drop off area into the school and nursing home access and along all routes to the school site.	Noted	Para 6.5 amended
OCC	‘To enable an integrated and secure primary school site, the existing vehicle and pedestrian access to Yarnton Residential Nursing Home from Rutten Lane is to be rerouted via the site. This route, where it runs alongside the playing fields is to be a private access for the nursing home and will be managed	Noted	Amended accordingly

	and maintained by the nursing home (subject to agreement with the nursing home)'. and agreement on how this will be managed in perpetuity).		
OCC	'A new pedestrian footpath between the Nursing Home and Rutten Lane is to be created along the southern boundary of the school (subject to survey and agreement with the pre-school, nursing home and school and agreement on how this will be managed in perpetuity).	Noted	Amended accordingly
OCC	1.2.1 Please change this bullet to read: 'to raise the standard of design and to create exemplary places which are functional, beautiful, promote health and wellbeing and which engender a sense of community'	Noted	Amended accordingly
OCC	4.2.1 We agree that it is vital to maintain cohesion and a sympathetic design in relation to the existing surrounding villages, with a focus on green spaces, limitations on noise and air pollution etc. It is important to ensure effective connectivity between the development and existing community that supports active travel and reduces severance.	Noted	None
OCC	5.1 We welcome reference to access to the countryside in the vision. Development of this scale, and considering the various other development going on in the area, needs to ensure adequate maintenance and enhancement of green spaces (both formal and informal). Improved sports facilities at south east Kidlington need to be easily accessible on foot or by bike.	Noted	None
OCC	6.2 The Draft Oxfordshire Joint Health and Wellbeing Strategy has now been formally approved by the Future Oxfordshire Partnership and is called 'The Oxfordshire Strategic Vision'	Noted	None
OCC	To ensure that the design of major developments maximises the opportunity to promote health and wellbeing, the Future Oxfordshire Partnership has developed and approved the use of a Health Impact Assessment toolkit ⁵ to assess the health impacts of significant developments.	Noted	None
OCC	Given the size of this development, the Council would expect a Health Impact Assessment to be conducted of this site to ensure that it maximises opportunities for a health enabling environment, in accordance with government's advice and national best practice.	Noted	None
OCC	6.3.1. Please amend as indicated by the changes in red: 'Green infrastructure within the site including hedgerow and drainage corridors is to be designed as a connective element which supports the movement of wildlife and encourages walking and cycling, biodiversity and community use.'	Noted	Amended accordingly

OCC	6.3.2 Please add this text in red: 'Cycle parking is to be easily accessible, ideally at house frontages, to promote active travel.'	Noted	Amended accordingly
OCC	6.3.3 Please add this text in red: 'On plot parking in front of properties is to be avoided. Easily accessible cycle parking is to be provided.'	Noted	Amended accordingly
OCC	6.4.5 Reference should be made to the fact that cycling routes should support connectivity.	Noted	6.4.7 amended and reference to LCWIP added
OCC	6.4.7 Please amend so that this and all development briefs mention the need to provide for EV charging on site.	Noted	Added to sustainability section 6.1
OCC	6.7 Please amend as indicated by the changes in red: 'Planning applications for development on the site will need to include a desk based assessment, incorporating the results of an archaeological evaluation, to assess the significance of any archaeological deposits on the site.'	Noted	6.6 amended
OCC	'An archaeological mitigation strategy, including provision for the preservation in situ of any significant archaeological deposits, will need to be submitted along with any planning application for the site.'	Noted	6.6 amended
Cllr Middleton	Would like the Council to hold developers to a high standard of sustainable development	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
Cllr Middleton	The Council should make sure biodiversity enhancements are applied and maintained long term	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
Cllr Middleton	Seems to be a lack of health and education provision provided for both development briefs	These matters have been worked through in consultation with Oxfordshire County Council and others to ensure that the developments provide for the additional infrastructure required	None
Cllr Middleton	Consideration into the effect on local roads the development and closure of Sandy Lane will have on traffic. Pedestrian crossing are vital pieces of infrastructure and should respond to the local need.	These matters have been worked through in consultation with Oxfordshire County Council Highways and, as far as it is	None

		applicable, reflected in the Development Brief. Beyond that, this would relate more to the planning application than to the scope of the Development Brief	
Cllr Middleton	Recommendation to set up a local forum consisting of councillors and residents to give back feedback to the LPA and developers.	Noted	None
Cllr Middleton	Yarnton seeing more flooding events regularly often related with run off from Spring Hill. Endorses response from Yarnton Flood Defence Group	Noted. Picked up in response to comments made by the YFDG	As per above
David Lock Associates for OUD	Given the interrelationships between the Partial Review sites, subject to the series of Development Briefs currently being prepared, it is imperative that the planning submissions, and planning permissions, are prepared, structured and consented in a way that ensures compatible and complementary development in terms of both design and delivery.	Noted	None
David Lock Associates for OUD	Section 7.2 should also reference the need to secure the co-ordination of design or delivery elements that are common across the PR sites	CDC officers agree and these changes to be made, with some amendments to the wording in the 2 nd bullet point	<p>Addition of two new bullets after the first bullet of 7.2, to read:</p> <ul style="list-style-type: none"> • Where land, services or infrastructure within the site is designed to serve wider CLPPR developments, planning applications will demonstrate how this can be co-ordinated and delivered effectively through site master-planning and S106 agreements. • Any infrastructure links or open space networks that are

			<p>common to more than one CLPPR development site will either be constructed to the site boundary or in such a way as to facilitate connection, where required, between development sites and with access to residents/public provided so as to avoid a 'ransom' position being established which prejudices the effective delivery of this common infrastructure and/or its long term community benefit.</p> <p>Two additional bullets added after bullet three of section 7.2, and that the current bullet four is amended to read:</p> <ul style="list-style-type: none"> • Obligations are to be secured via a planning agreement, entered into under section 106 of the Town and Country Planning Act 1990.
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			<p>Consistent with national planning policy and practice guidance and the Cherwell Developer Contributions SPD (February 2018), the allocation of S106 costs required to serve the development is to be agreed with the applicant to secure appropriate financial contributions and/or in-kind works under a direct delivery obligation. Subject to statutory tests, these shall provide for “on site” and/or “offsite” facilities and infrastructure as required.</p> <ul style="list-style-type: none"> • In preparing a draft Head of Terms, it is recommended that proposals applicants should have regard to matters including the LPPR Infrastructure schedule. Where facilities and infrastructure are required to
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			be provided on land outside the site, these are to be secured by way of proportionate planning obligations and/or through the pooling of contributions as appropriate, in accordance with the Community Infrastructure Levy Regulations 2010, as amended.
Gerald Eve (for the land promoter)	While the quantum of new community woodland is agreed (7.8ha), notes the brief proposes a single area of woodland, north of the residential area; proposes two woodland areas rather than one, performing slightly different functions, the first acting as a buffer between the site as a Begbroke but the land being more open, the second being within the woodland habitat buffer, adjacent to and contiguous with the southern and eastern boundary of Begbroke Wood, substantially increasing the size of the woodland block and enhancing woodland edge habitat	These matters have been worked through in consultation with relevant advisers to the Council. Variations to this will be considered as part of any future planning application	None
Gerald Eve (for the land promoter)	The area of retained green belt immediately west of the development area is proposed to be repurposed as a working meadow with grazing animals as opposed to its proposed use under the brief as a new green space / park	These matters have been worked through in consultation with relevant advisers to the Council to ensure that the developments provide for the additional infrastructure required	None
Gerald Eve (for the land promoter)	The applicant will be proposing one additional use, namely up to 9,000 sq m of elderly/extra care floor space to be located close to the vehicular entrance on the eastern boundary, accessed via the Rutten Lane / A44 roundabout	The requirements for land uses on the site have been worked through in detail with the land promoter and other stakeholders. This addition is a matter more appropriately picked up at planning application stage. The	None

		planning policy for the site remains the starting point for consideration and it would need to be ensured that the required elements are included in an outline application	
Highways England	[No substantive comments re the content of the Development Brief]	N/A	None
Historic England	[No substantive comments re the content of the Development Brief]	N/A	None
Thames Water	[No substantive comments re the content of the Development Brief]	N/A	None
Berks, Bucks and Oxfordshire Wildlife Trust	[No substantive comments re the content of the Development Brief]	N/A	None

Agenda Item 9

Cherwell District Council

Planning Committee

2 December 2021

Development Brief for Local Plan Partial Review site PR7b – Land at Stratfield Farm

Report of Assistant Director - Planning and Development

This report is public.

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR7b – Land at Stratfield Farm.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR7b (Land at Stratfield Farm) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report.
- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief subject to any necessary presentational or other minor corrections in consultation with the Chairman.

2.0 Introduction

- 2.1 The Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need was adopted 7th September 2020, effectively as a supplement or addendum to the adopted Cherwell Local Plan 2011-2031, and forms part of the statutory Development Plan for the district.
- 2.2 The Partial Review Plan provides a vision for how Oxford's unmet housing needs will be met within Cherwell, which seeks to respond to the key issues faced by Oxford in providing new homes, in addressing the unaffordability of housing, in supporting economic growth and in dealing with its land supply constraints.
- 2.3 The Partial Review Plan allocates land to deliver 4400 houses across six sites:
 1. Land East of Oxford Road, North Oxford (policy PR6a) - Gosford and Water Eaton Parish

2. Land West of Oxford Road, North Oxford (policy PR6b) - Gosford and Water Eaton Parish
3. Land at South East Kidlington (policy PR7a) - Gosford and Water Eaton Parish
4. Land at Stratfield Farm Kidlington (policy PR7b) - Kidlington Parish
5. Land East of the A44 at Begbroke/Yarnton (policy PR8) - Yarnton and Begbroke Parishes (small area in Kidlington Parish)
6. Land West of the A44 at Yarnton (policy PR9) - Yarnton and Begbroke Parishes

- 2.4 For each of the six sites, the Local Plan policy includes a requirement for the application to *“be supported by, and prepared in accordance with, a comprehensive Development Brief for the entire site to be jointly prepared and agreed in advance between the appointed representative(s) of the landowner(s) and Cherwell District Council”*. It further states, *“The Development Brief shall be prepared in consultation with Oxfordshire County Council and Oxford City Council”*.
- 2.5 The development brief will then be a material consideration in the determination of any future planning applications for the site to which it relates.
- 2.6 Further to the Partial Review Plan’s requirement, Development Briefs are being prepared for each of the six sites. The first two to be ready are those relating to sites PR7b and PR9.
- 2.7 Design consultants appointed by the Council have prepared the briefs working with officers and with the benefit of input from technical consultees, stakeholders and public consultation. This report presents the proposed, final brief for approval and in doing so explains how it meets the Council’s objectives and the requirements of the Partial Review’s policies.
- 2.8 The Development Briefs have been the subject of public consultation, for six weeks from 11 August to 22 September 2021. This report summarises the representations received and explains what changes have been made in response.

3.0 Report Details

- 3.1 Policy PR7b of the Partial Review of the Local Plan relates to land at Stratfield Farm, located to the southern edge of Kidlington, to the north of Stratfield Brake sports ground and east of the Oxford Canal. The site comprises a number of fields along with the Grade II listed Stratfield Farmhouse and outbuildings (some of which are in a poor condition) and associated orchards. The site includes areas of important habitat including ponds, hedgerows and trees and a Conservation Target Area and is adjacent to the Oxford Canal Conservation Area.
- 3.2 The site is allocated for 120 homes on 5 hectares of land, of which 50% is required to be affordable housing. There are policy requirements for the provision of facilities for play areas and allotments to adopted standards within the developable area; the improvement, extension and protection of the existing orchard on the site for community benefit; the creation of a nature conservation area on 5.3 hectares of land, incorporating the community orchard; a new bridleway/green link suitable for all-weather cycling and connecting Land at Stratfield Farm with the PR8 (Land East of the A44) site on the western side of the canal and to key facilities on the A4165

including proposed sporting facilities at the PR7a (South East Kidlington) site and Oxford Parkway.

3.3 The Development Brief sets out its background, purpose and status, its structure and the community involvement that has taken place (Chapter 1); the strategic vision and context, the role of the site, its economic relationships and movement corridors (Chapter 2); the planning policy context, spatial context and the site's attributes (Chapter 3); a site appraisal including opportunities and requirements (Chapter 4); the vision and objectives for the site (Chapter 5); then the development principles (Chapter 6); and closes with a section on delivery and monitoring (Chapter 7).

3.4 Preparation of the Development Brief included review of baseline information and the planning policy context, preparation and agreement of the scope for the Brief, identification of opportunities and constraints, workshops to establish the vision, the principles concerning movement, water management, landscape, biodiversity, heritage and archaeology, and subsequent workshops and one to one engagements with technical consultees including the preparation of parameter plans, review of early drafts of the Brief and discussion with the site promoters.

3.5 The vision for Land at Stratfield Farm, set out in Chapter 5 of the Brief, is as follows:

Stratfield Farm will become a new Kidlington neighbourhood of a traditional, informal character and scale, to provide an attractive and outward facing edge to the village, overlooking Stratfield Brake. The historic farmhouse and barns at the site's centre will be retained and sensitively integrated as a local landmark within a corridor of green space to retain the open setting of the farmhouse within the new development. The development will provide an enhanced area of habitat extending to the Oxford Canal Conservation Area and connect to the wider strategic green walking and cycling routes into Oxford, and to Croxford Gardens to the north, Stratfield Brake to the south and planned development to the west.

3.6 Each Partial Review policy sets out a detailed list of required elements for the Development Brief. There are common elements to each site, for example:

- a scheme and outline layout for the delivery of the required land uses and associated infrastructure,
- protection and connection of existing public rights of way (where applicable) and an outline scheme for pedestrian and cycle access to the surrounding countryside,
- design principles which seek to deliver a connected and integrated extension to the adjacent built settlement,
- outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment, and
- an outline scheme for vehicular access by the emergency services.

3.7 Policy PR7b sets out the following particular requirements for inclusion in the Development Brief:

- Points of vehicular access and egress from and to existing highways with, unless otherwise approved, at least two separate points: first, from the Kidlington roundabout junction, and second, from Croxford Gardens.
- An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site, to the built environment of Kidlington, to the allocated site to the east of the A44 (Policy PR8) enabling access over the Oxford Canal

and to existing or new points of connection off-site and to existing or potential public transport services. The scheme shall include an access road from the Kidlington Roundabout to the easternmost development parcels and the Stratfield Farm building complex.

- Design principles which seek to deliver a connected and integrated extension to Kidlington and a high quality landscape setting which responds to the historic environment of the farm and the Oxford Canal.
- The maintenance and enhancement of significant trees, existing tree lines and hedgerows.

- 3.8 The Development Brief for PR7b sets the development framework for the site. The parameters for the brief are established by the Local Plan. The brief is intended to provide additional detail to help implement the Local Plan policy and guide the preparation and consideration of applications for planning permission.
- 3.9 The Brief provides a scheme and outline layout for delivery of the required land uses and associated infrastructure. There is no material change in the extent of the residential area between the policy map for the site (page 118 of the Partial Review Plan) and the development framework plan (page 24 of the draft Development Brief). The LAP/LEAP play area for the site and allotments (shown as an extension of the existing orchard) are shown outside of the site, within the wider site but on retained Green Belt land. However, in common with all Partial Review site policies, Policy PR7b allows for the consideration of minor variations in the location of specific land uses where evidence is available. Recreational land uses and allotments are capable of being appropriate uses of land within the Green Belt and their location outside of the residential area will enable delivery of this particular site. Officers consider this change to be acceptable as a minor variation from the policy requirement.
- 3.10 The Development Brief for PR7b provides an outline scheme for vehicular, cycle, pedestrian and wheelchair connectivity within the site, for pedestrian and cycle access to the surrounding countryside, and for vehicular access by the emergency services. It also provides outline measures for securing net biodiversity gains, provides for the maintenance and enhancement of significant trees, existing tree lines and hedgerows.
- 3.11 The Development Brief for PR7b sets the design principles for the site, which seek to deliver a connected and integrated extension to Kidlington and a high quality landscape setting which responds to the historic environment of the farm and the Oxford Canal.
- 3.12 The Brief requires that the majority of the built form is 2 - 2.5 storey houses. "2.5 storeys" means a two-storey eaves with accommodation in the roof, achieved through a combination of dormers and rooflights. This is distinct from the 3 storeys permitted in one development block close to the Oxford Road roundabout which may also include apartments in addition to houses. The outline layout for the site sets out the positions of key frontages for buildings. These are labelled 'indicative' but importantly show no frontages facing towards existing Garden City properties – development adjacent to these neighbours will need to be 'side-on' or gardens to new dwellings.
- 3.13 The location of the Grade II listed building, and curtilage listed buildings surrounding it, in the middle of the site is a distinctive component of PR7b relative to other Partial Review sites, and the Development Brief includes a section which sets out clear development principles for this part of the site.

- 3.14 One of these development principles responds to this challenge (page 41 of the draft Brief), by requiring that the part of this primary street that lies to the south of the farmhouse responds appropriately to this historic setting. The Brief requires that this stretch of the primary street is subtly demarcated, through the appropriate choice of surfacing materials such as resin bound gravel, stone kerbs and flags, with the character of a shared surface and a maximum width of 7 metres. This will be an unusual design challenge for developer and highway engineers alike, but is a direct result of the provision of the non-provision of vehicular access from Croxford Gardens.
- 3.15 The importance of its design is underlined by the fact that this section of road will also run through retained Green Belt land. Officers are satisfied that this road design can be achieved and that it will preserve the setting of the listed building and be an appropriate form of development in the Green Belt. It is also noted that the pedestrian and cycle access through the site will run to the south of the community orchard rather than adjacent to the carriageway, which should aid the delivery of this bespoke design solution.
- 3.16 Other development principles for this central part of the site include a list of the buildings that make up the farmhouse complex, and whether they will be retained, converted or demolished and where new buildings may be permissible on the footprints of former buildings.
- 3.17 This requires historic walls within the complex to be retained and repaired (and rebuilt where needed); it requires the depths of the new built structures to be shallow, with traditional roof pitches, so that the farmhouse remains the dominant building on the site. It requires the 'gardens' and orchard landscape around the farmhouse and the farm courtyard to retain the historic character. It prohibits garden sheds, greenhouses and overly domestic paraphernalia and boundary treatments, and the integration of garden storage within the footprint of existing buildings and their protection from future conversion to additional accommodation. And, it requires any demarcation of amenity spaces to be subtle.
- 3.18 A deviation in the proposed Development Brief from the requirements of Policy PR7b is that the Brief shows only a single vehicular access, from the Oxford Road roundabout, and no vehicular access from Croxford Gardens. This has been raised in responses to the public consultation. This change has been worked up through detailed discussion between CDC officers, OCC as local highway authority and the site's promoter. Part 10(b) of the policy, which includes this requirement, features the words "unless otherwise approved".
- 3.19 Officers consider that the local highway authority's contentment with the proposal for one vehicular access, for a site of this size, is an acceptable change from the policy's requirement. Your officers have also sought advice from the Council's legal team, who consider this change not to have significant implications. It is worth nothing that the Brief does nonetheless include the requirement for two points of pedestrian and cycle access onto the site from Croxford Gardens.
- 3.20 One of the key implications for the provision of only one vehicular access into the site is that the residential area in the western 'half' of the site must be accessed from the east, and therefore the main distributor road must run past, and close to, the Grade II listed farmhouse in the centre of the site.

Consultation

- 3.21 The brief was published for public consultation from 11 August to 22 September by way of advertisement on the Council's website, emails directly to parish councils and technical consultees, and invitations to parish councils to a virtual meeting to raise or seek or clarification on particular matters. A total of 14 representations were received. The representations have been made publicly available alongside this report and a schedule containing a summary of each and officer responses is provided at Appendix 2. A precis is provided below.

Begbroke Parish Council

- 3.22 The comments raised from Begbroke Parish Council are summarised as follows:

- Believes Sandy Lane should be kept open both ways if the Railway Station is built and section 106 money could be used to find a bridge on Sandy Lane to provide a crossing.
- No need for a community orchard. Could lead to waste of space in future if neglected
- Vehicular access to roundabout not ideal and roads need to be wide enough for street parking. Visitor spaces need to be provided.
- Concerns regarding resin bonded gravel surface for roads as proposed in brief. Issue with repair when it cracks

Councillor Ian Middleton

- 3.23 The comments raised by Councillor Middleton are regarding both PR7B and PR9 and are summarised as follows:

- Would like the Council to hold developers to a high standard of sustainable development
- The Council should make sure biodiversity enhancements are applied and maintained long term
- Seems to be a lack of health and education provision provided for both development briefs
- Consideration into the effect on local roads the development and closure of Sandy Lane will have on traffic.
- Pedestrian crossing are vital pieces of infrastructure and should respond to the local need.
- Recommendation to set up a local forum consisting of councillors and residents to give back feedback to the LPA and developers.

The majority of Councillor Middleton's comments pick up those made by other responses, and the majority are matters more appropriately picked up at planning application stage.

Members of the Public

- 3.24 The comments raised from members of the public are summarised as follows:

- Implications on flooding as Stratfield Farm and Stratfield Brake act as fall away for rainfall
- Established wildlife and trees with nesting birds on boundary between proposed development area and sports field
- Environmental impact with raised carbon emissions levels
- Concerns to loss of light for existing dwellings who would become neighbours to this development

Site Promoter Manor Oak Homes

- 3.25 Supports the Council in its Development Brief strategy and supports the Council in due course to formally endorse and adopt the Development Brief. Intends to submit a planning application at the soonest opportunity following adoption of the final version of the development brief.

Tripartite (owner of part of PR8)

- 3.26 Believes strengthening of wording in certain areas of the development briefs is required. Regarding heads of terms for development contributions, clarity required in briefs on the way shared infrastructure across the Partial Review's strategic housing sites is to be delivered.

Oxfordshire County Council

- 3.27 The County Council's comments are:
- Supportive of purpose of the development briefs but believes affording them the status of Supplementary Planning Document would give them a stronger status.
 - Development Brief should set out enhancement and beneficial use of the Green Belt land in the allocation will be achieved.
 - Requests certain additions to the text of the Development Brief regarding transport development control and Public Health sections.

Berkshire Buckinghamshire Oxfordshire Wildlife Trust

- 3.28 Welcomes the intention of providing a multi-functional green infrastructure network providing a range of ecosystem services however concerns with public access to modern orchard could lead to the decline in condition of the priority habitat.

Canal and River Trust

- 3.29 Comments that the towpath will require improvement to the north and the canal should be considered an integral part of the site. Believes that the full benefits of being located by the water are not fully exploited and during lockdowns use of towpaths have increased so residents are likely to use towpath.
- 3.30 The Trust advises that it is not obliged to accept a new bridge over the canal however they will work with the Council and others to facilitate if a suitable design and location can be agreed.

- 3.31 The Trust welcomes the mention of enhancements for Otter, Water Vole and Great Crested habitats and links with local areas of habitat.

Highways England

- 3.32 Would expect transport assessments on Strategic Road Networks.

Historic England

- 3.33 No comments

Sport England

- 3.34 No objections to the development briefs but has one concern, that the location of proposed new road into the Sports Ground is too close to main rugby pitch.

Thames Water

- 3.35 The scale of development will likely require upgrades of the water supply network. Asks for housing phasing plan at earliest opportunity. Advises that developer should liaise with local lead flood authority to agree an appropriate sustainable surface water strategy but the scale of proposed development doesn't materially affect the sewer network.

Woodland Trust

- 3.36 Welcomes the commitment to a multi-functional green infrastructure network and commitment to work with the Trust on the proposed new canal bridge and towpath improvement.
- 3.37 Would welcome further discussion regarding Stratfield Brake site owned by the Trust and topics that affect the site. The Trust has put forward multiple recommendations regarding the environment on the site.

Officer Response to Representations

- 3.38 Responses to the representations made are included in the summary schedule at Appendix 2. Several comments relate to matters which either relate to the principle of development – which has already been set in the adoption of the Local Plan – or to matters relevant to the planning application. Where this is the case it has been noted as such in Appendix 2. In certain cases specific comments have been made by respondents which are not been taken forward in the final Development Brief – where this is the case explanation is provided in the summary schedule at Appendix 2. Officers are pleased to recommend to planning committee that some minor changes are made to the text of the Development Brief.

Summary of Changes

- 3.39 In response to a comment by the Woodland Trust, the text has been amended in relation to the creation of new scrapes connected to the existing canal-side ditch network.
- 3.40 In response to comments by Kidlington Parish Council,

- the development principles have been amended to require that all houses backing onto Garden City must not exceed 2 storeys rather than 2.5 storeys, i.e. no dwellings to have dormer windows on Garden City facing elevations.
- Figures 13 and 19 have been amended to reflect the importance of not overloading the drainage ditch along the site's northern boundary
- amendments have been made to the text in relation to cycle route connectivity to emphasise the importance of natural surveillance

3.41 In response to comments by Oxfordshire County Council,

- the early part of the Brief has been amended in relation to enhancement and beneficial use of the Green Belt land
- various minor edits have been made to the text, including in relation to the main site access, the promotion of health and wellbeing, cycle parking, cycle route connectivity, and additional tree planting.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Overall, officers are happy to conclude that the Development Brief for the site accords with Policy PR7b and the vision and objectives for the site, and that it provides an appropriate framework for the development of the site – adherence to the Brief will be important in achieving an acceptable form of development.
- 4.2 It is recommended that the planning committee endorses this Development Brief as a framework for the development and delivery of site PR7b - Land at Stratfield Farm and that it will be a material consideration in the determination of any future planning applications for the site.

5.0 Consultation

Councillor Colin Clarke - Lead Member for Planning (briefing only)
Councillor George Reynolds, Chairman – Planning Committee (briefing only)

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to endorse the Development Brief. Since Policy PR7b requires the planning application for the site to be supported by and prepared in accordance with a Development Brief, this option would require a new Brief to be prepared, adding significant expense for the Council and delaying delivery of the development.

Option 2: To request further significant changes to the Development Brief. Officers consider that the final brief presented to Members represents an appropriate

response to Local Plan policy and will assist in achieving high quality development. This option would also delay the determination of any planning application and may require further public consultation, thereby creating uncertainty.

7.0 Implications

Financial and Resource Implications

- 7.1 External work on the development briefs is being funded by the respective site promoters through Planning Performance Agreements but controlled directly by Council officers. Otherwise, existing budgets are being used.

Comments checked by:
Michael Furness, Assistant Director of Finance
Tel. 01295 221845
michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 The brief has been prepared to be non-statutory guidance to support the implementation of the statutory Development Plan. It is generally consistent with the Local Plan policy it supports and its preparation has been assisted by stakeholder engagement and public consultation. Approval of the brief by the Committee would enable it to be taken into account as a material consideration

Comments checked by:
Matthew Barrett, Planning Solicitor
Tel. 01295 753798
Matthew.barrett@cherwell-dc.gov.uk

Risk Implications

- 7.3 The relevant Local Plan policy requires a Development Brief to be produced. Whilst not a reason for approval, not approving the brief may require re-consideration of the Planning Performance Agreement with the respective promoter.

Comments checked by:
David Peckford, Assistant Director – Place & Development
Tel. 01295 227006
david.peckford@cherwell-dc.gov.uk

Equality & Diversity Implications

- 7.4 The proposed brief supports Local Plan policy that has been the subject of Equalities Impact Assessment and has been reviewed in line with this report. As there are no new impacts arising from this report, no new mitigations are required.

Comments checked by:
Emily Schofield, Acting Head of Strategy
Tel. 07881 311707
Emily.Schofield@oxfordshire.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

Kidlington East

Other wards affected by Partial Review sites: Kidlington West

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Document Information

Appendix 1: Development Brief – Land West of A44 (Site PR9)

Appendix 2: Summary of representations and officer responses

Background papers

None

Reference Documents

Cherwell Local Plan 2011-2031 Partial Review:

<https://www.cherwell.gov.uk/info/83/local-plans/215/adopted-cherwell-local-plan-2011-2031-part-1-partial-review---oxfords-unmet-housing-need>

Report Author and contact details

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Executive summary

The Cherwell Local Plan 2011-2031 (Part 1) Partial Review (LPPR), which provides for Cherwell's share of Oxford City's unmet housing needs, identifies Land at Stratfield Farm as one of six strategic housing sites. A comprehensive Development Brief is required as guidance for future planning applications.

This Development Brief has been jointly prepared between Cherwell District Council, Oxfordshire County Council, landowners and key stakeholders.

It is a material planning consideration in the determination of any future planning applications for the site.

The Development Brief includes a review of the site's context including the LPPR strategic vision and spatial strategy and the site specific development constraints and opportunities. Based on this analysis it goes on to provide a site specific vision and comprehensive development principles addressing land use, character, layout, green infrastructure, movement, utilities, healthy place making and sustainable design.

Site location

Land at Stratfield Farm is a 10.5 hectare site, located immediately to the south of the existing built up area of Kidlington, to the north of Stratfield Brake sports ground and east of the Oxford Canal. The site comprises a number of fields along with the Grade II listed Stratfield Farmhouse and outbuildings some of which are in a poor condition, and associated orchards. The site includes areas of important habitat including ponds, hedgerows and trees and a Conservation Target Area and is adjacent to the Oxford Canal Conservation Area. Access is from the Oxford Road (service road) arm of the of the Kidlington Roundabout.

Vision and development framework

The site specific vision for Land at Stratfield Farm is as follows and is explored in Chapter 5 of the Development Brief:

Stratfield Farm will become a new Kidlington neighbourhood of a traditional, informal character and scale, to provide an attractive and outward facing edge to the village, overlooking Stratfield Brake. The historic farmhouse and barns at the site's centre will be retained and sensitively integrated as a local landmark within a corridor of green space to retain the open setting of the farmhouse within the new development. The development will provide an enhanced area of habitat extending to the Oxford Canal Conservation Area and connect to the wider strategic green walking and cycling routes into Oxford, and to Croxford Gardens to the north, Stratfield Brake to the south and planned development to the west.

Policy PR7b of the LPPR sets out the policy requirements for the site which include:

- Residential development of 120 homes (net) on 5 hectares of land with 50% affordable housing
- Play areas and allotments within the developable area
- Nature Conservation Area on 5.3 hectares of land with the opportunity to connect to and extend Stratfield Brake District Wildlife Site
- Improvement, extension and protection of existing orchard for community benefit
- A new public bridleway/green link suitable for all-weather cycling and the provision of land for a new foot, cycle and wheel chair accessible bridge over the Oxford Canal creating connections to land east of the A44 (PR8) and key facilities on the A4165 including Oxford Parkway station
- Emergency services infrastructure

The Development Framework plan (overleaf) reflects the vision and the requirements of Policy PR7b. Detailed design requirements which underpin the delivery of this development framework are set out in the Chapter 6 of the Development Brief. Chapter 7 lists the information which will be required to accompany a planning application.

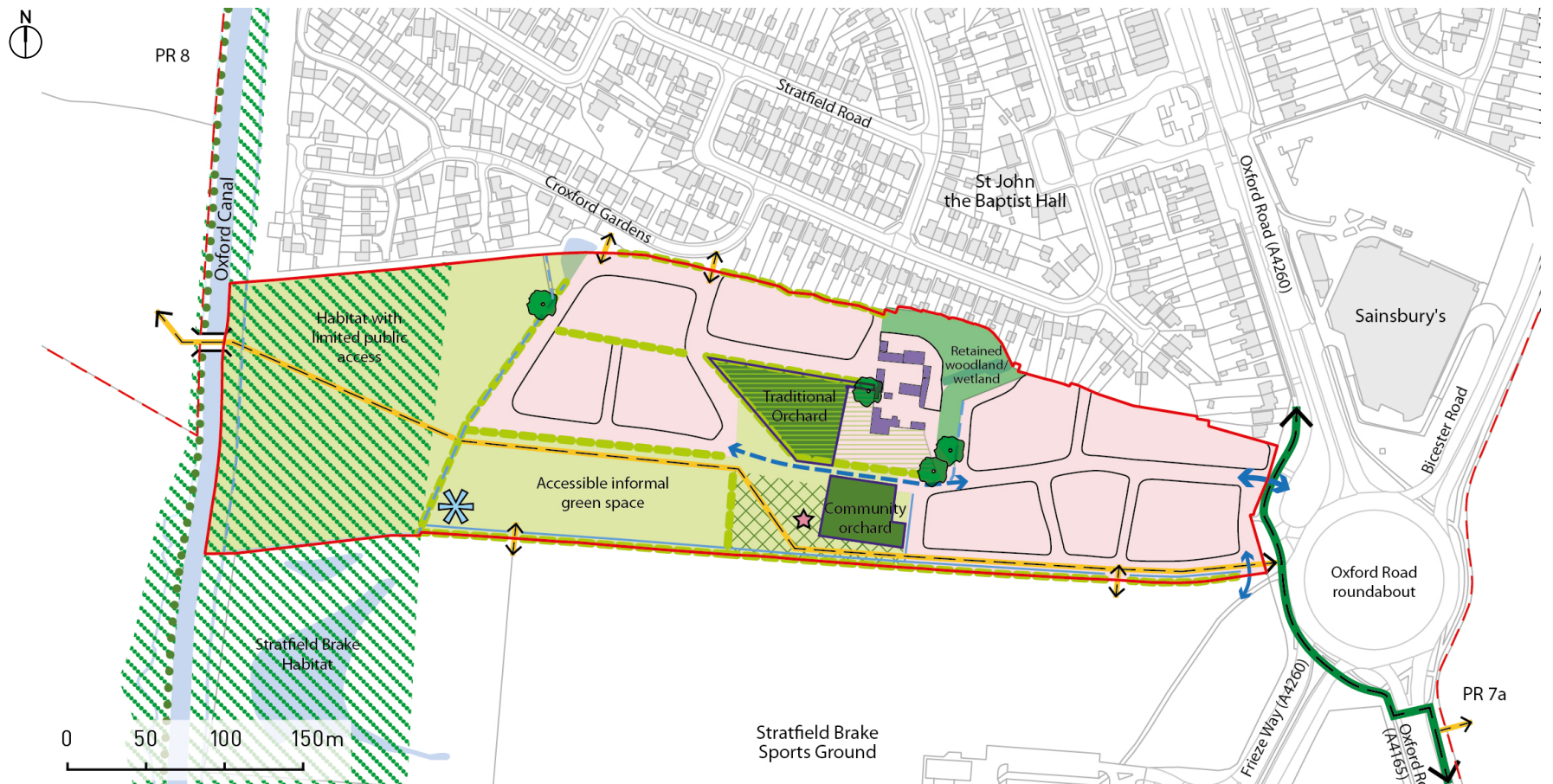
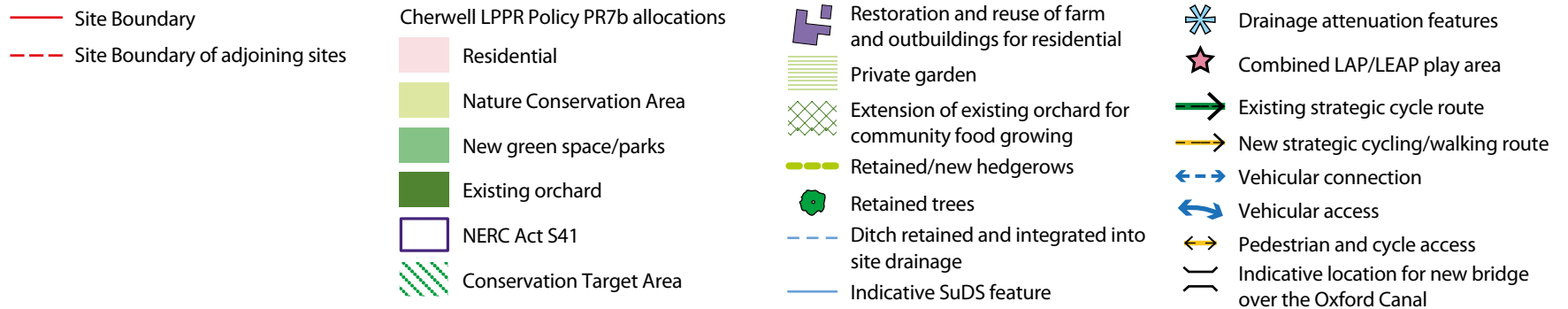


Fig. 1: Development framework



1.0 Introduction

1.1 Background

The Cherwell Local Plan 2011-2031 (Part 1)¹ which was adopted in July 2015 ("The 2015 Plan") committed the Council to work jointly with other Oxfordshire councils to assess the extent of the housing need that could not be met elsewhere in the Oxfordshire Housing Market Area. In particular, it was understood that there could be a need arising from Oxford that could not be met by Oxford City Council due to its tight administrative boundaries and its limited supply of land. Cherwell District Council's commitment was to consider the extent of the need and, if necessary to 'partially review' its Local Plan.

The Council has now undertaken this 'partial review' with the adoption of the Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need in September 2020 (LPPR)².

The Partial Review which is effectively a supplement or addendum to the 2015 Plan, provides a vision, objectives and specific policies for delivering additional development to help meet Oxford's housing needs. It seeks to do this in a way that will best serve Oxford's needs and provide benefits for existing communities in Cherwell and adjoining areas.

The LPPR provides for the development of a total of 6 strategic housing sites that will best achieve the Council's vision and objectives and deliver sustainable development of, in total, 4,400 new homes to meet Oxford's needs together with supporting infrastructure. The LPPR requires single comprehensive, outline schemes for the entirety of each strategic site.

Each of the site allocations has a policy which sets out its key delivery requirements and place shaping principles, and each allocation is supported by a Policies Map.

Each of the site allocation policies requires planning application(s) for the site to be in accordance with a Development Brief for the site which has been jointly prepared by the landowner(s), Cherwell District Council, Oxfordshire County Council and other stakeholders, including Oxford City as appropriate. The site allocation policy also sets out a series of requirements that the Development Brief should address.

This is the development brief to guide the development of Land at Stratfield Farm, site PR7b. The Development Brief has been prepared in accordance with policy requirements, the site allocation policy and the Policies Map. As well as including the required detail, the Development Brief also reflects the detailed key delivery requirements and place shaping principles as set out in the policy.

Site	Housing allocation	
North Oxford		
Policy PR6a – Land East of Oxford Road	690	N.B. Site allocation PR6c shown on Fig 1 is the allocation of Land at Frieze Farm which is reserved for the potential construction of a golf course should this be required as a result of the development of Land West of Oxford Road under Policy PR6b.
Policy PR6b – Land West of Oxford Road	670	
Kidlington		
Policy PR7a – Land South East of Kidlington	430	
Policy PR7b – Land at Stratfield Farm	120	
Begbroke		
Policy PR8 – Land East of the A44	1950	
Yarnton		
Policy PR9 – Land West of Yarnton	540	
Total	4400	

Housing allocations (LPPR)

¹ Local Plan Part 1 ² Local Plan Partial Review Sep 2020

- Allocation site boundaries
- Key sustainable movement routes (public transport and/or walking/cycling)

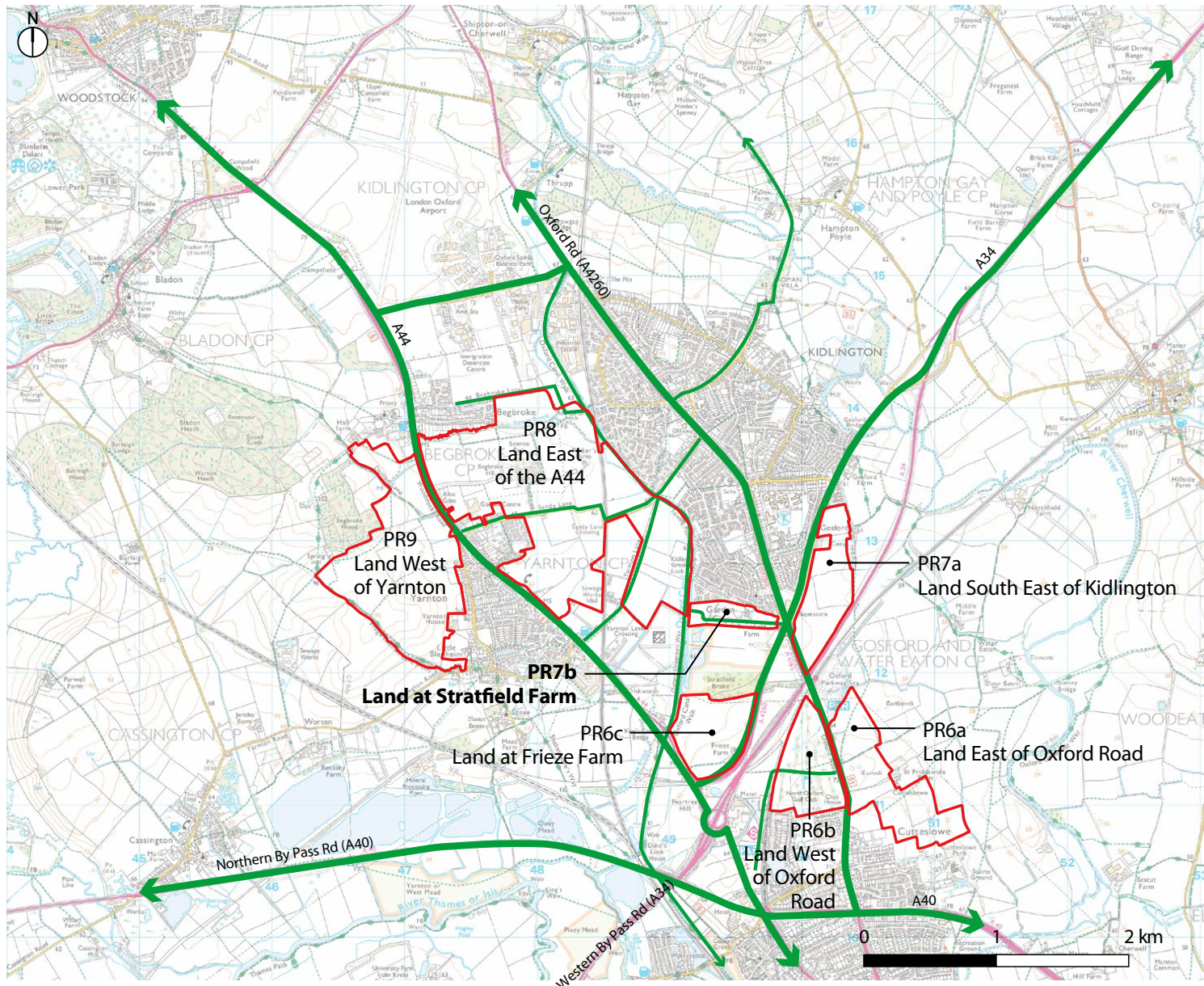


Fig. 2: Local Plan Partial Review Site Allocations Location

1.2 Purpose and status of the Development Brief

1.2.1 Purpose

The Development Brief has 4 main objectives:

- To create a site specific vision to guide future site development in a manner which supports the wider aims of the LPPR spatial strategy for North Oxford, Kidlington and the A44/A4260 Corridors
- To provide a development framework and a clear set of site specific development principles to inform the submission and determination of planning applications and achieve comprehensive and holistic development in accordance with the LPPR site policy
- To improve the efficiency of the planning and development process by reducing uncertainty and setting a framework for development that provides landowners, developers and the wider community with clear guidance on what is expected from development
- To raise the standard of design and to create exemplary places which are functional, beautiful, promote health and wellbeing and which engender a sense of community.

The Development Brief, where necessary and appropriate, proposes or reflects solutions and proposals outside the individual site boundary to help facilitate a joined up approach to development.

The Development Brief should be read in conjunction with relevant Development Plan policies, national planning policy and guidance and the Council's adopted Supplementary Planning Documents ("SPD"). Particular attention is drawn to the Council's design policies and guidance including Policy ESD15: The Character of the Built and Historic Environment, and the Cherwell Residential Design Guide SPD which provides design guidance relevant to the District as a whole. Further information on relevant Policy and guidance is provided in chapter 3 and throughout the Development Brief.

Status

The Development Brief has been endorsed by Cherwell District Council's Planning Committee. It will be used as a material planning consideration in the determination of any planning applications for the site.

For the avoidance of doubt, the Development Brief does not have the status of a Supplementary Planning Document and does not introduce new planning policy.

1.3 Structure of the Development Brief

The structure of the Brief is as follows:

Chapters 1 to 3 provide contextual information relating to the site and the Development Brief process, including the strategic vision and spatial strategy for the North Oxford, Kidlington and A44 corridor

Chapter 4 provides a synthesis of policy context and important site constraints and opportunities which are to be reflected in the site's development. This builds on the LPPR Evidence Base

Chapter 5 describes the site specific vision and development objectives

Chapter 6 contains a comprehensive set of design and development principles for the site which respond to the site opportunities, constraints and context set out in the preceding chapters and which are to be reflected in planning applications

Chapter 7 lists the information which will be required to accompany a planning application.

1.4 Consultation and stakeholder engagement

The Development Brief has been jointly prepared by Cherwell District Council and the site owners and their representatives and in consultation with Oxfordshire County Council, Oxford City Council and the Canal and River Trust.

Throughout the process there has been engagement and consultation with the following stakeholders in addition to those mentioned above:

- Parish Councils
- Thames Valley Police
- Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)
- Thames Water
- Environment Agency
- Scottish and Southern Electric (SSE)
- Network Rail
- Natural England
- Sport England

This has included collaborative workshops focussing on key stages during the preparation of the Development Brief:

- Baseline review and analysis
- Vision and development principles

These collaborative workshops with specialist stakeholders, were preceded by a joint workshop in October 2018 with Parish Councils, landowners and their representatives and stakeholders. This workshop introduced the Development Brief process, provided an opportunity for site promoters and stakeholders to introduce themselves, and enabled Parish Councils to explain their aspirations/requirements for the Development Briefs.

Technical information and emerging design work provided by the landowners and their representatives has been considered by the Council in preparing the Development Brief.

1.4.1 Community Engagement

Public consultation on the Draft Development Brief took place between 11 August and 22 September 2021.

Comments received have informed the final Development Brief.



Aerial view of site PR7b

2.0 The Strategic Vision and Context

2.1 Local Plan Partial Review Vision

The LPPR vision across all sites is:

To provide new development that meets Oxford's agreed, identified housing needs, supports the city's world-class economy, universities and its local employment base, and ensures that people have convenient, affordable and sustainable travel opportunities to the city's places of work, study and recreation, and to its services and facilities. This development will be provided so that it:

- i. creates balanced and sustainable communities
- ii. is well connected to Oxford
- iii. is of exemplar design which responds distinctively and sensitively to the local built, historic and environmental context
- iv. is supported by necessary infrastructure
- v. provides for a range of household types and incomes reflecting Oxford's diverse needs
- vi. contributes to improving health and well-being, and
- vii. seeks to conserve and enhance the natural environment.

LPPR Vision for Meeting Oxford's Unmet Housing Needs in Cherwell

To deliver this vision, the LPPR identifies sites for new homes in locations which have the strongest socio-economic connections to Oxford, and which can deliver the necessary social, movement and green infrastructure to support the health and wellbeing of the population.

The sites are located at the edge of existing communities to the north of Oxford and will be fully integrated with them to share the benefits of new facilities and support existing local centres, in particular Kidlington village centre.

2.1.1 The Role of Individual Sites

Each site plays a role in delivering the vision and objectives of the LPPR, in a joined-up and holistic manner as shown on the LPPR key diagram Fig. 3 overleaf, and thematic figures 4-7 which follow. Full details of each site's role are contained with LPPR policies.

The role of Kidlington site (PR7b)

Site PR7b is located on the southern and western edge of Kidlington and Gosford and Water Eaton and will be a small scale village extension, fully integrated with the existing village, with easy access to existing shops and local facilities and to Oxford Parkway station. Planned improvements to public transport, walking and cycling on Oxford Road will enhance the already excellent access from this site by bus into Kidlington village centre and south into Oxford.

Land to the west of the site will form part of a strategic green infrastructure corridor, maintaining a protected green gap between Kidlington and Oxford. The GI corridor provides a walking and cycling connection to the Oxford Canal, Stratfield Brake recreation grounds and beyond to site PR8, creates new areas of wildlife habitat and amenity green space to meet identified local needs.

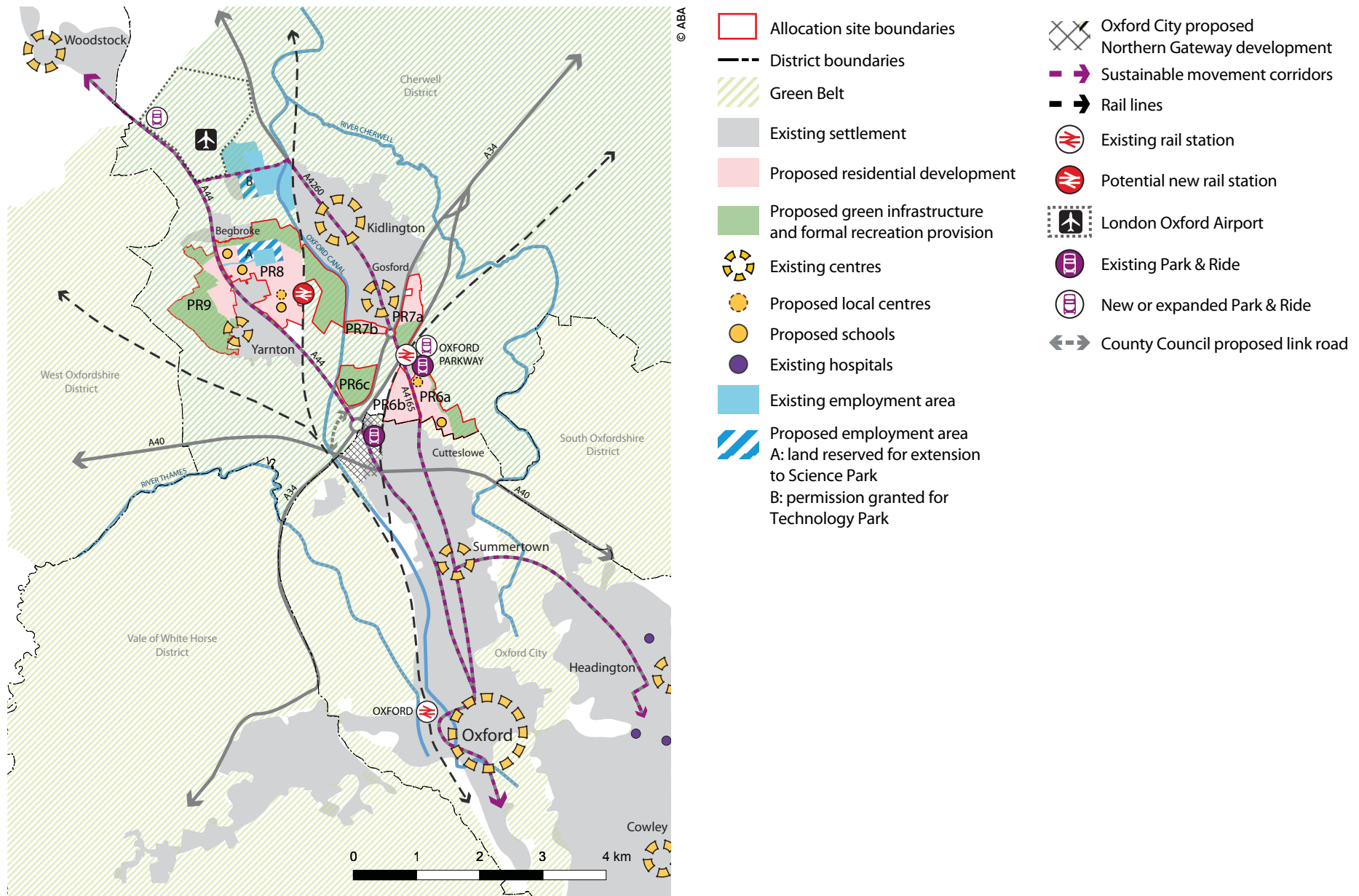


Fig. 3: LPPR key diagram - for illustrative purposes only

2.1.2 Economic relationships

The sites are located in close proximity to local centres, key employment sites and sites which have an important economic relationship with Oxford and form part of Oxfordshire’s ‘Knowledge Spine’. These include existing locations within Cherwell (Oxford Parkway Railway Station, London-Oxford Airport, Langford Lane commercial area in Kidlington and Begbroke Science Park) and within the city of Oxford (the Oxford Northern Gateway site – also known as Oxford North), which will be a key driver of employment growth.

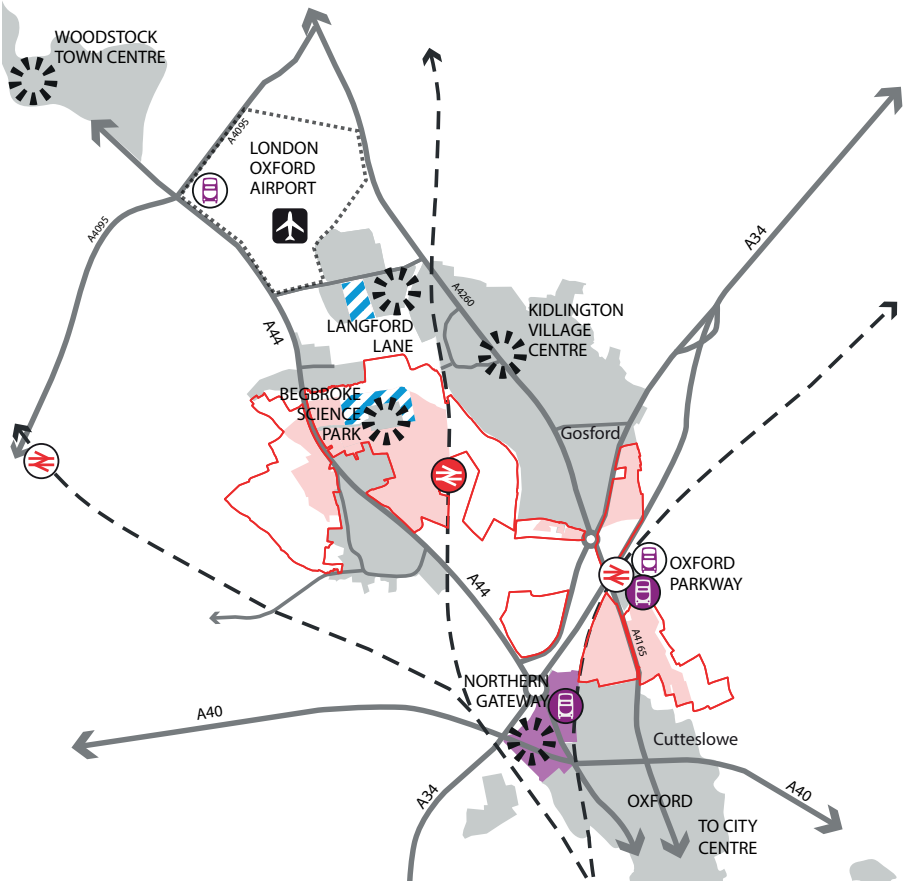


Fig. 4: Economic links



2.1.3 Sustainable movement corridors

All sites are located on the major public transport routes of the A44 and A4260/A4165 connecting southern Cherwell to Oxford City and Oxford Parkway station. Significant enhancements to public transport and walking and cycling provision are to be delivered on these routes through the County Council's Local Transport Plan and its strategy for Park and Ride and Rapid Transit. Additional walking and cycling routes are to be created through corridors of green infrastructure including the Oxford Canal corridor.

The emphasis on sustainable modes of travel enables less 'car-centric' movement patterns, promotes active and healthy travel choices and supports inclusion through the provision of convenient, accessible and affordable travel to places of work, recreation and community services.

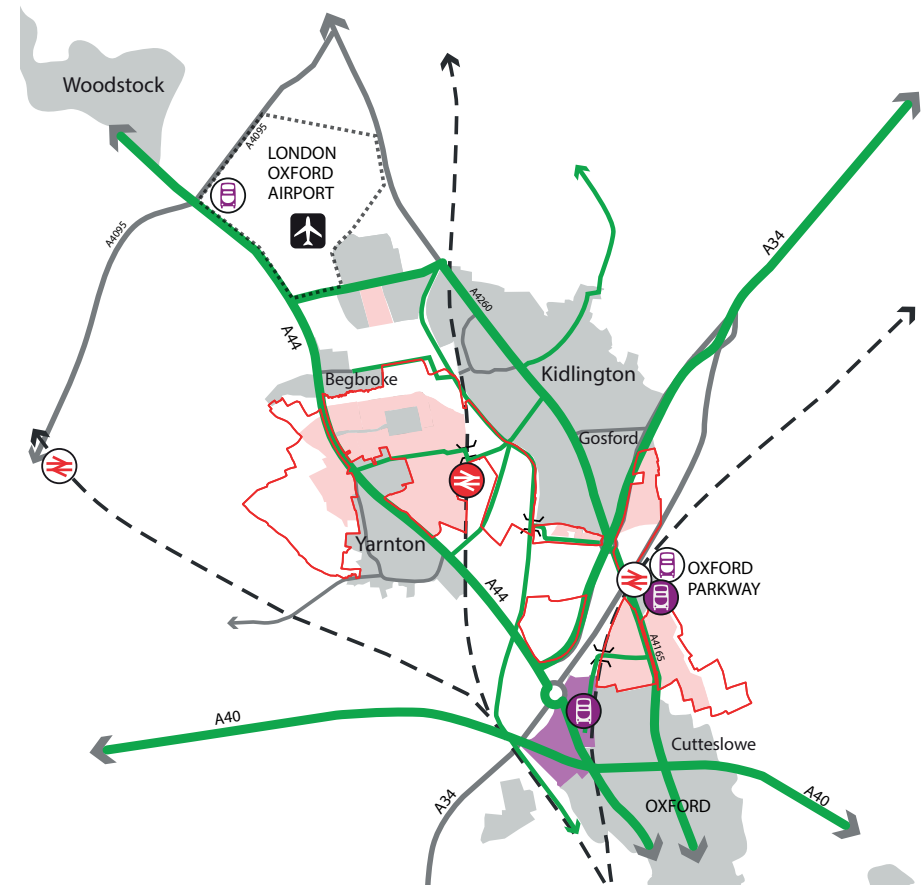
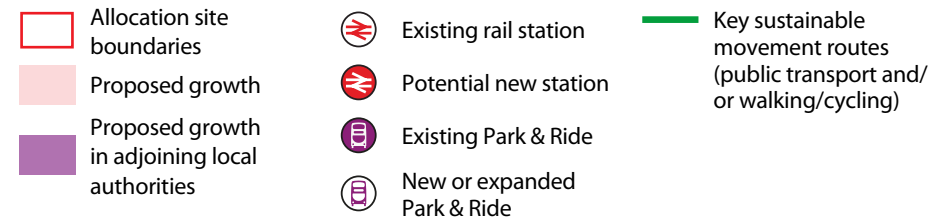


Fig. 5: Sustainable movement routes



2.1.4 Strategic green infrastructure corridors

The sites deliver significant areas of new publicly accessible green infrastructure (GI) and new areas of wildlife habitat which form part of strategic GI corridors:

- ① to the west of Yarnton, Begbroke and Oxford
- ② along the Oxford Canal
- ③ to the east of Oxford and Kidlington/Gosford
- ④ between Kidlington/Gosford and Oxford

The corridors provide an attractive setting for development and have multiple benefits. They help to maintain separation and distinction between individual settlements; create an appropriate edge and access to the countryside; protect and enhance natural, historic and biodiversity assets; provide corridors for wildlife; and provide leisure and recreation opportunities and walking/ cycling routes which encourage health and wellbeing in the existing and new population. Further details of the strategic GI corridors are shown in Appendix 6 of the LPPR.

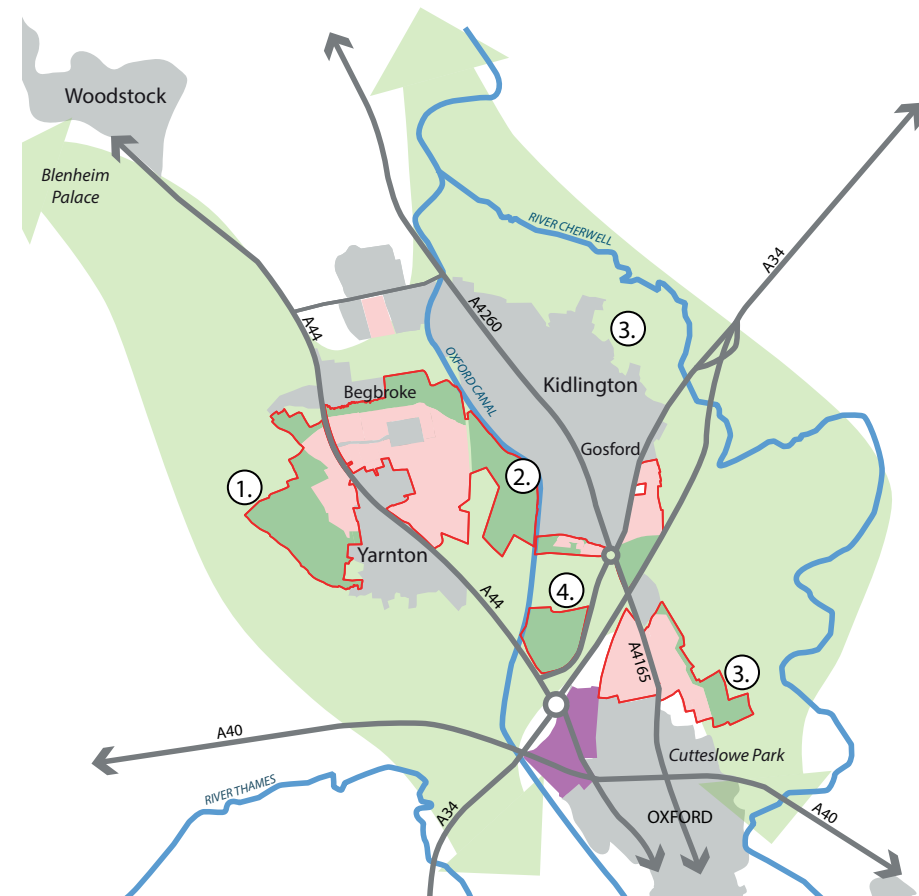
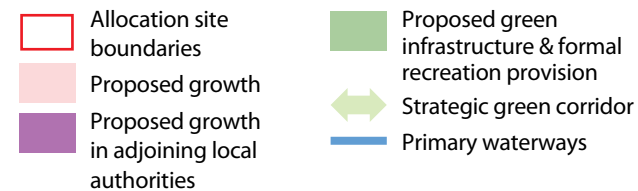


Fig. 6: GI corridors



2.1.5 Community services

The planned local provision, through the new housing development, of schools (a primary school in North Oxford and two primary schools and a secondary school at Begbroke), new local centre facilities (in North Oxford and Begbroke) and formal sports/play areas, provides new facilities which benefit the existing and new population.

Locating facilities within the sites in accessible locations will further support and enhance the potential for widespread uptake of walking and cycling for local trips.

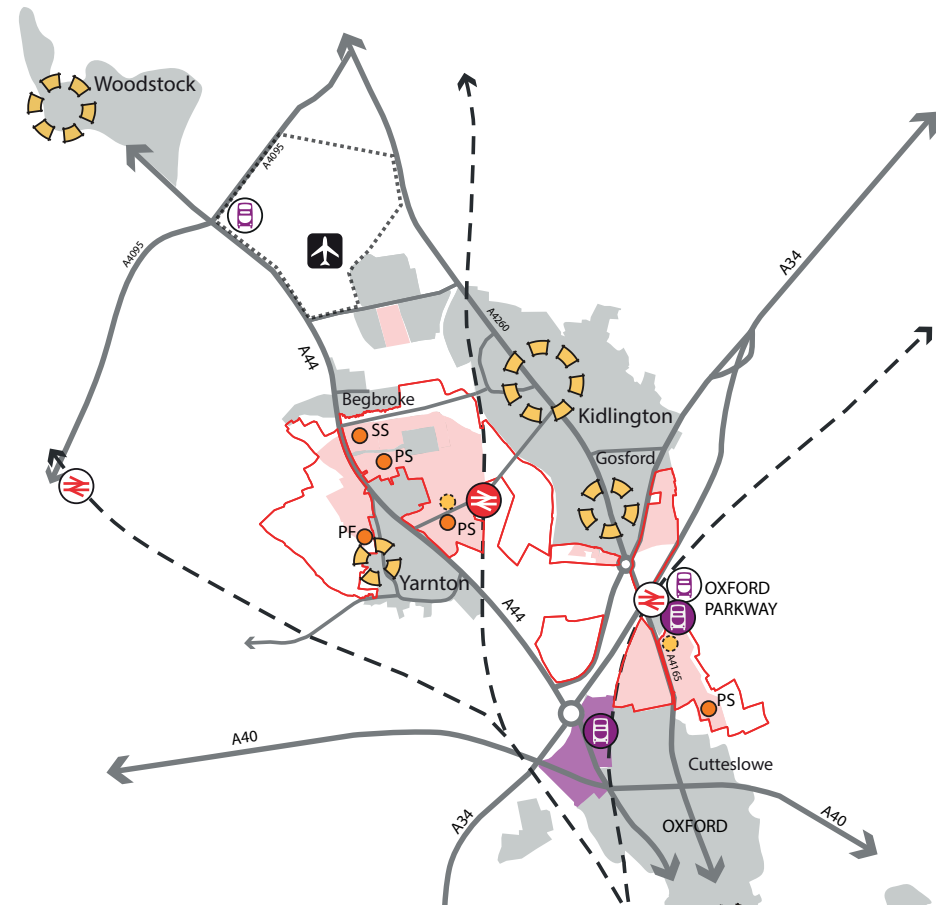
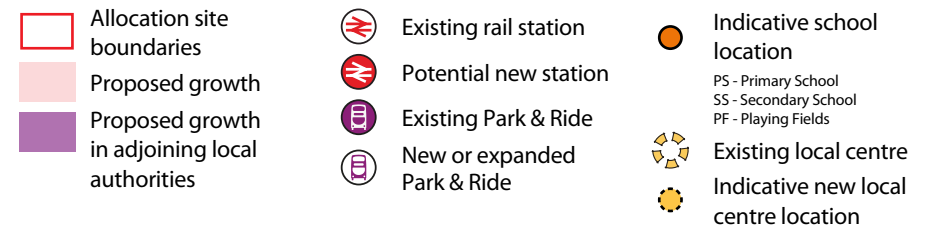


Fig. 7: Local centres and schools



3.0 Context

3.1 The Planning Policy Context

The site subject to this Development Brief - Land at Stratfield Farm – is guided by Policy PR7b of the LPPR and its associated Policies Map. In addition to the individual site allocation policy (PR7b) the LPPR also contains a number of policies which seek to guide the development of each of the sites and ensure they deliver the homes that are needed, supported by the necessary infrastructure.

Where appropriate, these policies have influenced the content of the Development Brief. In other cases they will need to be followed when planning application(s) are submitted to the Council and all planning applications will be assessed against these policies.

3.1.1 Policy PR7b - Landuse Requirements

An extension to Kidlington on 10.5 hectares of land at Stratfield Farm with the following land use requirements:

- Residential development
 - 120 homes (net) on 5 hectares of land
 - 50% affordable housing
- Play areas and allotments within the developable area
- Nature Conservation Area on 5.3 hectares of land with the opportunity to connect to and extend Stratfield Brake District Wildlife Site
- Improvement, extension and protection of existing orchard for community benefit
- A new public bridleway/green link suitable for all-weather cycling and the provision of land for a new foot, cycle and wheel chair accessible bridge over the Oxford Canal creating connections to land east of the A44 (PR8) and key facilities on the A4165 including Oxford Parkway station
- Emergency services infrastructure

The landuse requirements have been included in the brief for reference only.

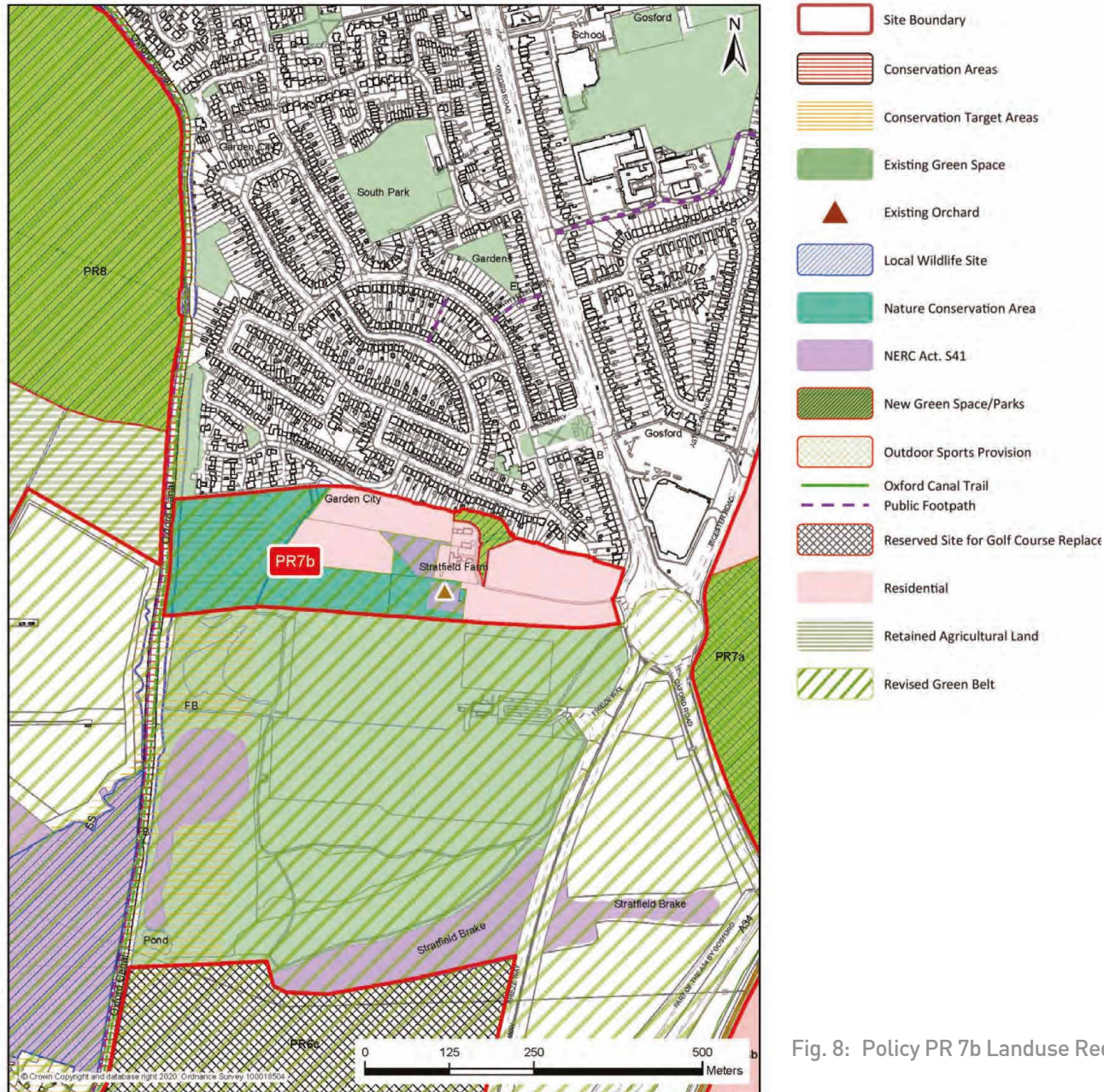


Fig. 8: Policy PR 7b Landuse Requirements

3.1.2 Submission of Planning Applications

Applications for planning permission for housing in Cherwell to meet Oxford's unmet housing needs will be considered having regard to the policies of the Development Plan and other material considerations such as the National Planning Policy Framework and Planning Practice Guidance.

The Council will need to assess whether or not development proposals meet the vision, objectives and policies of the LPPR and any other relevant policies from other parts of the Development Plan. This Development Brief will be a material planning consideration. See Section 1.2 which explains the status of the Development Brief.

Other material considerations will include relevant Supplementary Planning Documents (SPDs). A list of relevant policy and guidance that has informed this Development Brief is provided at Appendix A.

Further guidance on the submission of planning applications is given in section 7.0 of this Development Brief.

3.2 The Site Context

This section provides a brief overview of the development site PR7b and its context.

3.2.1 Location and Size

- Land at Stratfield Farm is a 10.5 hectare site located adjacent and to the south of Kidlington. It is bounded by Croxford Gardens to the north, the Oxford Canal to the west, Stratfield Brake recreation ground to the south and the Kidlington Roundabout to the east.
- Part of the site lies within the Oxford Green Belt. The Green Belt boundary is shown in Fig. 9.

3.2.2 Topography

- The site slopes from east to west, falling from roughly 66m AOD at eastern boundary to approximately 60m AOD by the Oxford Canal, with a slope of approximately 1:100.

3.2.3 Existing Land Uses and Services/Facilities

- The site comprises a number of fields along with the two storey Grade II listed Stratfield Farmhouse, an early 19th century house and courtyard with a number of outbuildings to the north, some of which are in poor condition.
- The farmhouse is bounded by two orchards: a modern orchard to the south and a historic orchard to the west, both of which form an important part of its setting and both of which are NERC Act S41 Habitat.
- To the south of the site lies the Stratfield Brake recreation ground containing playing fields along with a two storey clubhouse.
- The western part of the site lies within a Conservation Target Area and the Oxford Canal Conservation Area lies immediately west of the site.
- The site is in close proximity to the Sainsbury's supermarket and petrol filling station to the east of Oxford Road.

- The site includes areas of important habitat (ponds, hedgerows, trees) used by protected and priority species.

3.2.4 Existing Access and Movement Network

- The existing vehicular access to the farmhouse and outbuildings is from the Oxford Road (service road) arm of the Kidlington Roundabout.
- There is no public right of way across the site. However, informal paths leading to Stratfield Brake and the canal from houses to the north are evident on the site.
- A towpath is located along the canal on its western side.
- National Cycle Network Route 51 runs along the Oxford Road.
- A signalised crossing point is located at Sainsbury's supermarket on Oxford Road 200m north of the site.
- Oxford Road is served by frequent bus routes towards Kidlington, Oxford, Woodstock and Banbury. Bus stop locations are shown on Fig. 9.
- Oxford Parkway railway station and Oxford Parkway park and ride (formerly Water Eaton) are located a short distance to the south east of the site, to the south of the land allocated South East of Kidlington (PR7a).

3.2.5 Development Proposals in Surrounding Areas

- Land South East of Kidlington (PR7a) is located to the east while sites Land East of Oxford Road (PR6a) and Land West of Oxford Road (PR6b) are located to the south on Oxford Road.
- Land East of A44 (PR8) lies on the western side of the Oxford Canal.

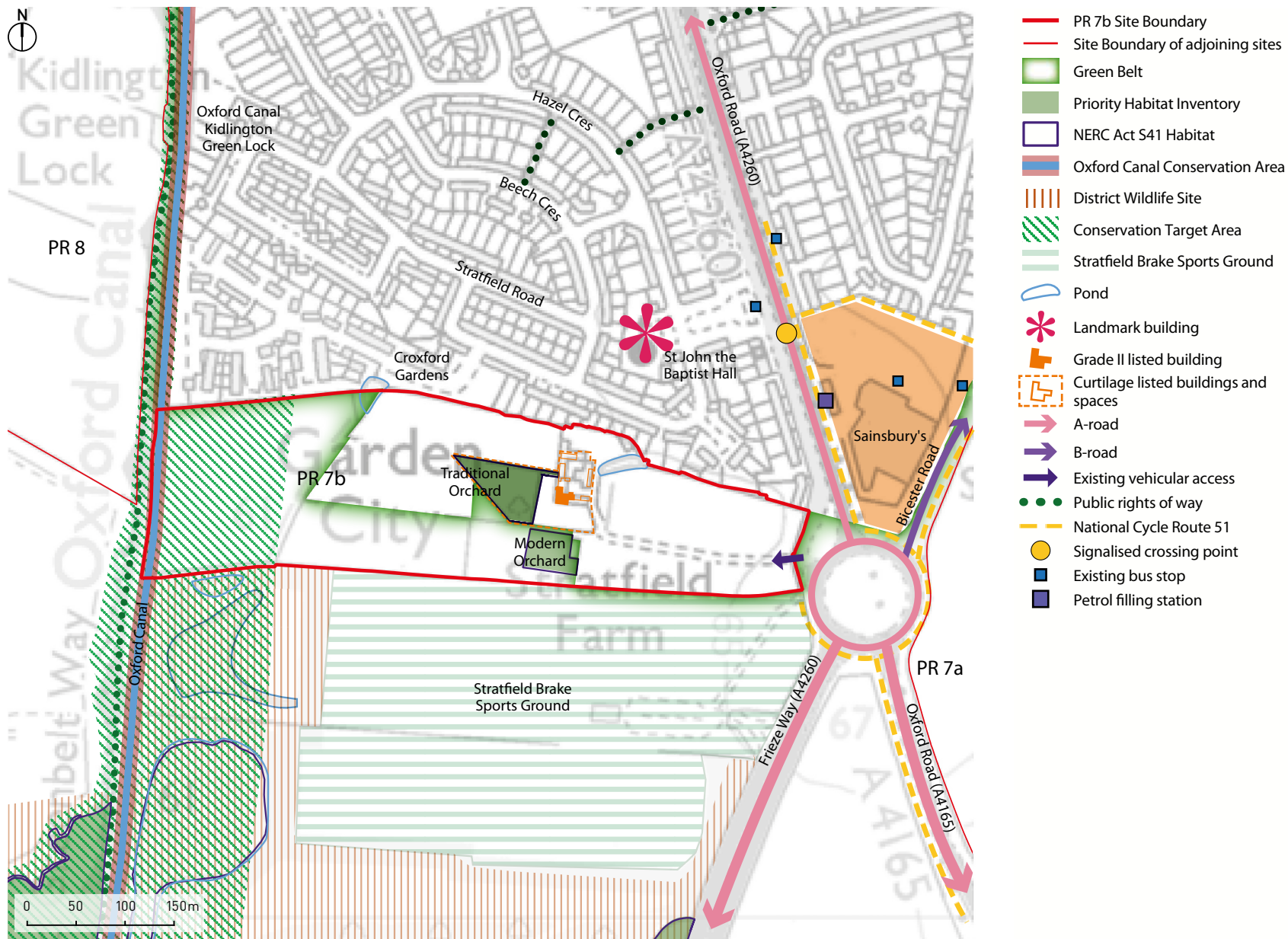
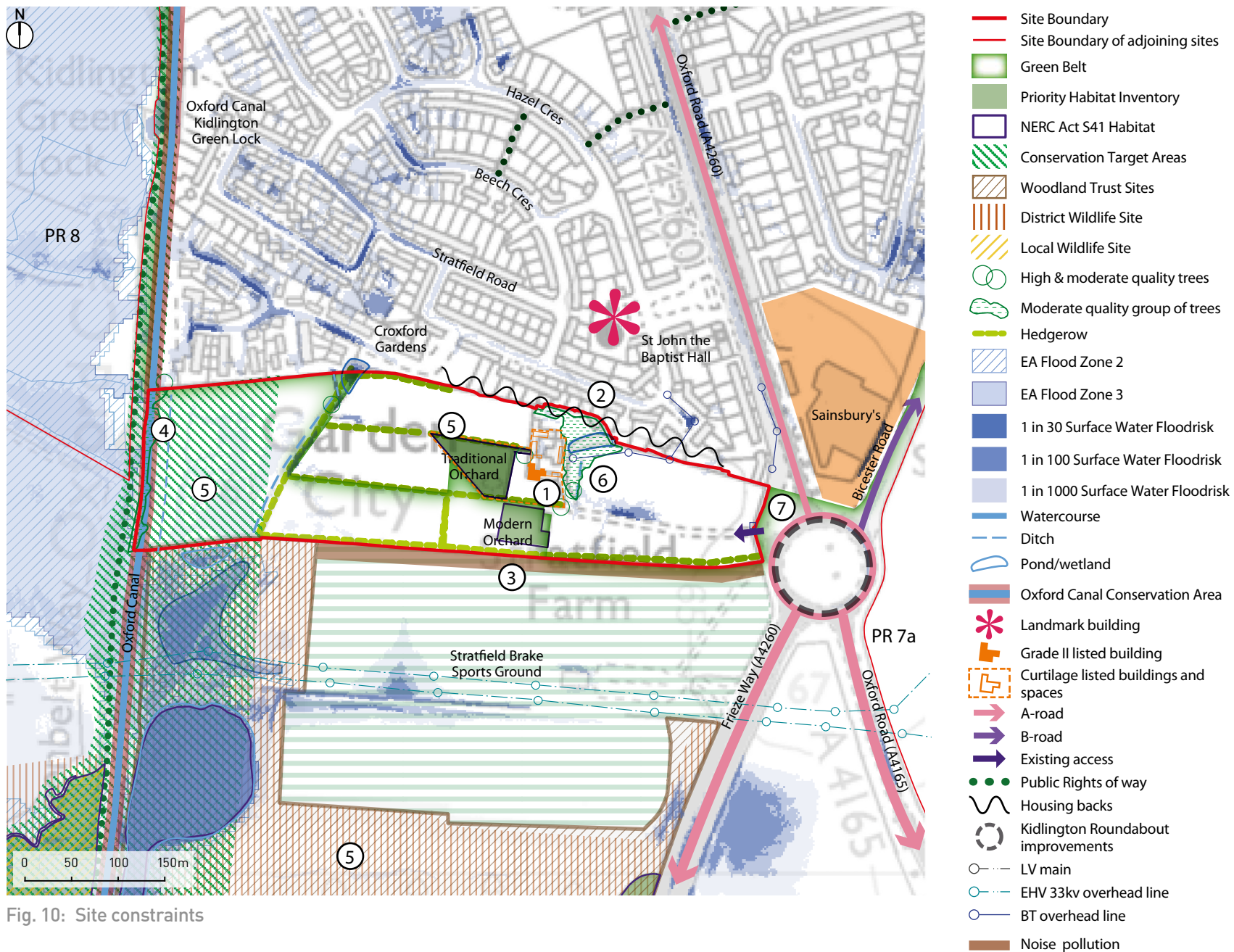


Fig. 9: Site context

4.0 Site Appraisal

4.1 Site Constraints

- Stratfield farmhouse and its outbuildings are unused and in poor condition. Significant work will be required to the buildings to bring them back into use. The farmhouse is Grade II listed and there are outbuildings and structures which are curtilage listed. The traditional orchard to the west is within the curtilage of the building and the modern orchard to the south contributes to its setting. ①
- The site is within an area of known archaeological potential, with later prehistoric finds recorded immediately north of the site.
- There is existing residential development to the north which backs onto the site. ②
- Noise at Stratfield Brake could have a potential impact on the proposed development. ③
- The Oxford Canal Conservation Area runs along the western boundary of the site. Any bridging of the Canal needs to have regard to the Conservation Area designation. ④
- High and moderate value trees are located in the centre and western part of the site.
- The site includes the following non statutory habitat designations: ⑤
 - NERC Act S41 Habitat /Priority Habitat covering the orchards to the west and south of the farmhouse
 - Lower Cherwell Valley Conservation Target Area is located in the western part of the site
- Land to the south west of the site is a District Wildlife Site managed by the Woodland Trust.
- Other ecological and habitat constraints include Great Crested Newt habitat records in the pond to the west of the site, potential reptile habitat, bat commuting, foraging and roosting habitat, potential Dormouse habitat and the adjacent canal with Water Vole and Otter records.
- On the northern side of the site lie two ponds which drain into a larger pond located on south-western side of the site linked by a strong hedgeline and a ditch. ⑥ A further ditch runs parallel with the canal.
- Surface water flooding is a risk particularly in the western area of the site. It is important that existing drainage ditches do not become overloaded.
- Oxfordshire County Council's planned transport improvements to Oxford Road and Kidlington Roundabout may have an impact on the site's eastern boundary and the location of the primary access point. ⑦
- Potential impact of existing flood lighting at Stratfield Brake sports ground.



4.2 Site Opportunities and Requirements

The detailed requirements for this site are set out in Policy PR7b of the LPPR. In addition to these requirements the following opportunities have been identified.

4.2.1 Place Shaping

- Opportunity to create an integrated extension to Kidlington that provides an appropriate edge to the village and maximises the opportunity for walking and cycling links. It is important to ensure effective connectivity between the development and the existing community that supports active travel and reduces severance.

4.2.2 Heritage and Townscape Character

- Opportunity to enhance the character and appearance of the farmhouse and its setting through building restoration and landscaping. There is potential to reuse these buildings and sensitively incorporate them into the overall development. There are also opportunities to enhance the setting of the Farmhouse. The orchards around the Farmhouse should be retained and made a positive feature of the development contributing further towards wider community benefits. ①
- Opportunity to reflect the traditional character of Cherwell's vernacular building typologies and settlement pattern, in line with the Cherwell Residential Design Guide SPD. Development should draw inspiration from the character and materials of the existing Farmhouse and its outbuildings.
- Opportunity to define and create a new urban edge between the built development and the sports fields of Stratfield Brake. ②

4.2.3 Views and Sightlines

- Opportunity to create views framed by development towards the Farmhouse and the Canal / green spaces.

4.2.4 Landscape Character

- This is a key opportunity to retain and enhance the open landscape character in the western and southern part of the site abutting Oxford Canal and

Stratfield Brake.

- Opportunity to retain, restore, or enhance existing hedgerows and trees. ③
- Opportunity to create east-west green corridors or sustainable movement routes with walking and cycling access across the site linking Land East of the A44 (PR8) across the canal to Kidlington Roundabout and onwards towards Oxford Parkway station and Oxford Parkway park and ride (formerly Water Eaton). ④
- Opportunity to protect and enhance water habitats including existing ponds and ditches within the landscape design of the site as part of the Sustainable Drainage System and avoid overloading existing ditches. ⑤
- Opportunity to retain and enhance existing habitats and deliver biodiversity net gains. Habitats in the south and west half of the site present an opportunity to buffer the built development from the adjacent ecological receptors of the District Wildlife Site and Canal, and could include enhancements for Otter, Water Vole and Great Crested Newts. ⑥
- Opportunity to create a green corridor alongside the canal by extension of the District Wildlife Site into the site.

4.2.5 Movement and Access

- Opportunity to connect and integrate the site with Stratfield Brake to the south, the Oxford Canal to the west and Kidlington to the north. ⑦
- Opportunity to provide two separate access points, one from Oxford Road-Kidlington Roundabout and the second from Croxford Gardens. ⑧
- Opportunity to create attractive walking and cycling routes across the site towards Kidlington and Oxford, public transport routes, recreation facilities on site PR7a and Oxford Parkway railway station and across the canal via a new canal bridge linking with Land East of the A44 (PR8). (Final position of bridge to be confirmed).
- Potential for a vehicular, pedestrian and cycle route from the easterly part of the site through to Stratfield Brake.

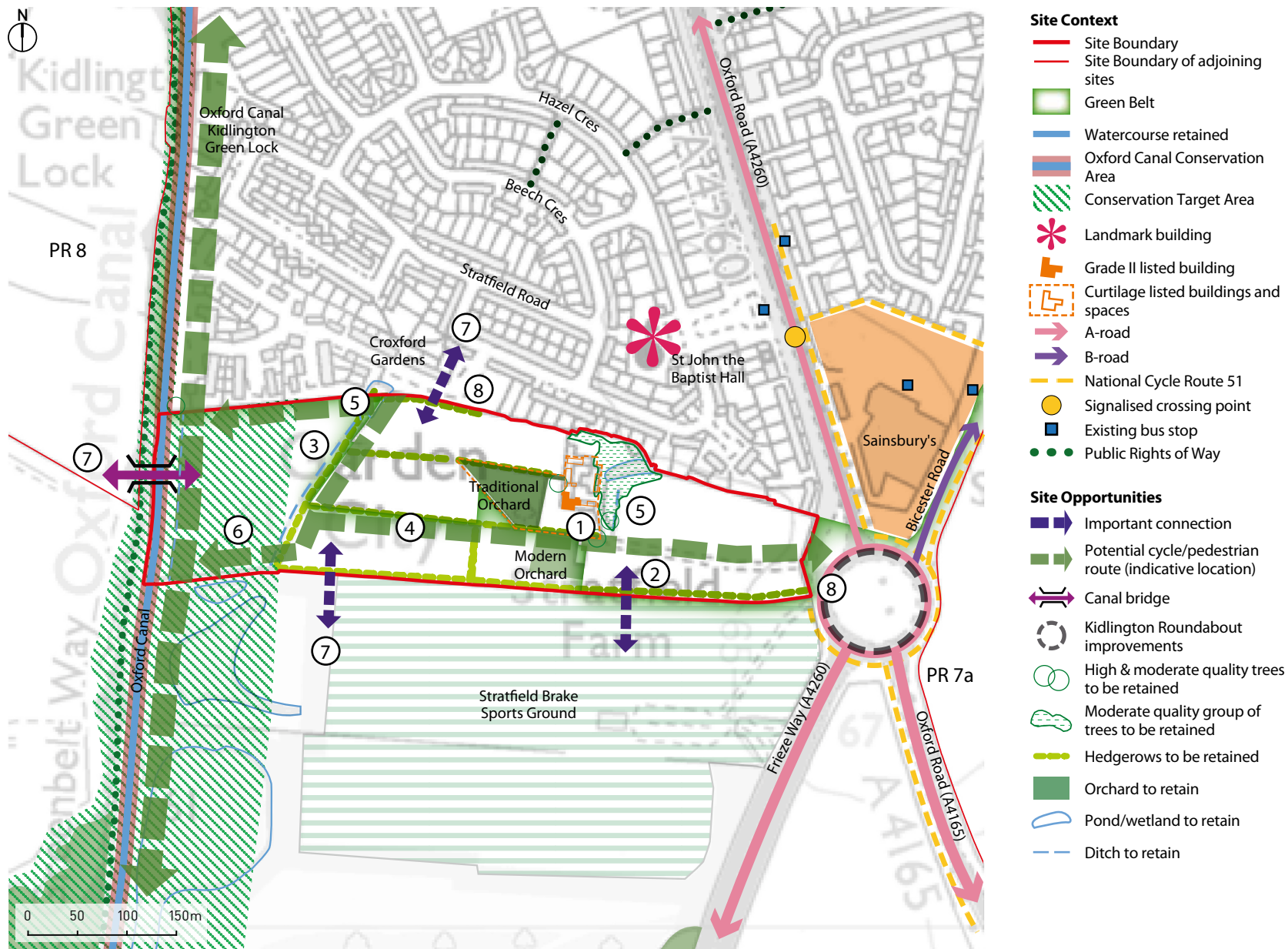


Fig. 11: Site Opportunities

5.0 Vision and Objectives

5.1 Vision

In response to the site's local surrounding context and constraints, the vision for the Stratfield Farm site has gradually evolved to affirm the design opportunities available to meet the objectives of the LPPR and is described below. This vision is further developed by the Design Principles set out in this document which set out the detailed requirements.

Stratfield Farm will become a new Kidlington neighbourhood of a traditional, informal character and scale, to provide an attractive and outward facing edge to the village, overlooking Stratfield Brake. The historic farmhouse and barns at the site's centre will be retained and sensitively integrated as a local landmark within a corridor of green space to retain the open setting of the farmhouse within the new development. The development will provide an enhanced area of habitat extending to the Oxford Canal Conservation Area and connect to the wider strategic green walking and cycling routes into Oxford, and to Croxford Gardens to the north, Stratfield Brake to the south and planned development to the west.

The land at Stratfield Farm is to be developed following the guidance contained within this document and in line with the policies of the Adopted Cherwell Local Plan 2011-2031 (Part 1), Cherwell Local Plan Partial Review 2011-2031 (Part 1) Partial Review – Oxford's Unmet Needs, guidance in the Cherwell Residential Design Guidance (2018), The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) by Historic England (2017) and other relevant national and local policy and guidance. Key relevant local policies and guidance are listed at the end of each section of this chapter and the Development Principles chapter (Chapter 6). In particular, the development should meet the requirements set out in Partial Review Plan Policy PR7b (see chapter 3.0 for details).

In summary, key delivery requirements under Policy PR7b are:

- 120 homes on 5 hectares of land
- facilities for play and allotments within the developable area
- protection, improvement and extension of the existing younger orchard south of the farmhouse for community benefit
- nature conservation area on 5.3 hectares of land, that incorporates the community orchard
- a new public green link suitable for all weather cycling
- land to secure a foot, cycle and wheel chair accessible bridge over the Oxford Canal
- appropriate building restoration and landscaping to enhance the character and appearance of the Grade II listed Stratfield Farmhouse and its setting.

Fig. 12 illustrates the development framework for the site reflecting the vision and the requirements of Policy PR7b. Detailed design requirements which underpin the delivery of this development framework are set out in the next chapter.

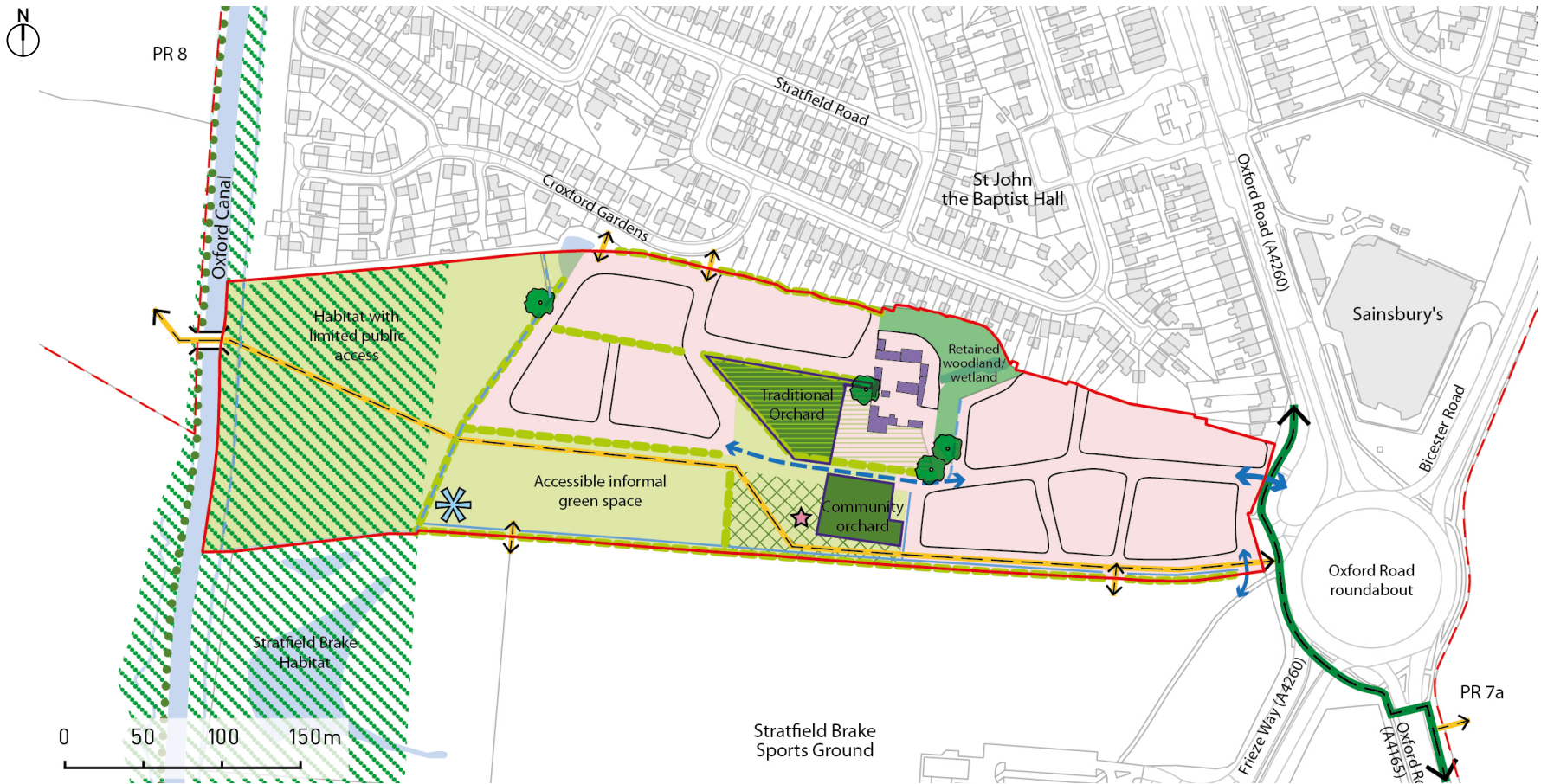


Fig. 12: Development framework

- | | | | |
|--|--|---|---|
| <ul style="list-style-type: none">— Site Boundary- - - Site Boundary of adjoining sites | <p>Cherwell LPPR Policy PR7b allocations</p> <ul style="list-style-type: none">ResidentialNature Conservation AreaNew green space/parksExisting orchardNERC Act S41Conservation Target Area | <ul style="list-style-type: none">Restoration and reuse of farm and outbuildings for residentialPrivate gardenExtension of existing orchard for community food growingRetained/new hedgerowsRetained treesDitch retained and integrated into site drainageIndicative SuDS feature | <ul style="list-style-type: none">Drainage attenuation featuresCombined LAP/LEAP play areaExisting strategic cycle routeNew strategic cycling/walking routeVehicular connectionVehicular accessPedestrian and cycle accessIndicative location for new bridge over the Oxford Canal |
|--|--|---|---|

6.0 Development Principles

6.1 Sustainable Construction and Energy Efficiency

The development is to comply with and where possible exceed the local and national standards for sustainable development. This includes mitigating and adapting to climate change, increasing local resource efficiency, minimising carbon emissions, promoting decentralised and renewable or low carbon energy and ensuring that the risk of flooding is not increased.

The detailed layout of the development will need to encourage the sustainable and safe management of waste in each individual household while minimising visual and pollution impacts. The use of recycled materials in the construction of the development and consideration of the Circular Economy is supported.

Construction Exclusion Zones and haulage routes are to be incorporated into the build programme in order to protect the site's green infrastructure and topsoil resource. Topsoil is to be managed in accordance with the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009 (CCoP) published by the Department of Environment, Food and Rural Affairs (Defra)

Electric vehicle charging is to be provided in accordance with the most recently adopted policy.

Refer to the following policies set out the Council's current detailed requirements.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy ESD 1: Mitigating and Adapting to Climate Change

Policy ESD 2: Energy Hierarchy and Allowable Solutions

Policy ESD 3: Sustainable Construction

Policy ESD 4: Decentralised Energy Systems

Policy ESD 5: Renewable Energy

Policy ESD 6: Sustainable Flood Risk Management

Policy ESD 7: Sustainable Drainage Systems

Policy ESD 8: Water Resources

Policy ESD 15: The Character of the Built and Historic Environment

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 7: Building Elevations and Details

Chapter 8: Innovation and Sustainability

6.2 Healthy Place Shaping

Healthy place shaping is a strategic priority for both Oxfordshire's Health & Wellbeing Board and the Future Oxfordshire Partnership (formerly the Oxfordshire Growth Board) which is using the Oxfordshire Housing & Growth Deal to embed healthy place shaping in the planning process, especially in light of emerging evidence from local and national experience of Healthy New Towns (including the initiatives at Barton Park and Bicester Healthy New Towns) and the significant positive impact on health and well-being. This is reflected in the guiding principles of the Oxfordshire Strategic Vision.

This early planning and provision of health promoting design and infrastructure, such as community facilities, green spaces and safe and legible walking and cycling routes, has been shown to be important in influencing and establishing positive behaviour, healthier life-style habits and cohesive, connected

communities. The site will be developed in a way which contributes to healthy living and the well-being of local residents. It will:

- provide a new public green link for walking and cycling connecting to strategic sustainable movement corridors which supports active lifestyles
- create new accessible areas of public open space, community food growing opportunities and children's play space
- improve connectivity between Kidlington, Stratfield Brake and the Oxford Canal and to encourage outdoor sports and leisure
- provide for the long-term management, continued use and conservation of the site's historic assets supporting local cultural heritage.
- improve access to and along the Canal towpath for walking and cycling
- meet the need for early provision of health promoting infrastructure
- meet high quality design standards as specified in Building for a Healthy Life

The Health Impact Assessment commissioned for the Oxfordshire Authorities has been developed as an HIA proforma/toolkit and methodology to be applied to local plans and major developments in the county to achieve a consistent approach. The toolkit was published in 2021.

The development of the site should comply with policies that promote the creation of healthy communities including those listed below.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 7: Meeting Education Needs

Policy BSC 8: Securing Health and Well-Being

Policy BSC 9: Public Services and Utilities

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

Policy BSC 11: Local Standards of Provision – Outdoor Recreation

Policy ESD15: The Character of the Built and Historic Environment

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR5: Green Infrastructure



Oxford Canal at Kidlington

6.3 Character and Layout

The site is to be developed with a traditional character and scale closely following the approach set out in the Cherwell Residential Design Guide and with reference to Kidlington's conservation areas at High Street, Church Street, Crown Road and The Rookery. This will provide a contrast to the immediate suburban setting and a characterful edge to the village.

Development of the site will undoubtedly change the setting and character of the listed farmhouse, its group of farm buildings and the land that it depended on. To mitigate the potential for harmful impacts, the heritage assets are to be used as an enabler to higher quality, locally distinctive development. This does not necessarily require the replication of the existing vernacular. Creative and imaginative design responses are welcomed which respond to the prevailing historic character of the site and Kidlington's conservation areas.

Development principles:

- The development is to form a well-defined edge to Kidlington village and be outward facing.
- Streets are to have a predominantly informal character with a well-defined, subtly undulating building line. The careful grouping of buildings will create a harmonious overall street composition. This reflects the character of historic streets within Kidlington's conservation areas which developed over time.
- Green spaces within the site should be connected with the street layout to encourage walking and cycling and community uses, where appropriate to biodiversity objectives.
- A suburban character and meandering street layout is to be avoided, in line with the vision for the site.
- The retained farmhouse is to be appropriately integrated into the layout as a local landmark. Reference should be made to Kidlington's conservation areas and other parts of the district where streets have developed around farms that were once set apart from the urban area.
- Bespoke layouts are required for each block, using appropriate housing typologies including short runs of terraces, mixed with a smaller number of semi-detached and detached properties and some apartment 'villas' arranged to create a semi-continuous frontage to the street. By including a range of house types this allows greater flexibility in the urban form to respond to the character and create an interesting journey through the site. Refer to the Cherwell Residential Design Guide for details of appropriate house types and groupings.
- Homes should front onto streets and overlook the green spaces and adjacent Stratfield Brake to provide passive surveillance.
- Locally appropriate building materials should be used such as natural limestone and limited local red brick. This applies to the main buildings, garages and boundaries. Refer to the Cherwell Residential Design Guide for further details of local materials for use within the Clay Vale of Otmoor within which the site is located.

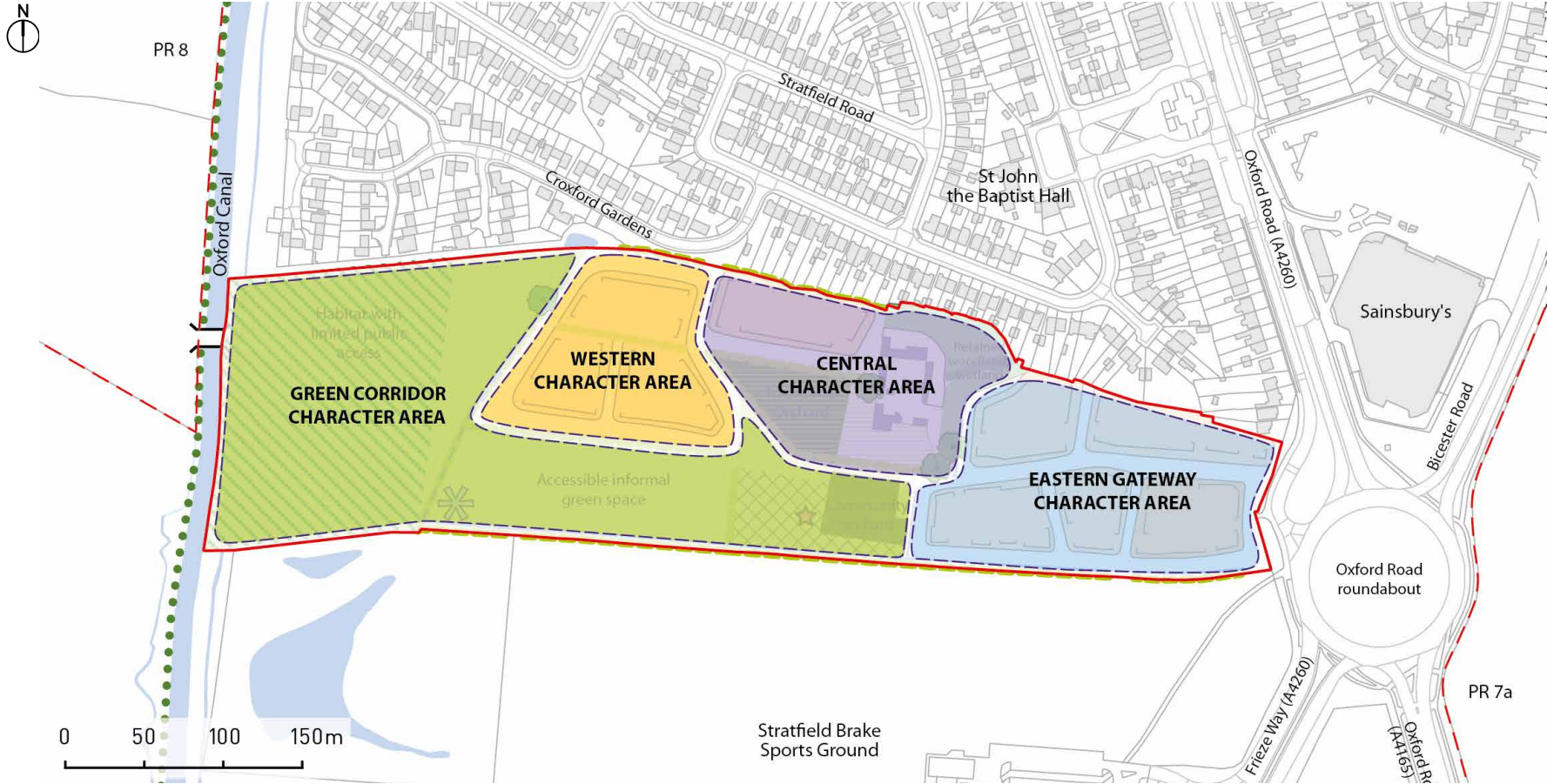


Fig. 13: Character areas location plan

- | | | |
|--|------------------------|-------------------------------|
| — Site Boundary | Eastern Character Area | Western Character Area |
| - - - Site Boundary of adjoining sites | Central Character Area | Green Corridor Character Area |

The development will create four distinct but complementary areas of character and appearance. Each character area is identified by its location and generates a sense of place in relation to movement corridors, landscape features and the relationship with its surroundings. There are three residential character areas described in this section. Further detail of the fourth character area, the green corridor, is presented in section 6.5.

- Eastern gateway character area
- Central character area
- Western character area
- Green corridor character area

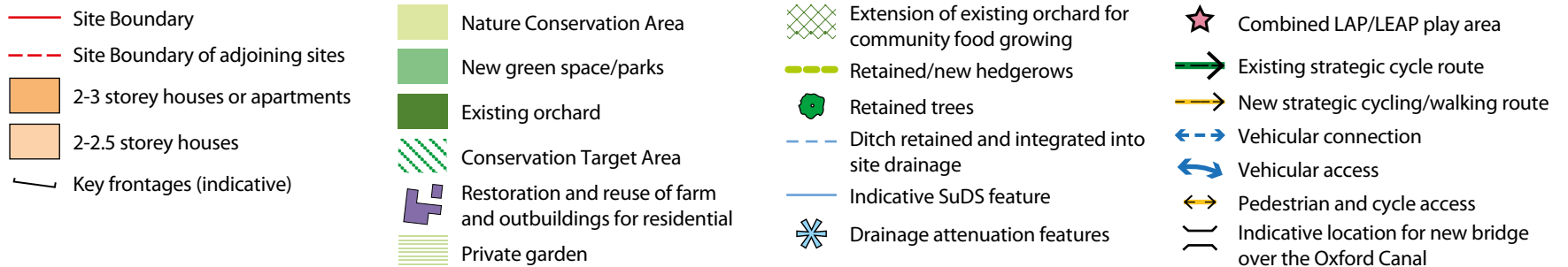
Fig. 13 provides an overview of the development site character areas. Fig. 14 provides further detail on layout, frontages and building heights.



Green corridor - precedent example of informal open space incorporating drainage features



Fig. 14: Urban design



6.3.1 The Eastern Gateway Character Area

Situated in the eastern part of the site this character area will define the entrance to the development and to Kidlington and will create a direct east-west link to the centre of the site.

Development principles

- An east-west primary street will lead directly from the primary access to the Farmhouse. The street will have a near-continuous building frontage generally parallel to the street with a subtly undulating building line providing visual interest and views towards the centre of the site and farmhouse. Properties on the primary street are to have a minimum 0.5m privacy strip or be set-back behind small front gardens or a grass verge. The private boundary is to be delineated by stone or brick walls or hedgerows with individual gates.
- On plot parking to the front of properties is not appropriate on the primary street.
- Residential lanes will branch off the main route to the south and north to provide access to properties. These routes could have a shared surface character with informal planting and front gardens.
- Appropriate housing typologies across the character area include short runs of terraces and occasional semi-detached or detached properties of 2-2.5 storeys, with simple flat frontages. Gables fronting the street should be used sparingly. New properties along the site's northern boundary, which back onto existing 2 storey houses should be a maximum of 2 storeys.
- Adjacent to the farmhouse the scale needs to respect the farmhouse as being most important in terms of hierarchy.
- 3-storey townhouses or small apartment buildings which read as larger villas are appropriate where the site fronts Kidlington Roundabout forming a gateway to the development.

- Buildings will front onto Stratfield Brake sports ground to the south in order to protect and mitigate noise levels in the back gardens and provide passive surveillance to the new public green link/strategic cycling and walking route.
- Building plots will back-onto or side-onto the existing back gardens of residential properties to the north, creating a secure rear boundary between new and old.
- The new public green link/strategic walking and cycling route is to be located along the boundary to Stratfield Brake in a green corridor alongside the existing hedge buffer and overlooked by properties. An alternative routing for the green link may be put forward subject to evidence that this can be delivered to the required specification without negative impact on the proposed character of the primary street, farmhouse setting and community orchard.

Fig. 15 provides an example of a bespoke block design which arranges a mix of appropriate building and parking typologies in keeping with the character required.

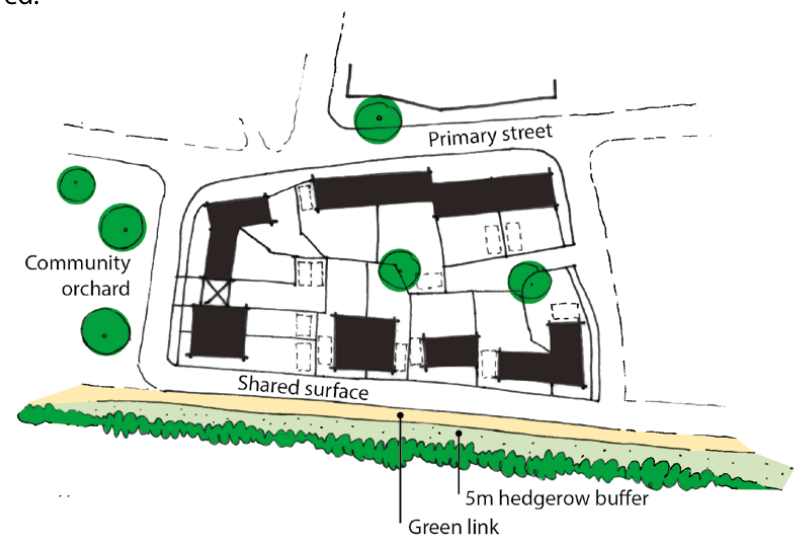


Fig. 15: Indicative block layout - by carefully arranging a variety of house types there is an opportunity to make full use of an unconventional block shape

The Eastern Gateway character area location and precedent photos



Location plan



South West Bicester townhouses



Informal primary street, Poundbury, Dorset



John Harper Road, Adderbury, arrangement of different house types to create a corner and varied terrace form with archway to rear parking court



Simple terrace with stone wall

Note: stone for PR7b is to be locally appropriate.

Alan Baxter

6.3.2 Central Character Area

The Grade II listed Stratfield Farmhouse is the focal point of the site but is currently in poor condition and on the Heritage at Risk register. The adjacent traditional orchard to the west and several outbuildings and structures form the historic setting of this farmhouse. Buildings in the curtilage of a listed building, even though not listed in their own right, are nevertheless protected by the listing of the main building and works that affect the character of such buildings need to be authorised by a grant of listed building consent, just as works to the main building would need consent. The group of buildings, and stone walls, are to be conserved, repaired and sensitively done so as not to cause harm to their architectural and historical significance and incorporated into the overall layout of the development. This is a key requirement for the development.

A new residential lane to the north of the traditional orchard will be part of this character area. It will be carefully designed to respond to the historic character of this area. The lane does not continue to the rear of the farm outbuildings, but provides potential access to the farm courtyard from the west.

This character area also contains the adjacent wetland and woodland to the east of the farm complex which are to be retained with appropriate levels of public access.

Development principles

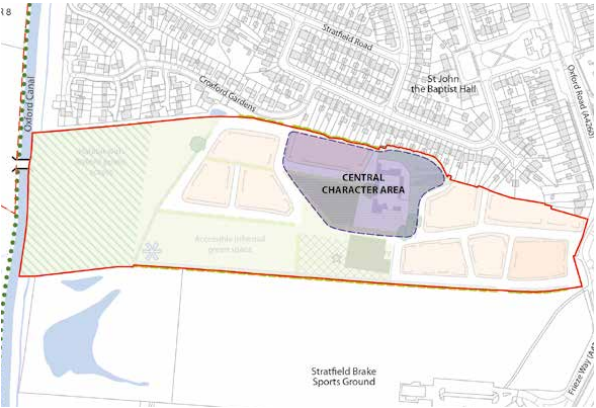
- The Grade II listed farmhouse, its curtilage listed structures and its setting will be enhanced through appropriate building restoration and enhancements to its gardens, traditional orchard and courtyard.
- The most appropriate use of Stratfield Farmhouse is to retain its original use as a single dwelling. However, there is flexibility for the Council to consider alternative uses for the Farmhouse and the other buildings within its curtilage subject to a character study, which will assist in resolving how these buildings are best developed, retained and/or improved, and an assessment in terms of harm to the special architectural and historical significance of the listed building, and consultation with CDC Conservation. The buildings within the Farmhouse's curtilage will be repaired or rebuilt (only if repair is not possible) and sensitively converted to residential or appropriate alternative use subject to the above. It is

important that the curtilage listed buildings provide any garaging and storage for the farmhouse to avoid the need for new garaging.

- Land to the north of the barns is to be used for private gardens or parking, creating a secure boundary to the existing properties on Croxford Gardens and retaining the existing woodland. Innovative design solutions will be required to avoid changing the character of the farm court or its setting. For example, overtly residential division such as fencing/sheds and greenhouses are to be restricted.
- The historic traditional orchard located to the west of the Farmhouse and the gardens to the south are historic features and contribute to the setting of the farm complex. It is expected that these will remain in private ownership relating to the Farmhouse. The boundary of the traditional orchard and garden are to be appropriate to the character of the Farmhouse complex.
- Access to the Farmhouse is to be from the east via the primary street and existing access drive which may also serve the rear garden and courtyard.
- To the north of the traditional orchard, a new street is to be created, overlooking the orchard and providing a potential additional access to the farm courtyard. Property rear gardens are to back onto the existing rear gardens of houses on Croxford Gardens providing a secure rear boundary. Properties are to be a maximum of 2 storeys, and have a character which is appropriate to the historic setting of the farm courtyard and orchard, for example short runs of terrace properties with front gardens and boundary walls.
- The south front of the Farmhouse is open to the community orchard landscape to the south and this open outlook is to be retained through the sensitive design of the primary street running to the south of the garden with the play area and orchard beyond.
- The woodland and wetland to the east of the farm complex are to be retained and enhanced for biodiversity gain, and to allow an appropriate level of public access.

More detail on the required enhancements to the Farmhouse and its setting are described in the Heritage and Archaeology section (section 6.6).

Central character area location and precedent photos



Location plan



Stratfield farmhouse



Stratfield farm outbuildings



Larger house incorporated within the townscape of Church Street, Kidlington



Precedent of converted outbuildings in Wardington, Oxfordshire

Google Street View image, 27 Aug 2020

© Spiritarchitecture.co.uk

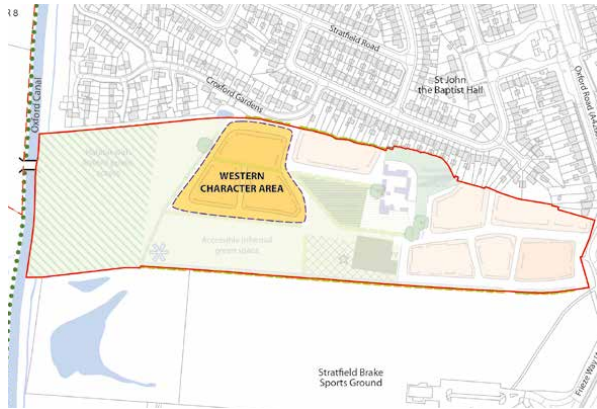
6.3.3 Western Character Area

Situated in the western part of the site this character area will be formed of residential streets connecting between Croxford Gardens in the north and the green corridor and Stratfield Brake to the south.

Development principles

- A coarser grain of development would be acceptable in this area with a greater proportion of larger plots and houses, within an efficient overall layout. Appropriate house types include semi-detached, short runs of terrace and detached properties.
- Front gardens are to be planted and bound by hedges, stone or local red brick walls.
- Building heights to be predominantly 2 storey throughout the character area, with the potential for some attic storeys overlooking the landscape to the south.
- Building frontage is to be provided on at least three sides of each development block as show on Fig. 14. Large gaps in the frontage are to be avoided.
- Properties are to front onto the traditional orchard and green spaces to the south and west and towards Croxford Gardens (stretch of road) to provide passive surveillance.
- In accordance with BS5837 survey, existing mature hedgerows are to be incorporated as boundaries to the green spaces or as boundaries between residential blocks with an appropriate buffer and maintenance access. Unauthorised breaks to the hedgerow are to be replanted.
- The primary street will connect this character area with the east, and provide access to residential lanes serving development blocks.
- A public connection is to be provided into Croxford Gardens for pedestrians and cyclists.

Western character area location and precedent photos



Location plan



A mix of house types overlooking green space at Milton Road, Adderbury



Oak Farm Drive, Milcombe



Informal secondary street, Poundbury, Dorset



Urban / rural edge precedent

Note: stone and brick types for PR7b are to be locally appropriate.
Alan Baxter

6.3.4 Green Corridor Character Area

The fourth character area comprises the Lower Cherwell Valley Conservation Target Area adjacent to the Oxford Canal and a linear corridor of proposed nature conservation green infrastructure, including the orchard to the south of the farmhouse which is to be extended and become a community orchard and garden. The area is to be kept free from built development. It forms an important part of the setting of the farmhouse and is to be overlooked by development in the western character area. It is crossed by the new public green link / strategic cycling and walking route which is to link with the canal towpath.

Development principles relating to green infrastructure within this character area are provided in section 6.5.



Location plan

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 3: Affordable Housing

Policy BSC 4: Housing Mix

Policy ESD 10: Protection and enhancement of Biodiversity and the Natural Environment

Policy ESD 11: Conservation Target Areas

Policy ESD 15: The Character of the Built and Historic Environment

Saved policies contained in the Cherwell Local Plan 1996

C18 Development proposals affecting a listed building

C21 Proposals for re-use of a listed building

Cherwell Local Plan 2011-2031 – Partial Review

(adopted September 2020)

Policy PR7b – Land at Stratfield Farm

Policy PR5: Green Infrastructure

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 5: Streets and Spaces

Chapter 6: Building and Plot Arrangements

Chapter 7: Building Elevations and Details

Chapter 8: Innovation and Sustainability

Reference should also be made to:

The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition), Historic England 2017

Increasing Residential Density in Historic Environments, ARUP on behalf of Historic England, 2018

Lower Cherwell Valley Conservation Target Area statement <https://www.wildoxfordshire.org.uk/biodiversity/conservation-target-areas/oxfordshires-ctas-to-download/>

6.4 Movement and Access

6.4.1 General Principles

The layout of the site is to create excellent cycle, pedestrian and wheelchair connectivity within the site, to Kidlington, to local facilities including shops on Oxford Road, to existing public transport hubs including the Oxford Road corridor and Oxford Parkway station, and to allocated sites PR8 and PR7a. In doing so, and by connecting directly with the surrounding street network, the layout will encourage movement by walking and cycling and limit unnecessary car trips.

The design of streets within the site should follow the guidance set out in the Cherwell Residential Design Guide and the Manual for Streets, in a manner which is appropriate to the character and quality of place which is to be created as described below. A standardised highways-led layout is not acceptable: carriageway space and turning radii are to be limited (in line with adopted guidance).

6.4.2 Vehicle Access

Policy PR7b 10 (b) requires at least two access/egress points to be provided for the site unless otherwise approved. Through the development brief process, it has been agreed with OCC that the development could be served entirely from a single vehicular access point at the east of the site.

Development principles:

- The primary vehicular access point to the development will be provided via a simple T-junction with the existing service road to the north west of Oxford Road, Kidlington Roundabout. The location of the junction is to be agreed with Oxford County Council highways. An indicative location is shown on Fig. 16.
- The public access onto Croxford Gardens will be for pedestrian and cycle access only between the existing and the new residential areas. OCC has confirmed that emergency vehicle access is not required.
- A vehicle access is to be provided from the eastern part of the site into Stratfield Brake sports ground, to improve access from Kidlington. Where this access route crosses the new public green link, the green link cycling and walking route is to have priority of movement with safety of users paramount.

6.4.3 Pedestrian and Cycle Access

To maximise site accessibility on foot or bike, at least five pedestrian and cycle access points will be provided (see Fig. 16 for indicative locations).

Development principles:

The following access points for pedestrians and cyclists are to be provided:

- The main site access must include provision for pedestrians and cyclists alongside vehicular traffic and shall be carefully designed to enable pedestrians and cyclists to comfortably connect onto the existing infrastructure.
- At least one strategic green link access to the east onto the Oxford Road service road, connecting onto the existing strategic cycling infrastructure running north-south along Oxford Road.
- One strategic green link access to the west, connecting via a new canal bridge to the Oxford Canal towpath and into PR8.
- At least one access to the north onto Croxford Gardens connecting the new and existing residential areas.
- At least one access to the south into Stratfield Brake sports ground.

6.4.4 Street Hierarchy and Typologies

The street hierarchy for the site identified on Fig. 16, follows the street typologies set out in the Cherwell Residential Design Guide SPD. Streets are classified into two typologies:

- Primary – general residential street typology
- Secondary – minor residential street or lane typology

All streets across the site should have a maximum design speed of 20mph.



Green link precedent

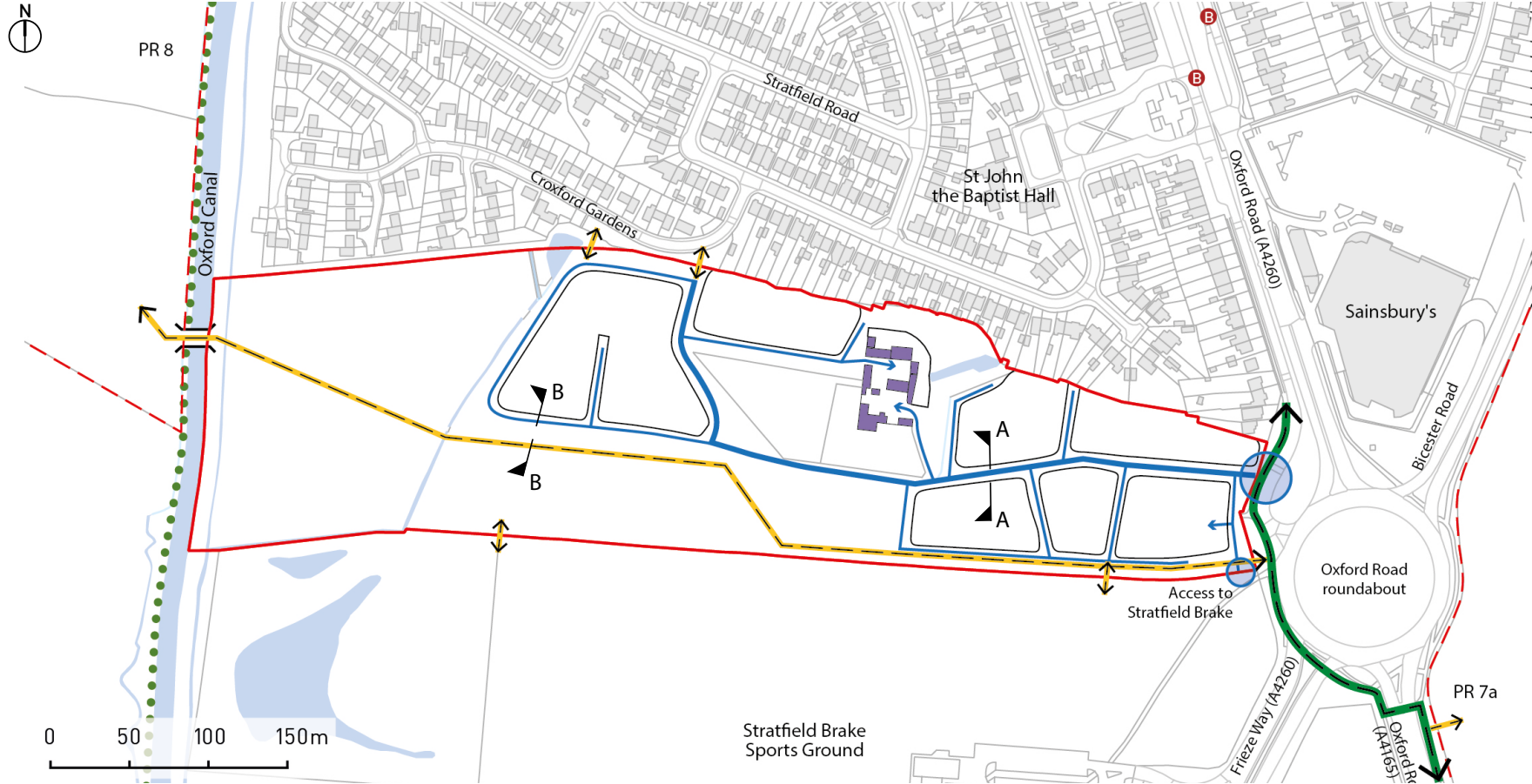


Fig. 16: Movement and access

- | | | | |
|--|------------------------|-------------------------------------|--|
| Site Boundary | Primary street | Existing strategic cycle route | Public Rights of Way |
| Site Boundary of adjoining sites | Secondary street | New strategic cycling/walking route | Indicative location for new bridge over the Oxford Canal |
| Restoration and reuse of farm and outbuildings for residential | Vehicular access point | Pedestrian and cycle access | Existing bus stop |

Primary Street

The primary street within development site starts at the entrance of the site to the east from Kidlington roundabout and runs east/west through the middle of the site until it passes between the Farmhouse and community orchard. It then runs northwards providing access to the western character area.

Alternative alignments for the primary street may be considered where a clear justification in relation to the impact on green infrastructure corridors, the community orchard, Green Belt, heritage assets, pedestrian and cycling connectivity and the overall legibility of the plan has been established in detail as part of any future proposals.

Development principles:

- The primary street is to follow the design guidance for general residential streets set out in chapter 5.0 of the Cherwell Residential Design Guide.
- The street is to have a carriageway of between 4.8 – 5.5m varying to accommodate occasional street trees, opportunities for on-street parking and pinch points for traffic calming (which should also be reflected in the building line).
- It is to have a footway of at least 2m on both sides, with the exception of the primary street to the south of the listed building complex which links the two halves of the site.
- It is to have an informal character with a near-continuous building line and subtly varied street width. Houses should front onto the street, with a 0.5m minimum privacy strip or small front gardens bounded by walls or hedgerows.
- On plot parking to the front of the property is not permitted.
- The character of the primary route in the stretch between the southern boundary to the farmhouse garden and the community orchard will



Street incorporating parking and street trees, Trumpington Meadows, Cambridge



Materials for the primary street south of the farmhouse should respond to the historic setting. Precedent - resin bound gravel.

be subtly demarcated in response to the historic setting, through the appropriate choice of carriageway and paving materials for example stone kerbs and flags. This can take the character of a shared surface with a maximum width of 7m.

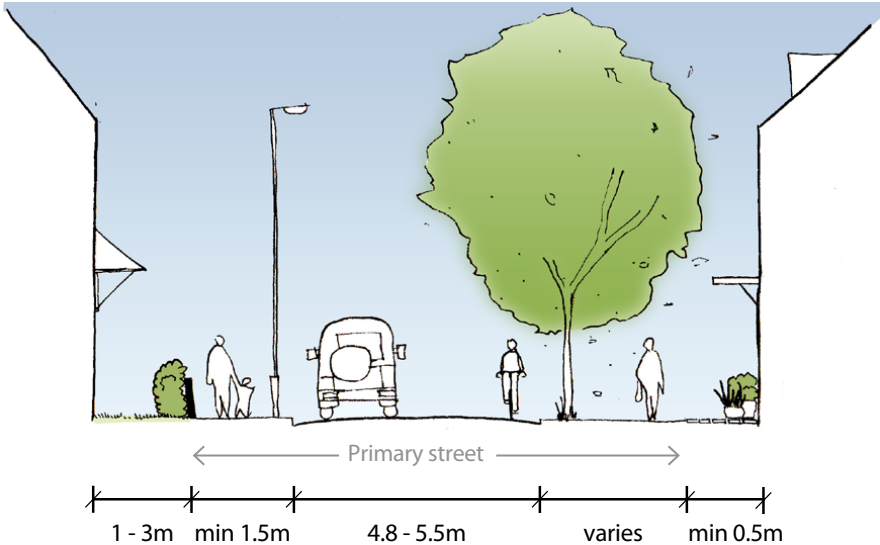


Fig. 17: A-A – typical primary street cross section (refer to Fig. 16 for section location)

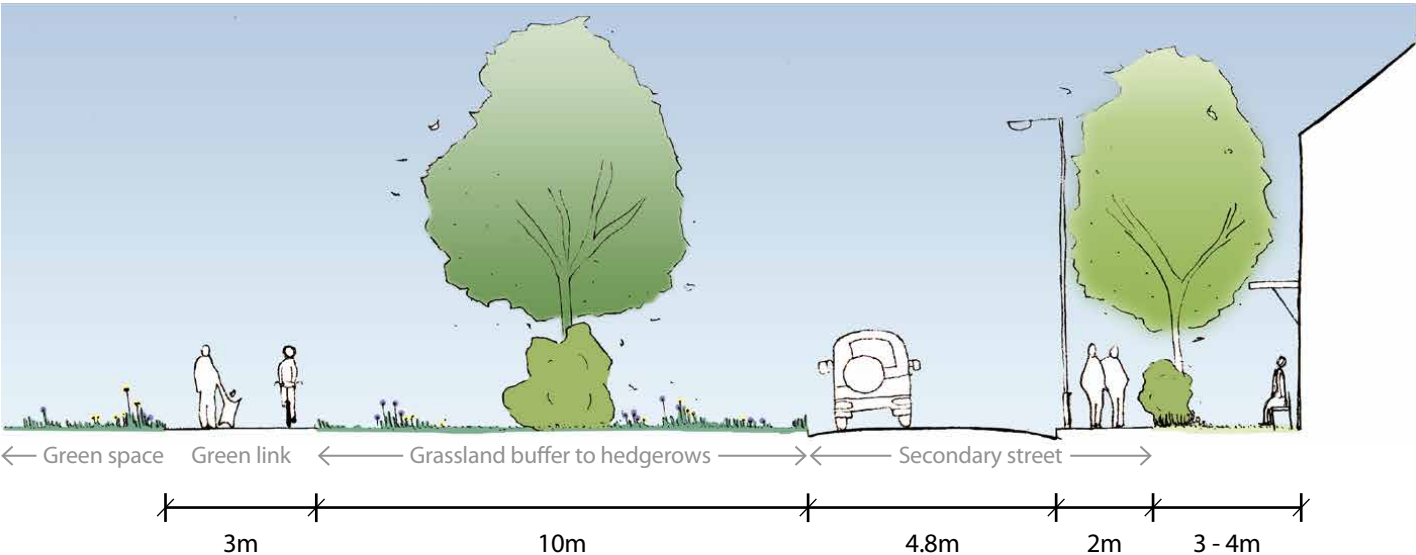


Fig. 18: B-B – typical secondary street cross section (refer to Fig. 16 for section location)

Secondary streets

Secondary residential streets will branch off the primary route and provide access to properties.

Development principles:

- The secondary streets are to follow the design guidance for minor residential streets or lanes set out in chapter 5.0 of the Cherwell Residential Design Guide.
- In keeping with the vision, streets should be as narrow as possible and should generally accommodate a 4.8m carriageway.
- The street should maintain a 2m wide provision for pedestrians on any side of the carriageway fronted by buildings, except in the vicinity of the listed building complex in which case a bespoke design solution will be considered.
- On no-through routes, they may take the form of shared surface lanes subject to detailed design and the necessary safety audits.



Secondary street precedents

6.4.5 Walking and Cycling Network and Strategic Links

In addition to provision for walking and cycling on the connected street network, a new public green link will provide a strategic walking and cycling link, suitable for all-weather cycling and wheelchair use, running east-west through the site.

To the east, it will join into National Cycle Network Route 51, which runs adjacent to Oxford Road and is a strategic walking and cycling route towards Kidlington and Oxford via Oxford Parkway station. To the west it will connect the site to the Policy PR8 allocation across the Oxford Canal and to the Oxford Canal towpath which is to be improved.

Development principles:

- The design of the route is to provide a safe and attractive environment for its users be they leisure or commuter cyclists, wheelchair users or pedestrians
- The route is to connect in seamlessly with OCC's existing routes and proposed strategic walking and cycling enhancements to Oxford Road.
- Routes should support wider connectivity, in line with the emerging Kidlington Local Cycling and Walking Infrastructure Plan (LCWIP).
- It is to be a 3m wide, off-street route made of high quality surface material appropriate to the surrounding context. Cycleways are adoptable provided they are lit in accordance with a lighting design acceptable to OCC and drained following SuDS principles. In parts of the site where lighting may not be appropriate for ecological reasons, the green link could fall within the management company's remit and secured within the S106 to be retained open for public use and maintained.
- The route in the eastern character area should be overlooked by buildings to promote natural surveillance and in other parts of the site should be designed to promote natural surveillance from the surrounding area



Cycle route precedent

- An elegant new foot, cycle, and wheelchair accessible bridge over the Oxford Canal is to be built, to connect the route with the canal towpath and site PR8, with appropriate towpath improvements. Land within the PR7b site is to be provided to facilitate this access. The exact location and design of the bridge and towpath improvements is dependent on survey and consultation with the Canal and River Trust and the Woodland Trust and CDC Conservation team and is to be agreed at outline planning. The bridge could incorporate a

sculptural quality as part of any public art on the site.

- In the central and western character areas the green link route should be sensitively designed in response to habitat and green space character. This includes consideration of whether lighting is appropriate and if so, ensuring it minimises impact on wildlife.

6.4.6 Parking

Car parking provision and design will be in line with adopted OCC parking standards and the Cherwell Residential Design Guide SPD Section 5.8 as well as the good practice recommendations in Manual for Streets.

Cycle parking provision is to be in line with OCC's adopted cycle parking standards.

Development principles:

- A range of parking solutions should be used, appropriate to the street and plot typology.
- The Council advocates the use of unallocated on-street parking wherever possible, to increase flexibility and reduce the number of spaces required overall. This should be integrated into the street design and clearly defined.
- Rear courtyard parking is generally the least preferred solution, but is suitable for the central character area farmhouse and barns conversions.
- Electric charging points should be provided in line with national and local standards either on plot or serving on street parking bays. If on street, the design should consider innovative solutions to limit visual impact e.g. pop-up charging points.
- Public cycling parking is to be provided close to the community orchard and play area.
- Cycle storage for properties is to be provided in line with local standards. It is to be easily accessible to promote active travel (ideally at the property

frontage) recognising that bespoke solutions may be required in response to the site constraints and the character of individual streets.

6.4.7 Emergency Access and Refuse Collection

Streets within the development will be designed to allow appropriate access for emergency and refuse vehicles in line with local standards.

Refer to Cherwell Residential Design Guide for the requirements for service access and refuse bin storage which must be discreetly designed-in to complement the house type proposed.

6.4.8 Public Transport

Additional bus stops or routes are not required within the site. As noted above, the site layout and cycle and walking routes should provide direct routes to the nearby existing bus stops on Oxford Road and towards Oxford Parkway station.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy SLE 4: Improved Transport and connections

Policy ESD 1: Mitigating and Adapting to Climate Change

Policy ESD 15: The Character of the Built and Historic Environment

Policy ESD 16: The Oxford Canal

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR4a: Sustainable Transport

Policy PR7b – Land at Stratfield Farm

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles

Chapter 5: Streets and Spaces

Chapter 8: Innovation and Sustainability

Historic England 2018 Streets for All

6.5 Green Infrastructure

The development is intended to create an appropriate transition between the built-up area of Kidlington and the open green spaces to the south, the Oxford Canal corridor and meadow habitats to the west. The site will retain a significant area of interconnected green spaces allocated for nature conservation, which are to be designed for biodiversity gain and use by protected and priority species.

Policy PR7b requires a Biodiversity Impact Assessment (BIA) be submitted as part of the planning application for the site and a supporting Biodiversity Improvement and Management Plan (BIMP). The Government's forthcoming Environment Bill is likely to introduce a mandatory approach to require 10% biodiversity net gain. In recognition of that, in October 2019, the Council's Executive endorsed seeking a minimum of 10% biodiversity net gain through engagement with the planning process. PR7b Policy delivery requirements 7,10,11,12,13,19,24 and 27 indicate measures to be incorporated into the development scheme and are reflected below.

The development will provide a multi-functional green infrastructure network providing a range of ecosystem services:

- A Nature Conservation Area including habitat areas with limited public access, and publicly accessible informal open space
- A community orchard and associated community food growing garden
- Publicly accessible woodland / wetland
- Retained and enhanced hedgerow corridors and trees
- A public LAP/LEAP play area
- Drainage features and wetland
- Private gardens including the traditional orchard

Development principles

- An enhanced green infrastructure network will be created, providing connected wildlife corridors, linking the developable area with the Oxford Canal and the District Wildlife Site to the south.

- The western part of the site adjacent to the canal is a Conservation Target Area and is to be enhanced with a view to extending the Stratfield Brake District Wildlife Site designation into this area and contribute to the aims of the CTA. Public access will be limited to demarcated, fenced paths. This will include the new public green link / strategic cycling and walking route linking with the canal towpath. A low-key wooden fence or hedge will be introduced edging the route.
- Enhancements for Otter, Water Vole and Great Crested Newts are to be prioritised. Habitats should be linked within the site and to adjacent areas of habitat including the Lower Cherwell Conservation Target Area and the Meadows West of the Oxford Canal Local Wildlife Site and canal-side ditches to create a network. There is an opportunity for new scrapes (ponds) in the western part of the site.
- Measures are required to minimise light spillage and noise levels on habitats and wildlife corridors including to maintain connectivity for nocturnal species in an east-west direction and the maintenance of a dark canal corridor.
- Land to the east of the north-south hedgerow will form part of the Nature Conservation Area but will have full public access. It will function as an informal green space. It will be kept as a natural space with amenity grass 'kick-about' areas, wildflower meadow, integrated drainage features and natural play.
- The distinction between the traditional orchard to the west of the Farmhouse and the orchard to the south will be retained. The traditional orchard will form part of the private farmhouse landholding. Boundary vegetation, viable trees and structural vegetation of the orchard will be retained as a setting to the farmhouse.
- The orchard to the south will be protected and extended and become a publicly accessible community orchard, extended to incorporate a community food growing garden. A play area will be provided to the west

of the existing orchard within the extension to it. An imaginative and high quality landscape design is required to integrate these three features, creating a focus for the community while responding to the setting of the Farmhouse.

- Subject to detailed design and agreement on size, the community food growing garden would be an acceptable, contextual response to the provision of allotments required under Policy PR7b. This references the market garden which was an element of the farm historically.
- Existing individual and groups of high and good quality trees are to be retained with appropriate root protection buffers. Appropriate buffer zones are to be provided to avoid root damage and should be considered when planning sustainable drainage infrastructure.
- The existing scrub and pond/wetland to the east of farmhouse provide a soft edge to the historic setting and buffer between the farmstead and the existing housing to the north of the site. This green space and wetland will be retained and allow an appropriate level of public access.
- Other existing ponds, ditches and wetlands are to be retained and incorporated into the sustainable drainage system.
- The main hedgerows along the southern boundary of the site, the southern boundary of the western character area and running north-south in the western part of the site are to be retained with crossing points limited to those which already exist. A grassland buffer of minimum 5m is to be introduced on either side of the hedgerows. The width is subject to the Arboriculture survey and root protection area required.
- In some sections, where the existing hedgerow is retained and incorporated within residential blocks, a reduced 2m buffer would be acceptable, subject to appropriate long-term management arrangements and the Arboriculture survey and root protection area required. Recent unauthorised gaps in the hedgerow are to be replanted.
- Other existing hedgerows within the site will be retained as far as possible. When the need to cross them occurs, existing gaps will be used wherever possible. The required green buffer to hedgerows will vary in accordance with design constraints in respect of BS5837 survey and root protection areas, ecological surveys (Phase 1 and subsequent surveys), urban light distribution, and shadow / shade analysis impact on dwelling and gardens and will be determined at Reserved Matters stage, where the aforementioned survey information should be considered.
- Individual native trees will be planted along the buffers to hedgerows and public open spaces, site boundaries, as street trees on all streets and within private gardens. The overshadowing effect on gardens and windows from proposed trees should be minimised by planting small/medium native trees (i.e. Field Maple), with larger trees planted in public open spaces and at site boundaries.
- Where front gardens or privacy strips are provided these are to be planted. Tree and shrub planting should be incorporated into the design of the play area and any rear lanes and parking areas. For the health of the children tree and shrub planting associated with play areas must not be spiny or thorny and be non-toxic.
- The scheme is to include provision of in-built bird and bat boxes, wildlife connectivity between gardens and the provision of designated green walls and roofs where viable. Refer to the Council's Biodiversity and the Built Environment report (2009) for recommendations on establishing wildlife habitat in buildings.

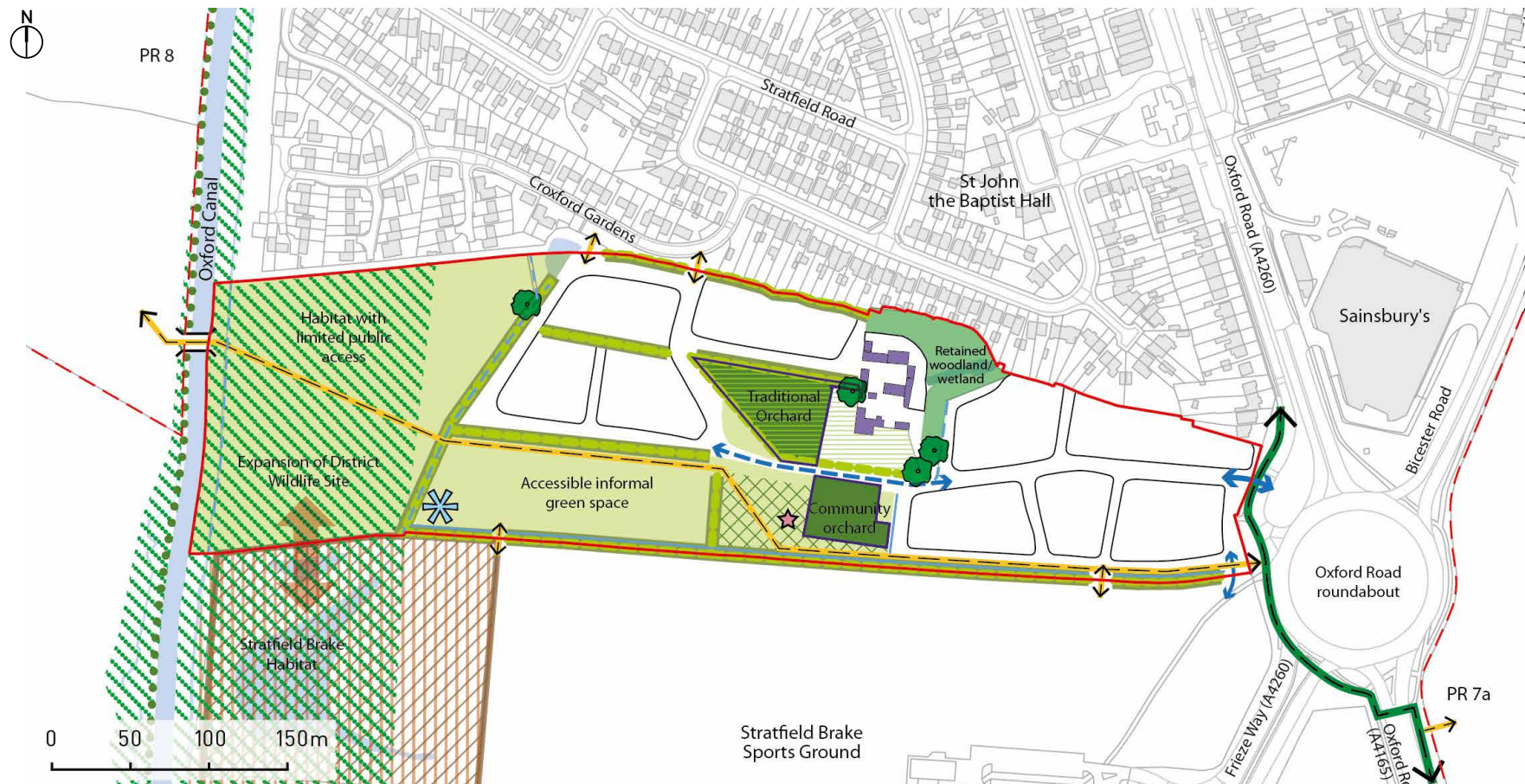
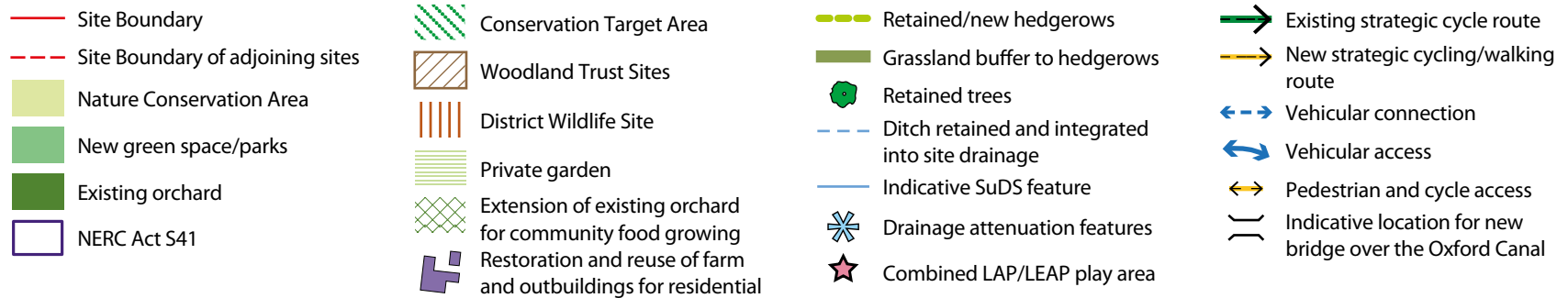


Fig. 19: Green infrastructure





Cycle the Wheelock Rail Trail, Chester
www.visitcheeshire.com / 27 Aug 2020

Green infrastructure precedents

6.5.1 Play and Sports

Local equipped play space is to be provided within the site. Formal sports provision is not required within the site, but contributions will be required towards off site provision which will need further discussion at planning application stage.

Development principles:

- A combined LAP/LEAP is to be incorporated in an accessible, central location. CDC's preferred location is to the west of the proposed community orchard. This is outside the developable area, but is acceptable in light of the constrained geometry of the site and close relationship to the new public green link / strategic walking and cycling route.
- The play area is to incorporate a 500 sqm activity area with 8 pieces of equipment (3 for LAP and 5 for LEAP). The play area is to be set within a landscape buffer of approximately 3000 sqm incorporating paths, child-friendly planting, trees, amenity grass and protective play area fencing and gates. The buffer zone may also contain part of the community orchard and food growing garden and the new public green link (subject to safety audit).
- Potential visual impact on the setting of the listed farmhouse should be minimised through the sensitive design of the play area (e.g. use of natural and locally appropriate materials, planting to soften). As noted above, an imaginative design is required to integrate play with the community food growing garden and orchard.
- In order to reduce noise and disturbance for residents there is to be a minimum 10 metres from activity zone to any property boundary and a minimum 20 metres from activity zone to habitable façade.



Timber playground equipment

6.5.2 Blue Infrastructure

Evidence for the site shows that surface water would have to be attenuated and discharged to a surface water body as there is very little soakage on the site.

Sustainable Drainage Systems (SuDS) within the development site will be carefully designed in line with the principles provided in CIRIA SuDS Manual (C753), the Cherwell Residential Design Guide section 4.7 and the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire (2018).

Development principles:

- Existing ponds and ditches and proposed drainage features are to be designed and integrated into the streets and green space network creating environments for informal recreation, planting and habitat creation. These works should include improvements to existing ditches to avoid future overloading and reduce the risk of surface water flooding in the adjacent residential area.
- There is an opportunity to create new scrapes (ponds) in the western part of the site connecting with the existing canal-side ditch network to provide high quality habitats for invertebrates and wading birds
- It is expected that the majority of the site will drain into the Nature Conservation Area reflecting the topography of the site, with drainage attenuation features broadly in the location indicated on Fig. 19.
- Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required.
- Open drainage systems including ponds and swales should be used rather than crates.
- SuDS features within the street should be limited in width, and of an appropriate character, recognising the need to maintain a good sense of enclosure to the street.



SuDS feature precedents - on street and within green spaces

6.5.3 Definition and Treatment of Green Belt Boundary

The site will be developed in a way that respects its edge of Green Belt location and does not harm the Green Belt's visual amenities.

The new Green Belt boundary will be clearly defined within the site by the hedgerow line at the northern boundary of the green corridor, the orchards boundaries in the centre of the site, and in the eastern part of the site by the hedgerow at the boundary with Stratfield Brake.

Retained Green Belt within PR7b will be enhanced to deliver community benefits including walking and cycling links, play space, a community orchard and the provision of new and enhanced areas of habitat.

6.0 Development Principles

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision
 Policy BSC 11: Local Standards of Provision- Outdoor Recreation
 Policy ESD 3: Sustainable Construction
 Policy ESD 5: Renewable Energy
 Policy ESD 6: Sustainable Flood Risk Management
 Policy ESD 7: Sustainable Drainage Systems (SuDS)
 Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment
 Policy ESD 11: Conservation Target Areas
 Policy ESD 13: Local Landscape Protection and Enhancement
 Policy ESD 14: Oxford Green Belt
 Policy ESD 15: The Character of the Built and Historic Environment
 Policy ESD 17: Green Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR3: The Oxford Green Belt
 Policy PR5: Green Infrastructure
 Policy PR7b – Land at Stratfield Farm

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 4: Establishing the Structuring Principles
 Chapter 5: Streets and Spaces
 Chapter 8: Innovation and Sustainability

6.6 Heritage and Archaeology

Following surveys in 2018, Stratfield Farm House and its associated structures were found to be in poor condition, placing this designated heritage asset at Risk. This together with the traditional orchard, the gardens to the west and south of the farmhouse and courtyard behind it, the boundaries and walls, will form the curtilage of the listed building. This group of buildings and spaces are to be retained to form a centrepiece to the development and are to be sensitively integrated into the development and inform its character, materials and layout.

Proposals for the repair and reuse of the listed buildings and curtilage listed outbuildings, barns and walls are to be prepared with the input of CDC Conservation Officers. The condition of the buildings necessitates that this is treated as a priority. Initial guidance is provided below.

The Oxford Canal Conservation Area is an important heritage asset at the site's western boundary.



Existing Stratfield farmhouse rear (top) and outbuildings (bottom)

Development principles:

- The requirements for individual buildings and spaces within the farmhouse complex are as follows (please refer to Fig. 20 for locations) and are subject to the exploration of development options and detailed discussion with CDC Conservation Officer.
- A. The farmhouse is to be restored for residential or other appropriate use. It is expected that the front garden and traditional orchard to the west, the rear courtyard and garden, and ancillary building a1 will fall within the property ownership boundary. There are small outbuildings attached to the walls between the farmhouse and courtyard which should be retained for use as storage and repaired.
 - B. Curtilage listed barn to the north to be converted into residential use.
 - C. Indicative footprint of a former building. A building could be reinstated following the historic footprint to provide additional accommodation.
 - D. Existing building in this location is a modern structure and is to be removed. A building could be reinstated on the original footprint of the historic barn to provide additional accommodation.
 - E. Modern building E is to be removed.
 - F. Building F is to be retained. The northern section of the building is to be converted to residential. The southern section could be converted to garaging serving the farmhouse, subject to an accurate survey and suitability. Area F1 is the location of a former open shed. The staddle stones remain and a building could be reinstated here, perhaps retaining the open shed form and incorporating the remaining stones with glazed infills between the posts.
 - G. Building G to be retained / reinstated to the original footprint for residential or ancillary use.

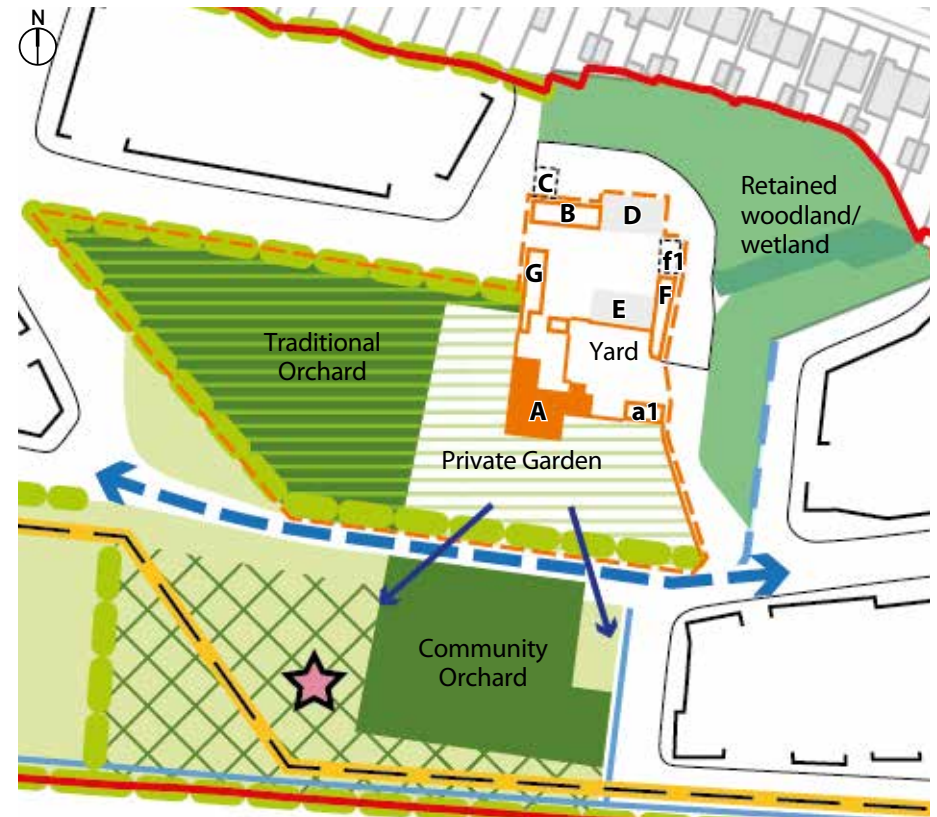
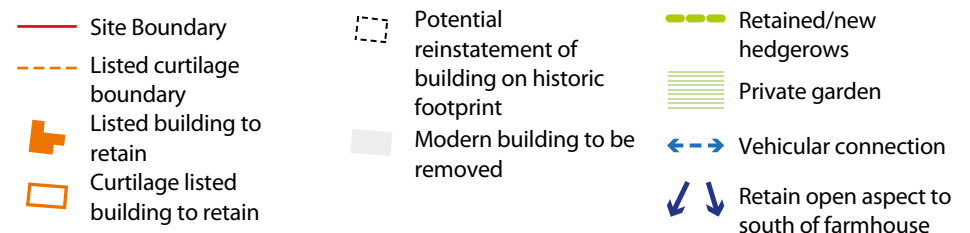


Fig. 20: Heritage key plan



- Historic walls within the curtilage are to be retained, repaired and rebuilt where needed.
- The depths of the new built structures are to be shallow, allowing traditional roof pitches so that the farmhouse remains the dominant building on the site.
- The 'gardens' and orchard landscape around the farmhouse and the farm courtyard should retain the historic character. Garden sheds/greenhouses and other overtly domestic paraphernalia and boundary treatments are not allowed. Garden storage is to be integrated within the building/outbuildings footprint and protected from future conversion to additional living accommodation. Any amenity space outside of the courtyard will need subtle demarcation.
- The development is to protect and enhance the Oxford Canal Conservation Area through the creation of a high quality landscape setting adjacent to the canal and sensitively designed buildings within the developable area.

6.6.1 Archaeology

There are no known archaeological constraints within the site. However, the site sits within an area of known archaeological potential and finds were recorded immediately north of the site.

Planning applications for development on the site will need to include an archaeological desk-based assessment and appropriate mitigation strategy.

A programme of archaeological evaluation ahead of the determination of planning application will be required.

6.0 Development Principles

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy ESD 15: The Character of the Built and Historic Environment
Policy ESD 17: Green Infrastructure

Saved policies contained in the Cherwell Local Plan 1996

C18 Development proposals affecting a listed building
C21 Proposals for re-use of a listed building

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR7b – Land at Stratfield Farm

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 8: Innovation and Sustainability

Reference should also be made to:

The Setting of Heritage Assets Historic Environment Good Practice
Advice in Planning Note 3 (Second Edition), Historic England 2017

Increasing Residential Density in Historic Environments, ARUP on
behalf of Historic England, 2018

6.7 Utilities and Infrastructure

In addition to the movement and blue/green infrastructure requirements set out in earlier sections, design principles for utilities and infrastructure are as follows:

Development principles:

- A coordinated approach to utilities planning should ensure that utilities are provided from the outset and integrated into utilities corridors. The street layout is to be organised to minimise utilities diversions wherever possible.
- Potential noise pollution arising from Stratfield Brake sports fields should be mitigated by an appropriate building and layout design response. Houses at the southern boundary of the site are to face onto the source of the noise to shield gardens (see Fig. 14).
- Refer to section 6.4.6 regarding electric vehicle charging.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy BSC 9: Public Services and Utilities

Policy INF 1: Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review (adopted September 2020)

Policy PR7b – Land at Stratfield Farm

Policy PR11 - Infrastructure Delivery

Cherwell Residential Design Guide SPD (adopted 16 July 2018)

Chapter 5: Streets and Spaces

7.0

Delivery and monitoring

7.1 Information to accompany planning applications

In accordance with Policy PR7b a single comprehensive, outline scheme shall be approved for the entire site.

The check list below provides an indication of documents required at application stage. It is recommended that pre-application discussions are undertaken with Cherwell District Council prior to the submission of planning applications to agree the scope of the documentation to be provided.

- Delivery and Phasing Plan
- Planning Statement
- Housing Mix and Affordable Housing Provision
- Design and Access Statement
- Topographical Surveys
- Masterplan and Parameter Plans
- Landscape Visual Impact Assessment
- Arboricultural Impact Assessment
- Transport Assessment and Framework Travel Plan
- Parking Principles (where not covered in the Brief)
- Public right of way statement
- Flood Risk Assessment and Drainage Assessment (foul and surface water drainage) including Water Infrastructure Capacity
- Air Quality Assessment
- Contamination Assessment
- Noise and Vibration Assessment
- Archaeological Surveys
- Heritage Impact Assessment
- Ecological surveys including a Habitat Suitability Index survey for great crested newts

- Biodiversity Impact Assessment
- Biodiversity Improvement and Management Plan
- Landscape and Ecological Management Plan
- Energy Strategy/ Sustainability Principles
- Employment, Skills and Training Plan
- Health Impact Assessment
- Community Involvement Statement
- Management Plan for the appropriate re-use and improvement of soils
- Services and Utilities
- Management and Maintenance Strategy for all Public Open Space
- S106 Draft Heads of Terms

Applicants are advised to submit a screening request for Environmental Impact Assessment to the local planning authority to ascertain whether an Environmental Statement should be submitted with any application.

Any detailed planning applications or reserved matter applications should also include:

- Materials Schedule
- Boundary Treatment Plan
- Soft and Hard Landscape Plan
- Parking Plan
- Services and Utilities Plan
- Waste and Recycling Plan including bin storage and bin collection points

The use of conditions to secure this additional detail will not generally be supported by the local planning authority.

7.2 Securing comprehensive development

It is essential that the site is developed in a comprehensive manner to deliver the site-specific requirements in Policy PR7b and support the wider aims of the LPPR spatial strategy.

Where land, services or infrastructure within the site is designed to serve wider Cherwell Local Plan Partial Review developments, planning applications will demonstrate how this can be co-ordinated and delivered effectively through site masterplanning and S106 agreements.

Any infrastructure links or open space networks that are common to more than one Cherwell Local Plan Partial Review development site will be either constructed to the site boundary or in such a way as to facilitate connection, where required, between development sites with access to residents/public provided so as to avoid a 'ransom' position being established which prejudices the effective delivery of this common infrastructure and/or its long term community benefit.

The development brief's site-specific vision, development principles and 'parameter plans' have been prepared to ensure a comprehensive development in compliance with Plan policies.

The Delivery and Phasing Plan accompanying the planning application is expected to demonstrate how the implementation and phasing of the development shall be secured comprehensively and how individual development parcels, including the provision of supporting infrastructure, will be delivered.

Obligations are to be secured via a planning agreement, entered into under section 106 of the Town and Country Planning Act 1990. Consistent with national planning policy and practice guidance and the Cherwell Developer Contributions SPD (February 2018), the allocation of S106 costs required to serve the development is to be agreed with the applicant to secure appropriate

financial contributions and/or in-kind works under a direct delivery obligation. Subject to statutory tests, these shall provide for "on site" and/or "offsite" facilities and infrastructure as required.

In preparing a draft Head of Terms, it is recommended that proposals applicants should have regard to matters including the LPPR Infrastructure schedule. Where facilities and infrastructure are required to be provided on land outside the site, these are to be secured by way of proportionate planning obligations and/or through the pooling of contributions as appropriate, in accordance with the Community Infrastructure Levy Regulations 2010, as amended.

It is recommended that pre-application discussions are undertaken with Cherwell District Council ahead of submitting the draft Head of Terms for developer contributions. In preparing a draft Head of Terms, it is recommended that proposals have regard to matters including the LPPR Infrastructure schedule and should consider in discussions with infrastructure providers whether infrastructure issues will require the phasing of development to ensure that necessary services, facilities or apparatus are provided in advance if needed.

Further guidance is contained in the Cherwell Developer Contributions SPD (February 2018).

7.3 Monitoring

Monitoring will be undertaken in accordance with Policy PR13 -Monitoring and Securing Delivery. The delivery of LPPR proposals will be monitored through the Council's Annual Monitoring Report process.

Cherwell Local Plan 2011-2031 (adopted 20 July 2015)

Policy INF 1: Infrastructure

Cherwell Local Plan 2011-2031 – Partial Review

(adopted September 2020)

Policy PR7b – Land at Stratfield Farm

Policy PR11 - Infrastructure Delivery

PR12a-Delivering Sites and Maintaining Housing Supply

Policy PR13 -Monitoring and Securing Delivery

Appendix 3 – Housing Trajectory

Cherwell Developer Contributions SPD

(adopted February 2018)

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Appendix A: Relevant Development Plan Policies & Supplementary Planning Documents

Cherwell Local Plan 2011-2031 (Part 1) Partial Review, the “LPPR”:

- PR1 – Achieving Sustainable Development for Oxford’s Needs
- PR2 – Housing Mix, Tenure and Size
- PR3 – The Oxford Green Belt
- PR4a – Sustainable Transport
- PR4b – Kidlington Centre
- PR5 – Green Infrastructure
- Policy PR7b – Land at Stratfield Farm
- PR11 – Infrastructure Delivery
- PR12a – Delivering Sites and Maintaining Housing Supply
- PR12b – Sites Not Allocated in the Partial Review
- PR13 – Monitoring and Securing Delivery

Cherwell Local Plan 2011-2031 “The 2015 Plan”:

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC2 – The Effective and Efficient Use of Land, Brownfield Land and Housing Density
- BSC 3 – Affordable Housing
- BSC4 – Housing Mix Policy
- BSC7 – Meeting Education Needs
- BSC8 – Securing Health and Well-Being
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD4 – Decentralised Energy Systems
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD8 – Water Resources
- ESD9 – Protection of Oxford Meadows SAC
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD11 – Conservation Target Areas
- ESD13 – Local Landscape Protection and Enhancement
- ESD14 – Oxford Green Belt
- ESD15 – The Character of the Built and Historic Environment
- ESD16 – The Oxford Canal
- ESD17 – Green Infrastructure
- INF1 – Infrastructure

Adopted Cherwell Local Plan 1996

- GB2 - Change of use of land within the Green Belt
- TR1 - Transportation Funding
- TR11 – Oxford Canal
- TR22 - Roads
- C5 – Ecological Value of Features
- C14 – Trees and Landscaping
- C18 – Development proposals affecting a listed building
- C21 – Re-Use of Listed Buildings
- C23 – Conservation Areas
- C25 – Scheduled Ancient Monument
- C28 – Design Quality
- C29 – Design and The Oxford Canal
- C30 – Design Control
- C31 - Amenity
- C32 – Disabled Access
- ENV1 – Environmental Pollution
- ENV10 – Hazardous Installations
- ENV12 – Contaminated Land

Adopted SPD

- Cherwell Residential Design Guide (July 2018)
- Developer Contributions (February 2018)
- Kidlington Masterplan (December 2016)

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Reviewed by Clare Coats

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Comments raised in consultation on PR7b

Commenter	Consultee comment	CDC officer response	Edit needed to Development Brief
Mark Gardner (local resident)	Objections in principle to development of the PR7b site: impact on flooding for homes to the north of the site, impact on wildlife, e.g. red kites, deer, stoats, foxes, badgers, otters. Urges CDC to reconsider the site and requests the site is instead made a nature reserve.	Relates to the principle of development which has already been established through the local plan process with the adoption of the Plan	None
Canal and River Trust	The canal should be considered as an integral part of the site. Improvements to the towpath will be required	The Development Brief indicates that the development is to protect and enhance the Oxford Canal Conservation Area through the creation of a high quality landscape setting adjacent to the canal and sensitively designed buildings within the developable area. There are various references within the brief to the development improving access to and along the canal towpath and providing an enhanced area of habitat as part of a green corridor adjacent to the canal.	Textual change to be made to 6.3.4 and 6.3.5 to emphasise tow path links and improvements
Canal and River Trust	Detailed comments re the bridge over the canal	These related to detailed proposals rather than specifically to the Development Brief	None
Woodland Trust	Recommends strengthening of section 6.5 with <ul style="list-style-type: none"> • 20% target for biodiversity net gain 	These are generic targets/objectives rather than specific to the Development Brief. The standards	None

	<p>across the site.</p> <ul style="list-style-type: none"> • a tree canopy cover target for 30% across the site. • a greater than 1:1 requirement for tree replacement. • specifying UK & Ireland sourced & grown (UKISG) standards for new tree planting. • protecting and providing woodland to meet the Trust's Woodland Access Standard (the two boxes below) 	go beyond the requirements of the adopted local plan policies.	
Woodland Trust	– That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.	These are generic targets/objectives rather than specific to the Development Brief. The standards go beyond the requirements of the adopted local plan policies.	None
Woodland Trust	– That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes.	These are generic targets/objectives rather than specific to the Development Brief. The standards go beyond the requirements of the adopted local plan policies.	None
Woodland Trust	<p>Would ask that site layout and construction management plans ensure that:</p> <ul style="list-style-type: none"> • built elements are located at the areas of the site away from Trust's site • construction site access is away from the Trust's site • traffic access to any future development is 	The proposals reflect the first bullet point and indicates vehicular access points being away from the Woodland Trust site. More detailed arrangements for access including for construction traffic will be required and assessed as part of the planning application.	None

	away from the Trust's site.		
Woodland Trust	We would encourage the creation of new scrapes (ponds) connected to the existing canal-side ditch network, providing high quality habitats for invertebrates and wading birds.	The text could be tweaked to cover this	Sections 6.5 and 6.5.2 amended
Kidlington Parish Council	All houses backing onto Garden City must not exceed 2 storeys (not 2.5 storeys)	This would be expected as part of any planning application and so should be reflected in the Development Brief	6.3.1 amended
Kidlington Parish Council	Important that the drainage ditch along the site's northern boundary with Garden City is not overloaded and causes a risk to flooding for Garden City properties. The dev should lead to an improvement on the current situation	It would seem prudent for this local knowledge to be reflected in the Development Brief	Note regarding importance of not overloading existing ditches added to section 4.1, 4.2 and 6.5.2. Spur of drainage ditch and on the canal-side ditch added to relevant plans.
Kidlington Parish Council	The site should be served by two accesses, one from the roundabout and one through Croxford Gardens, and only cycle and walking should be permissible through the site	This has been discussed during the formation of the Development Brief and the current position arrived at. Development Brief to be left as is unless there is a need for OCC to change its advice	None
Kidlington Parish Council	How will the access onto the Kidlington roundabout be safely configured? The access appears to join the west service road of Oxford Road close to the roundabout	OCC is understood to be still working up these proposals and outside of the scope of the brief / more detailed than the brief would set out and outside the site red line as well	None
Kidlington Parish Council	Important that the cycle routes within the	Natural surveillance is included in the	Text amended at 6.4.5 to emphasise the

	site integrate with a strategic cycle route within Kidlington and North Oxford. Also important that the development incorporates natural surveillance to the cycle and pedestrian links proposed	development principles listed under section 6.4.5.	importance of natural surveillance where possible
Kidlington Parish Council	Important that the play area is a meaningful one that will get use by residents. Also the orchard will require ongoing engagement with KPC re management	Comment noted	None
Kidlington Parish Council	No reference to AH provision and how this integrates into the design of the dev	Mentioned in the Executive Summary (pg1), section 3.1.1 (pg14) and at section 7.0 (pg57)	None
Kidlington Parish Council	Important that the dev is distinctive and high quality compared to many new large residential developments in order to respect the setting of the listed building farmhouse and its surrounds	This would be expected as part of any planning application and is reflected in section 6.0 of the Dev Brief	None required
Begbroke Parish Council	Plans for Frieze Farm Sandy Lane is not shown, and not sure it is for the Science Park Development, or ours and Yarnton. Surely 106 money could be used to help fund a bridge at Sandy Lane and a crossing for us.	Noted, but not especially relevant to PR7b relative to other development briefs. Infrastructure requirements for all of the Development Briefs are set out in Appendix 4 of the Partial Review Plan.	None
Begbroke Parish Council	If the proposed new Railway Station is built surely keeping Sandy Lane open both ways would make sense.	Not relevant to the Development Briefs	None
Begbroke Parish Council	Why is community orchard needed when	These matters have been worked through	None

	there is already a formal orchard - seems just a buzz word to make everyone feel happy. Likely that in a few years it will be neglected and a waste of space.	in consultation with relevant technical consultees, including that additional provision is required, and the existing orchard forms part of the setting of heritage assets and its alteration would not be appropriate.	
Begbroke Parish Council	Vehicular access to the roundabout is far from ideal and will push more traffic onto a narrow service road. - don't know how southbound traffic will flow.	This has been discussed during the formation of the Development Brief and the current position arrived at. Development Brief to be left as is unless there is a need for OCC to change its advice	None
Begbroke Parish Council	Part of the brief calls up resin bonded gravel as a surface for roads - not a good idea as once it cracks you can't easily repair it and given the current performance of highways dept the area will soon look awful.	The need for this bespoke solution is a product of the development being served only by a vehicular access from the Oxford Road roundabout. The precise finish and its maintenance will be a matter more appropriately picked up at the planning application stage – the role of the Development Brief is to guide all parties as to the type of road and finish that will be required, i.e. not the normal metalled / tarmac solution	None
Begbroke Parish Council	Roads need to be wide enough for on street parking and adequate visitor spaces must also be provided.	Noted. Required road widths are set out in the Development Brief; beyond that this is a matter more appropriately picked	None

		up at planning application stage	
Begbroke Parish Council	Who is going to cover the costs and be responsible for maintaining the orchard and play areas etc?	This is set out in Appendix 4 of the Partial Review Plan and will be a matter more appropriately picked up at planning application stage	None
Oxfordshire County Council	The dev brief should be amended to make it clear whether any provision for specialist housing is expected on this site	Policy BSC4 requires sites of at least 400 dwellings to provide extra care housing, so there is no requirement here	None required
Oxfordshire County Council	The Development Brief should clearly set out how enhancement and beneficial use of the Green Belt land within the allocation will be achieved or conditioned upon an application for dev on any or all of the 25ha expected to be used for residential development	We have had regard to the positive use of the Green Belt in putting these allocations/policies together, and have identified in each case provision for open space and biodiversity etc.	6.5.3 amended to include the beneficial uses of the green belt arising from the development
Oxfordshire County Council	6.4.3 Add as first bullet point: 'The main site access must include provision for pedestrians and cyclists alongside vehicular traffic which shall be carefully designed to enable pedestrians and cyclists to comfortably connect onto the existing infrastructure.'	Agree	Amend para accordingly
Oxfordshire County Council	6.4.4 Add as a bullet point on primary street development principles: 'At least 2m wide footways on both sides of the primary street.'	Agree, provided a caveat is added that this does not appear to the primary street south of the listed building complex, for heritage reasons and to help with the transition from built	Add text "At least 2m wide footways on both sides of the primary street, <u>with the exception of the primary street to the south of the listed building complex</u>

		part of the site to the Green Belt to the south	<u>which links to the two halves of the site"</u>
Oxfordshire County Council	Add as a bullet point on secondary street development principles: 'To maintain a 2m wide provision for pedestrians on any side of the carriageway fronted by properties.'	Agree, provided a caveat is added that this does not appear to the secondary streets in the vicinity of the listed building complex	Amend as per column 1 but importantly with caveat relating to the requirement for bespoke design solutions in the vicinity of the listed building complex
Oxfordshire County Council	The County Council intends to deliver bus and cycling improvements at Kidlington Roundabout. The developer will need to liaise with the County Council's delivery team accordingly.	Noted	None
Oxfordshire County Council	There is no mention of adhering to LTN 1/20 standards within the planned development. Walking and cycling provisions must be in keeping with the principles throughout the development.	Noted, but this is a new document which post-dates the first drafts of the Development Brief. Their advice here seems to conflict with previous advice on 6.4.5 re width of access	None
Oxfordshire County Council	Para 1.2.1 Please change this bullet to read: 'to raise the standard of design and to create exemplary places which are functional, beautiful, promote health and wellbeing and which engender a sense of community'.	Agree	Amend para accordingly
Oxfordshire County Council	Para 4.2.1 Please add the following sentence: 'It is important to ensure effective connectivity between the development and	Agree	Add para

	existing community that supports active travel and reduces severance.'		
Oxfordshire County Council	Para 6.2 Consider including reference to the positive impacts on mental health. In order to ensure that the design of major developments maximises the opportunity to promote health and wellbeing, the Future Oxfordshire Partnership has developed and approved the use of a Health Impact Assessment toolkit to assess the health impacts of significant developments. Given the size of this development, the Council would expect a Health Impact Assessment to be conducted of this site to ensure that it maximises opportunities for a health enabling environment, in accordance with government's advice and national best practice.	This is intended, and inherent, and indeed the HIA is referred to in Section 6 and listed under 7.1	Section 6.2 updated to reflect the publication of the toolkit in 2021. Text consistent with 7a/6a/6b
Oxfordshire County Council	Para 6.3 This section should include a principle on green space and how it will encourage walking and cycling, biodiversity and community use.	Ditto	New bullet to section 6.3 added ' Green spaces within the site should be connected with the street layout to encourage walking and cycling and community uses, where appropriate to biodiversity objectives.

Oxfordshire County Council	Para 6.3.2 Cycle parking must be easily accessible, ideally at house frontages, to promote active travel.	This might not always be possible, but principle agreed	Text added to section 6.4.6 parking. 'It is to be easily accessible to promote active travel (ideally at the property frontage) recognising that bespoke solutions may be required in response to the site constraints and the character of individual streets.'
Oxfordshire County Council	Para 6.4.5 Reference should be made to the fact that cycling routes should support connectivity. The draft Local Cycling and Walking Investment Plan (LCWIP) for Kidlington should be referred to.	This is intended, and inherent, but could be made more explicit	Reference to LCWIP added to section 6.4.5
Oxfordshire County Council	Para 6.5 The benefits of planting larger trees outweigh the overshadowing effect on gardens and windows mentioned here. In order to adapt to future changes in climate and mitigate some of the most extreme effects, large trees have been proven to significantly reduce air temperatures during hot weather and provide a natural shelter from the sun.	The two things are not mutually exclusive - larger trees should also be planted but in locations (for which there will be multiple opportunities across the site) where they will not overshadow windows	Section 6.5 amended to refer to larger trees in public open spaces and on-site boundaries.
Cllr Middleton	Would like the Council to hold developers to a high standard of sustainable development	This would seem to relate more to the planning assessment than to the scope of the Development Brief	None
Cllr Middleton	The Council should make sure biodiversity enhancements are	This would seem to relate more to the planning assessment	None

	applied and maintained long term	than to the scope of the Development Brief	
Cllr Middleton	Seems to be a lack of health and educations provision provided for both development briefs	These matters have been worked through in consultation with Oxfordshire County Council and others to ensure that the developments provide for the additional infrastructure required	None
Cllr Middleton	Consideration into the effect on local roads the development and closure of Sandy Lane will have on traffic. Pedestrian crossing are vital pieces of infrastructure and should respond to the local need.	These matters have been worked through in consultation with Oxfordshire County Council Highways and, as far as it is applicable, reflected in the Development Brief. Beyond that, this would relate more to the planning application than to the scope of the Development Brief	None
Cllr Middleton	Recommendation to set up a local forum consisting of councillors and residents to give back feedback to the LPA and developers.	Noted	None
Dr Fajtl and Dr Abu	Development of PR7b would impact on the outlook and light of 368 Oxford Road	This relates to the principle of development and not to the Development Brief itself	None
Dr Fajtl and Dr Abu	The existing hedgerow along the boundary should be retained	The Development Brief sets out that existing hedgerows are to be retained	None
Dr Fajtl and Dr Abu	The space adjacent to the boundary should be back gardens	The Development Brief sets out that there would be no building frontages adjacent to the northern site boundary. The matter of ensuring satisfactory separation	None

		distances between existing and proposed dwellings is appropriately picked up at the planning application stage having regard to the Council's adopted guidance on such matters	
David Lock Associates for OUD	Given the interrelationships between the Partial Review sites, subject to the series of Development Briefs currently being prepared, it is imperative that the planning submissions, and planning permissions, are prepared, structured and consented in a way that ensures compatible and complementary development in terms of both design and delivery.	Noted	None
David Lock Associates for OUD	Section 7.2 should also reference the need to secure the co-ordination of design or delivery elements that are common across the PR sites	CDC officers agree and these changes to be made, with minor amendments to the 2 nd of the 4 bullet points	<p>Addition of two new bullets after the first bullet of 7.2, to read:</p> <ul style="list-style-type: none"> • Where land, services or infrastructure within the site is designed to serve wider CLPPR developments, planning applications will demonstrate how this can be co-ordinated and delivered effectively through site master-planning and S106 agreements. • Any infrastructure links or open space networks that are

			<p>common to more than one CLPPR development site will either be constructed to the site boundary or in such a way as to facilitate connection, where required, between development sites and with access to residents/public provided so as to avoid a 'ransom' position being established which prejudices effective delivery of this common infrastructure.</p> <p>Two additional bullets added after bullet three of section 7.2, and that the current bullet four is amended to read:</p> <ul style="list-style-type: none"> • Obligations are to be secured via a planning agreement, entered into under section 106 of the Town and Country Planning Act 1990. Consistent with national planning policy and practice guidance and the Cherwell Developer Contributions SPD (February 2018), the allocation of S106 costs required to serve the development is to be agreed with the applicant to secure appropriate financial contributions and/or in-kind works under a direct delivery obligation. Subject to statutory tests, these
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			<p>shall provide for “on site” and/or “offsite” facilities and infrastructure as required.</p> <ul style="list-style-type: none"> • In preparing a draft Head of Terms, it is recommended that proposals applicants should have regard to matters including the LPPR Infrastructure schedule. Where facilities and infrastructure are required to be provided on land outside the site, these are to be secured by way of proportionate planning obligations and/or through the pooling of contributions as appropriate, in accordance with the Community Infrastructure Levy Regulations 2010, as amended.
Huw Mellor for Manor Oak Homes	[No substantive comments re the content of the Development Brief]	N/A	None
Sport England	[No substantive comments re the content of the Development Brief]	N/A	None
Highways England	[No substantive comments re the content of the Development Brief]	N/A	None
Historic England	[No substantive comments re the content of the Development Brief]	N/A	None
Thames Water	[No substantive comments re the content of the Development Brief]	N/A	None

Berks, Bucks and Oxfordshire Wildlife Trust	[No substantive comments re the content of the Development Brief]	N/A	None
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CHERWELL DISTRICT COUNCIL

Planning Committee - 2 December 2021

PLANNING APPLICATIONS INDEX

The Officer's recommendations are given at the end of the report on each application.

Members should get in touch with staff as soon as possible after receiving this agenda if they wish to have any further information on the applications.

Any responses to consultations, or information which has been received after the application report was finalised, will be reported at the meeting.

The individual reports normally only refer to the main topic policies in the Cherwell Local Plan that are appropriate to the proposal. However, there may be other policies in the Development Plan, or the Local Plan, or other national and local planning guidance that are material to the proposal but are not specifically referred to.

The reports also only include a summary of the planning issues received in consultee representations and statements submitted on an application. Full copies of the comments received are available for inspection by Members in advance of the meeting.

Legal, Health and Safety, Crime and Disorder, Sustainability and Equalities Implications

Any relevant matters pertaining to the specific applications are as set out in the individual reports.

Human Rights Implications

The recommendations in the reports may, if accepted, affect the human rights of individuals under Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. However, in all the circumstances relating to the development proposals, it is concluded that the recommendations are in accordance with the law and are necessary in a democratic society for the protection of the rights and freedom of others and are also necessary to control the use of property in the interest of the public.

Background Papers

For each of the applications listed are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; representations made by bodies or persons consulted on the application; any submissions supporting or objecting to the application; any decision notices or letters containing previous planning decisions relating to the application site

Item No.	Site	Application Number	Ward	Recommendation	Contact Officer
10	Hatch End, Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester, OX25 5QL	21/01123/F	Deddington	*Grant Permission	James Kirkham
11	94 The Moors, Kidlington, OX5 2AG	21/03017/F	Kidlington West	Refusal	John Cosgrove
12	The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA	21/02472/F	Launton and Otmoor	*Grant Permission	Gemma Magnuson
13	The Ben Jonson Inn, Northampton Road, Weston on the Green, OX25 3RA	21/02473/LB	Launton And Otmoor	*Grant Permission	Gemma Magnuson
14	35 Bridge Street, Banbury, OX16 5PN	21/03059/CLUP	Banbury Cross and Neithrop	*Grant Permission	Lewis Knox

*Subject to conditions

21/01123/F

**Hatch End Old Poultry Farm
Steeple Aston Road
Middle Aston
Bicester
OX25 5QL**



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21/01123/F

Hatch End Old Poultry Farm

Steeple Aston Road

Middle Aston

Bicester

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Hatch End Old Poultry Farm

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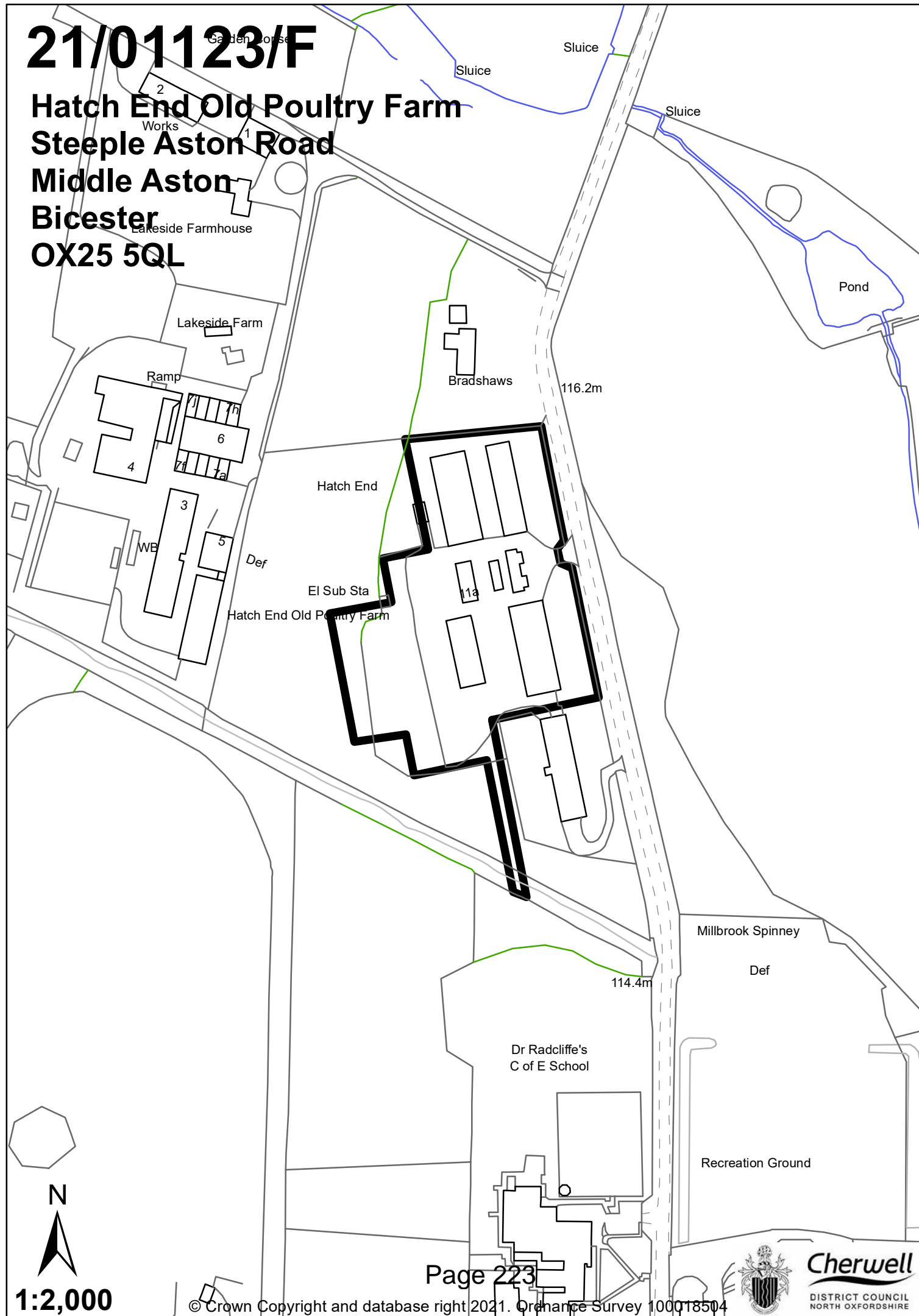
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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

21/01123/F

Hatch End Old Poultry Farm
Steeple Aston Road
Middle Aston
Bicester
OX25 5QL



Case Officer: James Kirkham

Applicant: Middle Aston Limited

Proposal: Demolition of existing buildings. Construction of replacement business units (buildings 2, 3, 4,5 and 6 as use classes E(g) (i), E(g) ii and E (g) iii and Building 1 under Class B8) and associated external works. (Re-submission of 20/01127/F)

Ward: Deddington

Councillors: Councillor Brown, Councillor Kerford-Byrnes and Councillor Williams

Reason for Referral: Major development

Expiry Date: 31 July 2021

Committee Date: 2 December 2021

SUMMARY OF RECOMMENDATION: DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS AND THE COMPLETION OF A S106 PLANNING OBLIGATION.

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is Hatch End Business Park which is located to the western side of Fir Lane, between Middle Aston and Steeple Aston. It currently consists of a number of low range, single storey, former agricultural units clad in timber, which have been used for a variety of commercial uses but which are largely now vacant. It also includes a scout hut store building believed to be used largely for storage in the north western corner of this group of buildings.
- 1.2. To the north is a relatively recently completed new dwelling. Further commercial units in separate ownership exist to the west of the site. To the south-east of the site is a further converted former agricultural unit beyond which lies a public footpath (364/5/10) and the local primary school at the edge of Steeple Aston.
- 1.3. The site rises quite sharply from the road with the units and land to the rear of the site being located on higher ground (approx. 5 to 6 metres difference between the road and the areas of parking to the rear of the existing buildings).

2. CONSTRAINTS

- 2.1. The application site is within Mid-Cherwell Neighbourhood Plan area. Immediately to the south of the site is a public footpath (364/5/10). Whilst not within the Conservation Area the Steeple Aston Conservation Area also extends along Fir Lane and is within 100 metres of the site.
- 2.2. Several mature trees exist across and adjacent to the site. These include a prominent row of roadside lime trees (Category A trees) located adjacent to the road to the east of the site and an old avenue of mature trees (horse chestnuts and beech – Category A and B trees) immediately to the north west of the site, which are subject to a Tree

Preservation Order. There are also numerous other trees around the boundary of the site including a belt of trees separating the site from the public footpath to the south.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The current application seeks permission to redevelop the site for a mix of Class E (commercial, business and service) and Class B8 (storage and distribution) uses as outlined in more detail below.
- 3.2. The current application would include the demolition of all the existing buildings (2,246 sq m of floor space) and the erection of several purpose-built new units (total of 2,215 sq m of floor space). The units would be arranged in a similar location to the existing units. There would be two smaller units located centrally to the frontage of the site. One of these would be a central hub building which would be a shared building with all the units on the site to include shared facilities such as toilets, meeting spaces and dining space. Four larger buildings would be located parallel to the road either side of the central buildings. An additional unit would be located to the south west. These larger buildings would be subdivided into 24 smaller business units ranging from 65 sq m to 200 sq m.
- 3.3. The buildings would be arranged over a single floor with ridge heights ranging between 4.1m and 5.5m largely with simple pitched roofs. The elevations would be clad in timber boarding and steel cladding with stone plinths. The roofs would be slate coloured roof sheets. Given the levels difference across the site a number of retaining walls are required and it is proposed that the retaining walls would be rendered in a light-coloured stone colour finish and the internal site road would be laid to a light coloured hoggin.
- 3.4. The site would utilise the existing access and the development would be served by 74 car parking spaces around the site and 34 cycle parking spaces.
- 3.5. It is also proposed to provide a new footpath link through the site to link back to the public footpath which runs through the tree belt to the south of the site.
- 3.6. In respect of the uses proposed on the site, Use Class E was introduced in 2020 and allows for much greater flexibility in uses. It covers a wide range of uses including retail, restaurants and cafes, professional services (e.g. solicitors, estate agents), indoor sport and fitness, medical facilities, childcare facilities, offices and light industrial uses. During the course of the application discussions have taken place with the applicant as a number of these uses were not considered appropriate for the site. As a result of the discussions further clarification has been given regarding the extent and nature of the uses proposed. These are:
 - Class E(g) (i) – Offices (formerly B1(a)): 732 sq m (33%)
 - Class E(g) (ii) and (iii) - Research and development and light industrial (formerly B1(b) and B1(c): 862 sq m (39%)
 - Class B8 – Storage and distribution: 422 sq m (19%)
 - Ancillary Use (Hub) including toilets, meeting space, etc: 198.81 sq m (9%)

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Whole site

55/00153 – Erection of poultry plant for research – Permitted

75/00367 – Residential development – Refused

82/00414 – Erection of 2 broiler houses – Permitted.

82/00483 – Extension to two broiler houses – Permitted

96/00939/F - Change of use of buildings to B1, B2 and B8 uses inc. m/cycle repair workshop, car preparation, metal fabrication, vehicle maintenance, joinery store/workshop, furniture store/restoration, catering equipment store, assoc. landscaping, parking and access works (RETROS.) – Refused due to impact on highway

97/01419/F - Change of use of building Nos 2, 3, 4, 5, 8 and 9 to various B1, B2 and B8 uses (offices/general industrial/warehouses). Use of building (Jabaville) as scout hut and use of existing office building as office not assoc. with poultry farm. (RETROSPECTIVE)- This application was permitted subject to conditions and a legal agreement. The legal agreement required the removal of a number of former buildings, the laying out of the access and parking and the provision of landscaping etc. It also includes several conditions including condition 1 which only allows for the buildings to be used for the uses specified within the application in the interests of amenity and highway safety. It later appears that an informal mechanism was introduced which allowed for the occupiers to change through an exchange of letters between the applicant and with the Local Planning Authority. This however subsequently this appears to have been removed by a further letter. This consent also included conditions which restricted the use of outdoor spaces, hours of operation, parking and landscaping.

- 4.2. A number of further permissions have been granted on the site however these have generally been made personal to the intended occupier or strictly controlled through conditions. These include the permissions outlined below:

Northern western Building

00/00014/F - Change of use from storage of catering equipment (B8) to car disassembly (B2) and storage/distribution of parts (B8) – Permitted

00/00985/F - Change of use from storage of catering equipment (B8) to Prestige Car Preparation (B2) – Permitted

South western building

07/01779/F - Change of Use from sui generis use to Class B1 (business) use – Permitted (required business to be approved in writing prior to occupation)

03/01548/F - Change of use to repair of vehicles and operate coach and mini bus for private hire and HGV freight (RETROSPECTIVE) – Permitted (personal consent)

5. PRE-APPLICATION DISCUSSIONS

- 5.1. The following pre-application discussions have taken place with regard to this proposal:

19/00185/PREAPP - Redevelopment of site in same uses (B1, B2 and B8 use and a community use)

- 5.2. It was stated that the redevelopment of the site could be acceptable in principle however concerns were raised over the extent of the site and a new scout hut facility. Concerns were raised over the layout and scale of the proposal and the impact on the

character and appearance of the area and setting of the Conservation Area. It was advised that buildings should generally be single storey and retain a low key and simple appearance. It was also stated consideration needed to be given to the tree on the site. In regards to highway matters it was advised matters be discussed with the Highway Authority and some concern was raised over HGVs. It was stated that ecology, flood risk, drainage and energy reports would need to be included with any application.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was **21 May 2021**.

6.2. 57 letters of objection and 4 comments have been received. The comments raised by third parties are summarised as follows:

- Highways
 - Increase in traffic (including HGVs) on unsuitable local narrow roads leading to highway safety concerns and risk of accidents on the neighbouring roads and through the various routes through the adjoining villages.
 - No offer of a traffic crossing operative has been included in the application or traffic calming outside of the school.
 - Increase in traffic significantly underestimated by the proposal
 - Increase risk to school and pre-school children which is located close to the site particularly at peak times from additional traffic, type of traffic, worse congestion and on street parking
 - School already generates high levels of traffic
 - Increase congestion
 - Modal share in application reports is wildly optimistic
 - There is no safe pedestrian route between village and site. Cycling opportunities are limited. Topography of the area is not favourable to walking and cycling.
 - Poor public transport in the locality and no guarantee the bus service will remain
 - The site is not located in a sustainable location.
 - Construction traffic on unsuitable roads.
 - The proposal is too large for its location.
 - Already significantly more traffic in the area due to ongoing developments such as at Lower Heyford.
- Inadequate parking provision leading to on street parking to the detriment of highway safety and leading to congestion
- Character and appearance
 - Impact of additional traffic on the character and appearance and heritage assets of the area.
 - Coalescence between Middle Aston and Steeple Aston.
 - Buildings not in keeping with the stone properties in the village.
 - Parking to the frontage would urbanise the site.
 - The provision of a footpath would be harmful to the character and appearance of the area and result in creeping suburbanisation.

- Concerns over future changes of use within Use Class E and further changes to other uses with subsequent impacts (e.g. traffic, opening hours)
- Residential amenity
 - Disruption from additional traffic and noise to residents and school
 - Risk of damage to properties in the village from extra traffic.
- Increase in air pollution and light pollution.
- No need for the development.
 - Plenty of existing industrial sites in urban areas.
 - Increases in working from home will mean there is not need for such premises.
- 2 buildings don't have a specified use class
- The development includes 2 land registry tiles one currently with no buildings. The new layout encroaches onto the undeveloped part (unit 1) and would change its planning status.
- A Polecat, which is a Priority Species, has been sighted near the site.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. MID CHERWELL NEIGHBOURHOOD PLAN: **Objects** principally on the grounds that it does not satisfy the criteria associated with Policy PC1: Local Employment of the MCNP and also gives rise to serious concerns regarding the impact of the scheme on the locality. The site is sensitive between 2 parishes. The desire for new purpose-built building is understood and supports the change, in principle, with Policy PC1 stating *"Continued commercial use of premises providing local employment within the neighbourhood area or otherwise benefiting the local economy will be encouraged."*

7.3. Policy PC1 continues with criteria that must be satisfied in order to gain that support:

"Proposals for the establishment of new small businesses will be considered favourably where they:

a) provide diverse employment opportunities for people living in the neighbourhood area or otherwise benefit the local economy, or enhance agricultural production.

b) do not have an adverse effect on the surrounding built, natural or historic environment that is not clearly outweighed by the economic benefits of the development.

c) are unlikely to generate a volume of goods traffic that would have a significantly harmful effect on road safety or congestion or cause unacceptable noise and disturbance for local residents or to the rural environment and would not adversely affect on-street residential parking."

7.4. Comment that it seems unlikely many people living in Mid-Cherwell will set up business at the site and there will be unlikely be any agricultural production. Acknowledge there would be benefits to the local economy, regardless of where staff come from, in terms of increased usage of local shops and other facilities.

- 7.5. The design and scale of the building appear more appropriate than early submission however concerns over frontage parking which has now been removed.
- 7.6. Concerns over amount of traffic and consider there could be significant amounts of traffic and staff at the site (up to 201 people based on floor space). Unconvinced that other modes of travel will be attractive to people and consider the car parking may be inadequate.
- 7.7. Concerns regarding that impact of additional traffic on the safety of the nearby school which is already congested and has safety concerns particularly at school drop off and pick up time. Additional parking on the road would render the route past the school virtually unusable the nature of the road.
- 7.8. Policy PD5 requires new housing development to provide new and improved footpaths and cycle ways to access village facilities. Whilst this relates to housing in the policy given the large number of people using the site a footpath link should be provided back to the village.
- 7.9. Concerns regarding traffic volumes in the wider neighbourhood plan area and the increase in traffic from the proposals is totally unacceptable to the two communities most affected. There are concerns over construction traffic and the impact on local roads and local residents.
- 7.10. If granted consent, permitted development rights should be removed. Furthermore, it should be ensured that the land between the application site and Lakeside Business Park is not considered ancillary to the use of the site for commercial purposes.
- 7.11. There are incorrect statements in the submission that say there was no highway objection to the original submission. Many concerns were raised regarding highways matters.
- 7.12. MIDDLE ASTON PARISH MEETING: **Objection.** Whilst some objections have been addressed, the proposal as revised remains unacceptable, because of its threat to the safety of residents and the damage to the rural nature of the village.
 1. The application replaces seven existing buildings with seven new buildings divided into 25 units. The application is for Classes E (g)I, E(g)ii and E(g)iii uses (in 4 buildings), Class B8 (in 1 building); two buildings (Building 3 and the Hub) do not have a use class specified. (officer note: It has been confirmed building 3 would be for Classes E (g)I, E(g)ii and E(g)iii uses)
 2. Object to the increase in road traffic, and risk to pedestrian and vehicle safety, which would result from the scale and intensification of the redeveloped site
 3. Object to the urbanisation of its location and its visual impact on the rural space separating the parishes of Steeple Aston and Middle Aston
 4. The assessment by the impact on traffic is seriously erroneous in several respects:
 - a. Travel Demand, Business Units: This has been calculated by factoring up the floor area currently occupied to the floor area post-development. It applies no weighting to the increase in number of business units; currently each of the seven buildings is a single business unit, whereas the developed site would comprise 25 units, which will significantly increase the potential number of employees on the site. Allowing 12m² per person, the site could accommodate, fully let, around 180 people. This means that both the on-site parking requirement and the estimation of traffic flows relating to

employee arrivals and departures in this application are greatly understated, even if the travel mode share assumptions were reasonable, which they are not (see below)

b. Mode Share: The document predicts that 18.6% of employee arrivals and departures will be by bus, train, bicycle or on foot. This is considered to be overestimated given the lack of services serving the site

c. No account has been taken to visitors to the site in the traffic estimates provided.

5. Parking is inadequate. 74 car parking spaces are proposed. If only 81.4% of 180 employees travel by car in single occupancy, that would require 146 spaces. This will result in inappropriate on street parking on the already narrow road, creating a major safety hazard for children and parents, and serious congestion for through traffic

6. The local road network is narrow and not suitable for significantly increased levels of traffic, either from goods vehicles or increased commuting. No footpaths exist to the site. Concerns therefore relate to this proposal's potential impact upon the safety of pedestrians, and most particularly, children given the proximity of the school. The proposal would have an unacceptable impact on road safety, noise and disturbance, in conflict with Policy PC1 of the Mid-Cherwell Neighbourhood Plan and paragraph 109 of the National Planning Policy Framework.

7. The proximity of Dr Radcliffe's Primary School: The proposal would be contrary to the Oxfordshire County Council a School Streets initiative given the increase in traffic. Traffic congestion close to Dr Radcliffe's is already a great concern at peak school times and this will make it very much worse and extremely hazardous. Support the statement of OCC Highways Department that, for approval to be given, "A footway between the site access and Steeple Aston will be required" as this would provide some protection for pedestrians on this section of Fir Lane. However the Transport Addendum submitted by Mode suggests that a footway entirely within the development site would satisfy this requirement, which is manifestly absurd in relation to the safety of parents and children at the school.

8. Urbanisation: The site currently has a strong rural feel, due to its agricultural origins. Would not want any development to detract from that character, or create a ribbon of continuity between Middle Aston and Steeple Aston. Appendix K of the Neighbourhood Plan includes a character assessment of Middle Aston which lists among its key features "the rural approaches to the settlement". The saved policy C15 of the Cherwell Local Plan 1996 seeks to prevent coalescence of settlements. Our particular concern is that the likelihood of parking overspill on to the road will fill the green rural space that separates the two settlements.

9. If despite the objections raised, this proposal is allowed to proceed, it is essential that the following implemented and enforced as conditions of approval:

i. Absolute prohibition of all construction vehicle movements between 08.30 and 09.30, and between 14.45 and 16.00, on Mondays to Fridays in school term time

ii. signage at the northern end of Middle Aston Lane (Somerton Road junction) prohibiting all construction traffic

iii. similarly, signage at the Middle Aston exit from A4260 prohibiting all construction traffic in addition to the existing advisory notice on HGV unsuitability

iv. The creation of a footway along Fir Lane, from the site entrance to Dr Radcliffe's School, prior to the commencement of demolition and construction work

7.13. STEEPLE ASTON PARISH COUNCIL: **Objects.**

- 7.14. Intensification of use: The proposal introduces a large number of office and other staff to the site which could lead up to 201 people on the site (adopting 11 sq m per person). The parking provision is inadequate. The existing buildings are not suitable for such numbers so the current proposal will result in significant intensification.

Contrary to SLE1: Considers proposal to be contrary to SLE1 for numerous reasons including no justification provided to support the intensification of the use, vehicle traffic will be detrimental to amenity, character and safety and will be dominated by private car use. Also, no evidence of need has been provided as required by SLE1.

Traffic Volumes: The roads through the villages are inappropriate for more traffic and single lane in many places. The increase in traffic at the likely level is totally unacceptable.

Pedestrian Safety and the school: Concerns over safety pedestrians and children from additional traffic and parking particular at peak school times. This is already an issue. There is no pavement between the site and school and pedestrians have to walk in the road at peak times due to parking and the road is congested and single width. The proposal will exacerbate this. A footpath link between the site and school is required to be on public highway (not private land)

Parking provision: The parking provision is inadequate for the likely number of employees at the site. This will lead to on street parking to the detriment of highway safety and the character and appearance of the area.

Travel Plan and vehicles movements: The modal share in the Transport Statement and Travel Plan are unrealistic given the distance to public transport and lack of evidence that there is a need for the development on the site to serve local residents. This will result in further traffic being generated and does not take account of other visitors. The increase in levels of pollution from additional vehicles is also unacceptable. The application will cause a detrimental impact from increased traffic on the residents of Steeple Aston and on the character and amenities of the village and its Conservation Area. As a result it fails to satisfy policy PC1 of the Mid-Cherwell Neighbourhood Plan and CDC Local Plan policies ESD13 and ESD15.

Construction period: Noise, disturbance, vibration and safety concerns regarding construction traffic will cause significant disruption to residents particularly given the nature of the routes. Conclude that there is no suitable access for construction vehicles to reach the application site.

Proposed uses: Requires the proposed uses to be conditioned as part of any approval and other flexibilities removed.

Conflict with NPPF: Considers the proposal to be contrary to Paragraph 85 of the NPPF and is exactly what the NPPF guidance seeks to avoid – a development that has an unacceptable impact on local roads; the current footpath proposal also fails to facilitate safe access to the site on foot.

OTHER CONSULTEES

- 7.15. OXFORDSHIRE COUNTY COUNCIL (OCC) HIGHWAYS: **No objections** subject to contributions towards the bus service and travel plan monitoring, an obligation to enter secure new footpath to link the site to the public right of way to the south of the site and various planning conditions.

- 7.16. Transport Development Control -The Transport Statement (TS) is considered to be an appropriate level of submission for a development proposal of this size. The following points are noted.
- 7.17. The TS does not present records regarding personal injury accidents (PIA) as is standard practice for a submission of this type. However, upon a review of latest available PIA data for the last five years OCC confirms the narrative in the TS.
- 7.18. Cllr Fatemian has voiced concern regarding the impact of the increased traffic generated by the development on Road Safety at Dr Radcliffe's C of E Primary School. OCC's Traffic and Road Safety Team has reviewed this matter twice since 2012 and again in the light of the previous planning application under 20/01127/F. It has further been reviewed by the County in response to this planning application. As a result OCC remains of the view that the additional traffic generated by the development does not give rise to a safety concern that needs to be addressed.
- 7.19. Table 4.2 of the TS presents a trip generation analysis and concludes that the development proposals will generate 13 additional trips in the AM peak hour, 8 additional trips in the PM peak hour and 42 additional trips over a 12 hour period. This increase in trip generation is considered unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.
- 7.20. Table 6.1 of the TS demonstrates that the quantum of cycle parking to be provided will meet the County's standards. Table 6.2 of the TS shows that car parking provision of 79 spaces will exceed the 63 spaces required by the County's standards. This is not considered to be significant over provision. The parking accumulation presented in Figure 6.1 of the TS demonstrates that this shortfall should not result in unwanted on-street parking.
- 7.21. The Construction Traffic Management Plan (CTMP) is inadequate for a number of reasons. This is not a reason for the County to object to this planning application since an improved CTMP can be submitted in discharge of a condition of planning permission. An improved CTMP should be developed with reference to the County's checklist which forms part of the condition included in this document.
- 7.22. Transport Strategy - The location of this site is rural. The road network in the area reflects this rural setting, with roads being narrow, winding and lacking in visibility and lighting. There is a relative lack of walking and cycling infrastructure, including gaps in footway provision and it is challenging to implement walking and cycling infrastructure in this location.
- 7.23. The development site is not well located to allow sustainable connections due to the rural location and lack of existing walking, cycling and bus infrastructure within the surrounding area.
- 7.24. There is the 300 metre gap in footway provision between the site and the existing footway south of the site at Steeple Aston, with no measures proposed to address this in the Transport Statement. If the development is permitted, then OCC originally stated that the developer would need to provide a footway on the western side of Fir Lane between the site access and the existing footway in Steeple Aston which terminates at the vehicle access to Dr Ratcliffe's C of E Primary School to provide a continuous off carriageway link back to the village to enable access to service and facilities and encourage journeys by foot. However further to the receipt of the amended details they have stated that the footpath shown on within the Transport Addendum which only links the site with the public footpath of the south of the site and does not provide a continuous footpath back to the village would be acceptable

given the existing use of the site compared to the proposed use and the trip generation not being significantly increased.

- 7.25. Public Transport - OCC seeks to ensure that development is well located in relation to the public transport network, and that schemes make financial contributions for the support of such services where this is relevant. Contrary to section 5.4 of the Transport Statement, the site is not "*located as to enable bus connectivity with the wider Oxfordshire area*". There are no suitable bus services available from two of the four places listed, those being Chipping Norton and Bicester. It is also considered highly unlikely that staff would make use of Heyford railway station. The site is not in a sustainable location for public transport access with walk distances to the nearest bus stops and railway station being significant. It is likely that the private car will be the principal mode of access to the site.
- 7.26. In the event that permission is granted the development should make a contribution towards the retention and improvement of the S4 bus service through Steeple Aston. Based on an increase of AM peak vehicle trips of 13, and an assessment comparison with a recent site elsewhere on the S4 corridor, the County Council requires a public transport services contribution of £40,989.
- 7.27. Travel Plan - The application is accompanied by a Framework Travel Plan (FTP). This has been reviewed by OCC's Travel Plans team, and is closely aligned to that which was submitted with original application 20/01127/F. As such it is considered acceptable and should be activated on first occupation of the development. Thereafter the FTP should be monitored and updated as set out in Section 8 of that document. The proposal will trigger the need for monitoring the Framework Travel Plan. This will require a monitoring fee of £1,446
- 7.28. CDC CONSERVATION: **No objections**. The existing buildings have no historic merit, although they largely have an agricultural character and therefore are relatively inconspicuous within the countryside. There are no concerns with regards to the removal of these buildings. The design of the new buildings has been amended and they now have an appearance which is more akin to the agricultural character of the site. Furthermore, the size of the proposed buildings is much closer in scale to the existing buildings on the site. The layout and form also replicate the existing and this is considered to reduce the dominance of the buildings and ensures the development is in keeping with its countryside location. Overall, it is considered that the proposals will preserve the character of the rural approach to the Steeple Aston Conservation Area.
- 7.29. CDC ECOLOGY: **No objection**. The submitted information is appropriate in scope and depth and whilst the bat surveys will need to be updated for a licence they are sufficient for determination of the planning application. Beyond the bats there are no major protected species issues on the site. An unverified record of a polecat has been made. Whilst the buffer zone to the wooded area should help prevent disturbance additional enhancements on site with these species in mind should be considered here. Recommended conditions requiring a licence, a Construction Environment Management Plan for biodiversity, a lighting scheme, and a Landscape and Ecological Management Plan including biodiversity enhancements (with biodiversity calculator) to ensure that a net gain in biodiversity is secured.
- 7.30. CDC ARBORIST: **No objections** to the original submission subject to condition regarding implementation of tree protection plan and method statement.
- 7.31. LEAD LOCAL FLOOD AUTHORITY: Further to the receipt of additional information raise **No objections** subject to conditions requiring implementation of drainage strategy and evidence of provision.

- 7.32. THAMES WATER: **No objections.** The waste water network, sewage treatment works infrastructure, water network and water treatment infrastructure has capacity.
- 7.33. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to conditions on ground investigation and provision of electric vehicle charging points.
- 7.34. OCC ARCHAEOLOGY: **No objections**
- 7.35. CDC RIGHTS OF WAYS: **No objections.** The public right of way should remain clear at all times.
- 7.36. CDC RECREATION AND LEISURE: **No objections.**
- 7.37. OCC MINERALS AND WASTE: **No objections.** The site lies in the Mineral and Waste Strategic Resource Area (SRA) 8 (Duns Tew Area) for soft sand. Policy M8 of the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy states that development that would prevent or otherwise hinder the possible future working will not be permitted unless certain criteria are met. As the site already has buildings which are being replaced with new buildings in the same location and due to other buildings around the site, no objection to this application.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council on 20 July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

Cherwell Local Plan 2011 – 2031 (CLP 2015)

- Policy SLE1 - Employment Development
- Policy SLE4 - Improved Transport Connections
- Policy BSC12 - Indoor Sport, Recreation and Community facilities
- Policy ESD1 - Mitigating and Adapting to Climate Change
- Policies ESD3-ESD5 – Sustainable construction and renewable energy
- Policies ESD6 – 7 – SUDS and flood risk
- Policy ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- Policy ESD13 - Local Landscape Protection and Enhancement
- Policy ESD15 - Design and the Built Environment
- Policy ESD17 - Green Infrastructure
- Policy Villages 1 - Village Categorisation

Saved Policies of the adopted Cherwell Local Plan 1996 (CLP 1996)

- Policy EMP1 - Allocation of sites for employment generating development
- Policy TR7 - Minor roads
- Policy TR10 - Heavy Goods Vehicles
- Policy C8 – Sporadic Development in the Open Countryside
- Policy C15 - Coalescence
- Policy C28 - Design Considerations

Mid-Cherwell Neighbourhood Plan (May 2019)

- Policy PD4 - Protection of Important views and vistas
- Policy PD5 - Building and Site Design
- Policy PD6 - Control of Light Pollution
- Policy PC1 - Local Employment

Other

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Steeple Aston Conservation Area Appraisal
- Conservation of Habitats and Species Regulations 2017

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area including heritage impact
- Highways matters
- Residential amenity
- Ecology impact
- Flood Risk and Drainage
- Other matters

Principle of Development

Policy Context

- 9.2. Planning law requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise and case law has determined that the Development Plan is the starting point for decision making. In this case the Development Plan consists of the CLP 2015, the Saved Policies of the CLP 1996 and the Mid Cherwell Neighbourhood Plan (2019) ('MCNP').
- 9.3. Policy SLE1 of the CLP 2015 relates to employment development and in respect of existing employment sites states that employment development will be focused on existing employment sites, including in the rural area and that intensification will be permitted subject to compliance with other policies in the Plan and other material considerations. The policy then states that, unless exceptional circumstances are demonstrated, employment development in the rural area should be located within or on the edge of Category A villages (as defined by Policy Villages 1).
- 9.4. Policy SLE1 then goes on to list a set of criteria against which proposals new employment proposals in rural areas will be considered. However, given that this proposal is for the redevelopment of an existing employment site these criteria need to be considered in this context and in light of the earlier statements in this policy that employment development will be focused on existing employment sites and permitted on existing and vacant employment sites in the rural areas including intensification.
- 9.5. Policy ESD1 states the Council will mitigate the impact of development on climate change by distributing growth to the most sustainable locations as defined in the Local Plan and by delivering development that reduces the need to travel.
- 9.6. Policy PC1 of the MCNP also considers employment development and states that continued commercial use of premises providing local employment within the neighbourhood area or otherwise benefiting the local economy will be encouraged. It

goes onto state that proposals for the establishment of new small businesses will be considered favourably where they:

- a) provide diverse employment opportunities for people living in the neighbourhood area or otherwise benefit the local economy or enhance agricultural production.
- b) do not have an adverse effect on the surrounding built, natural or historic environment that is not clearly outweighed by the economic benefits of the development.
- c) are unlikely to generate a volume of goods traffic that would have a significantly harmful effect on road safety or congestion or cause unacceptable noise and disturbance for local residents or to the rural environment and would not adversely affect on-street residential parking.

- 9.7. The NPPF also highlights that significant weight should be placed on the need to support economic growth and should enable the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings and well-designed new buildings. Paragraph 85 states planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Assessment

- 9.8. The application site is an existing employment site within the rural area of the district. It is therefore not a new employment site for the purposes of planning policy where the more rigorous tests outlined in Policy SLE1 relating to justifying the principle of the use in a rural location would apply. The area of land to be developed largely remains within the historically approved site area and whilst there is a small extension to this area it is not considered to be significant in policy terms.
- 9.9. The current proposal is therefore considered to be an intensification of an existing employment site in the rural area, which is broadly supported by Policy SLE1 of the CLP 2015 and PC1 of the MCNP. Furthermore, the proposed development would not significantly increase the amount of commercial floor space available at the site (indeed it represents a slight decrease). It is acknowledged that the current site appears to have historically operated at a very low level, but the existing floor space could be used - i.e. the use could significantly increase - without further consent.
- 9.10. The Mid Cherwell Neighbourhood Plan Forum has raised comments that the proposal may not be occupied by local businesses or enhance agricultural production in line with Policy PC1. However, the planning system cannot dictate that local companies occupy the site. The proposal would provide 'opportunities' for new employment for people living in the local area with a range of units and uses and would also help support the local economy.
- 9.11. Concerns have also been raised that the applicant has not demonstrated a need for the development to be in this location. However, given the fact the site is an existing employment site of a similar scale in the rural area where Policy SLE1 supports intensification this is not considered reasonable to require and would be more appropriate in circumstances for where a *wholly new* employment site is proposed

(i.e. where the site is not the redevelopment of an established employment site as is the case here).

- 9.12. The site is in close proximity to Steeple Aston which is a Category A village with food shop, public house, primary school and post office. The site is also previously developed land and in officers' opinion complies with Policy SLE1 in this respect. The applicant has also provided a Market Summary Report from Cartas Jonas which states that, despite the pandemic, in general terms the Oxfordshire commercial market remains strong and nearby similar developments have near full occupation and they consider there is a strong market for such proposals. The site will also provide a number of small units which may provide employment opportunities for local people which is supported by PC1 of the MCNP.
- 9.13. Concerns have been raised regarding the locational sustainability of the site in regard to opportunities for walking, cycling and public transport. The NPPF notes that opportunities for sustainable transport will vary between urban and rural locations. The site is located near to Steeple Aston and opportunities to walk and cycle to the site would be available to residents albeit some of this would be in the road carriageway as the public footpath from the village on Fir Lane terminates at the access to the school and does not extend to the site (see the following paragraph). Notwithstanding the site's relative locational sustainability, the application relates to an *existing employment site* and the decision maker must have regard to the existing situation, which may be considered a fallback position, and that the proposal would not result in any new net floor space over the existing.
- 9.14. Oxfordshire County Council (OCC) as Local Highway Authority originally requested a new footpath to the west of Fir Lane to provide a new continuous segregated footpath between the site and Steeple Aston. However, during the course of the application, the applicant has agreed to provide a footpath link through the site to link to the public right of way which exists in the tree belt to the south of the site and to the north of the school playing field. This would not provide a continuous footpath link back to the village via a segregated footpath, and people would still need to walk on the verge or in the road for approximately 120 metres. However, it would provide an *improved* connection back to the village compared to the existing situation. Whilst this is not ideal in terms of a pedestrian connection and a continuous route would have been more desirable, OCC has confirmed that it considers the arrangement put forward by the applicant to be acceptable given that the scale of development proposed under this application is very similar to that which already exists on the site. On balance, given: (i) the current site is already an existing employment site of a similar size; and (ii) the views of the Local Highway Authority re the footpath, the proposed arrangement is considered to be acceptable.
- 9.15. The closest bus stops to the site are on located on South Side approximately 1km to the south of the site and are served by the S4 Gold Service, which operates between Oxford and Banbury every hour Monday to Saturday. The service is hourly, although the distance to the bus stop is further than ideal. In discussions with the County Council the applicant has agreed to pay of contribution of £40,989 to help fund the continuation and enhancement bus services serving Steeple Aston in the operating hours of the site. The applicant has also agreed this contribution. The application is also accompanied by a Travel Plan to encourage sustainable forms of travel to the site which is considered acceptable and would require a monitoring fee to be secured through a legal agreement.
- 9.16. Opportunities also exist for cycling to the site. Whilst it is noted there are limitations regarding the opportunities for sustainable transport options, given the site is an *existing employment site* of a similar scale and the proposal is considered to comply with the Policy SLE1, which is supportive of intensification of existing rural

employment site, this would not warrant a reason to refuse the scheme. Furthermore, the NPPF acknowledges the difference between rural and urban areas needs to be taken into account.

- 9.17. It is noted that previous planning consents on the site have sought to restrict the businesses that operate from the site with the use of planning conditions (see planning history section for further information), and it appears that this requirement has been relaxed overtime, albeit without any formal application to vary or modify the condition. However, the current application has to be assessed against the relevant planning policies that exist today and these historic conditions do not alter the fact that the site is an authorised employment site.
- 9.18. During the course of the application negotiations have taken place regarding the type of uses proposed on the site. As noted elsewhere in this report Use Class E has been introduced and has a much wider range of uses that can operate under this use class. Many of these uses, such as offices, retail and restaurants etc., are 'main town centre uses' as defined by the NPPF, which would not be considered appropriate on this site at this scale without strong and robust justification given conflict with other planning policies. Therefore, during the course of the application and in discussions with Officers the following uses have been proposed on site (and could be controlled through condition) which more strongly align with the former use class order and Policy SLE1:
- Class E(g) (i) – Offices (formerly B1(a)): no more than 732 sq m
 - Class E(g) (ii) and (iii) = Research and development and light industrial (formerly B1(b) and B1(c)): no more than 862 sq m
 - Class B8 – Storage and distribution: 422 sq m
 - Ancillary Use (Hub) including toilets, meeting space etc: 198.81 sq m
- 9.19. Officers consider this balance of uses to be acceptable in principle having regard to current planning policy. Whilst offices (Class E (g) (i)) are defined as a 'main town centre use' in the NPPF, on balance and having regard to the context of the site (including history, scale and location) the extent of office use on the site is considered to be 'small scale rural offices' and therefore would be exempt from the sequential assessment in accordance with paragraph 89 of the NPPF. Furthermore, it is considered that, given the mix of uses likely to occur in the Hub building, it would be reasonable for a condition to be imposed on any permission given to require this building remain ancillary to the wider development.
- 9.20. In addition to the above, during the course of the application the extent of the application site has been reviewed and no longer includes the land between Lakeside Business Park to the west and the application site and relates much more closely to the previously consented application site. Any future application on this land outside of the red line would need to be considered on its own merits.

Conclusion

- 9.21. The proposed development is considered to be a redevelopment and intensification of an existing rural employment site, which is supported by Policy SLE1 of the CLP 2015 and Policy PC1 of the MCNP. The site is located close to Steeple Aston, a relatively sustainable Category A village, and would provide opportunities for local employment given the range of uses. The type of uses proposed now more closely align with the employment uses supported by local planning policy. Overall, therefore, the principle of the redevelopment of the site is considered acceptable, with overall acceptability subject to compliance with other policies and other material considerations.

Character and appearance including heritage impact

Policy context

- 9.22. Policy ESD13 of the CLP (2015) states proposals will not be permitted if they would cause undue visual intrusion into the open countryside, be inconsistent with local landscape character or harm the setting of settlements. Policy ESD15 states that new development will be expected to complement and enhance the character of its context through sensitive design and siting which positively contributes to an areas character and identity. It also requires new development to conserve, sustain and enhance the setting of heritage assets such as Conservation Areas.
- 9.23. Saved Policy C8 of the CLP 1996 seeks to resist sporadic new development in the open countryside and Saved Policy C15 also states the Council will prevent the coalescence of settlement by resisting development in areas of open land, which are important. Saved Policy C28 states that all development should ensure that the layout, design and external appearance are sympathetic to its context.
- 9.24. Policies PD5 and PD56 of the MCNP are also relevant and sets out that proposals should have full regard to the Heritage and Character Assessment of the Neighbourhood Plan, should be sensitively designed and should minimise the risk of light pollution.
- 9.25. The NPPF advises that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character and history. In regard to heritage assets the NPPF states assets should be conserved in a manner appropriate to their significance and great weight should be given to assets conservation. Where development would lead to harm (including setting) it should require clear and convincing justification. Where development would lead to 'less than substantial harm' this harm should be weighed against the public benefits of the scheme.

Assessment

- 9.26. The existing site lies outside the built limits of the village and has a rural character and appearance. The trees around the site, including along the frontage, make a positive contribution to the character and appearance of the locality. Whilst the existing buildings on the site are of limited architectural merit, they are existing structures and maintain a strong agricultural character and appearance, associated with their previous use as poultry sheds. The site currently contributes to the rural setting of the villages and the Conservation Area. The Conservation Area Appraisal includes the 'Peripheral Areas' Character Area closest to the application site and states '*As the name suggests, these areas are set at the extreme edges of the historic core and have a less formal feel to them when compared with the traditional streets. Despite being separated, these entrances to the village are similar in their low-key rural approaches to the historic areas.*' The visual appraisal for the area identifies significant trees and important hedges and vegetation in the area.
- 9.27. With the exception of the new building in the south west part of the site, the layout of the buildings would largely be based on the existing arrangement of buildings on the site and would therefore reflect the existing layout of the site. The proposed buildings would be taller than the existing buildings. However, the buildings on the frontage would be single storey in scale and retain a relatively simple form with pitched roofs parallel to the road. The use of the materials with stone plinths and timber cladding would also help to provide a rural character and appearance to the scheme and provide a modern 'barn like' appearance, which Officers consider would be appropriate for the site.

- 9.28. During the course of the application, the plans have been amended at the request of officers to remove areas of parking to the frontage of the site given concerns over the urbanisation of the entrance to the village and the long term conflict with the mature lime trees along the road frontage. Amendments have also been made to make the elevations of the building facing onto the road more simple in appearance and to remove a bin store from the front of the site. These changes are considered to help retain the rural appearance and character of the locality and ensure a simple rural appearance to the development. The Conservation Officer raises no objection to the amended scheme and it is considered to preserve the setting of the nearby Conservation Area as a heritage asset.
- 9.29. The scheme has been designed to work with the levels of the site which rises to the rear and would look to utilise the floor slabs of the existing buildings to some extent. The retaining walls will be finished in a soft coloured render and the circulation and parking areas would be in a light coloured hoggin, which is considered to be appropriate to the rural context. It is proposed to retain the majority of the trees on the site, including the large lime trees to the front of the site by the road site and the historic avenue of mature trees to the west of the site. This would safeguard the verdant character of the site, which is important to the area and would be augmented by additional planting. The Council's Tree Officer has considered the submitted tree reports and impacts assessments and raises no objection to the scheme. The new building to the south west of the site would be slightly taller. However, given it is set back from the road and behind an existing building and would only form a small element of the built form on the site, on balance this is considered to be acceptable.
- 9.30. In terms of Saved Policy C15, which seeks to prevent coalescence of settlements, the proposed built form on the proposed development is largely located on the footprint of existing buildings and contained within the extent of the authorised site and would remain relatively low profile. Therefore, the impact in terms of coalescence between Middle Aston and Steeple Aston is considered limited in this case.
- 9.31. Full details of the materials of the development and any lighting scheme can be controlled through condition to ensure they are appropriate for the site and surroundings.
- 9.32. Overall, it is acknowledged that the site would appear more developed than is currently the case given the increase in height and bulk of the buildings and the likely increased level of activity on the site over present levels. However, the existing buildings are of no significant architectural merit and it is considered that the proposed development, for the reasons outlined above including scale and relatively simple design, is an appropriate design response for the site which would provide an improved employment offering on the site whilst also preserving the setting of the nearby Conservation Area and the verdant and rural character and appearance of the locality including the setting of the villages. The proposed development is therefore considered to be acceptable in design terms.

Highway matters

Policy Context

- 9.33. Policy SLE4 of the CLP Part 1 2015 states all development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. It goes on to state that development which is not suitable for the roads that serve the development and which have severe traffic impacts will not be supported. Saved Policy TR7 states that development that would attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted and Saved Policy TR10 has a similar trust in regard to HGV movements

- 9.34. Policy PC1 of the MCNP notes that favourable consideration will be given to proposals for employment development which are unlikely to generate a volume of goods traffic which would have a significantly harmful effect on road safety or amenity.
- 9.35. Paragraph 108 of the NPPF states that in assessing development proposals it should be ensured that safe and suitable access to the site can be achieved for all users; and the significant impacts from the development on the transports network or on highway safety can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Assessment

- 9.36. The current proposal would retain the existing access onto Fir Lane to serve the development. The visibility from this is considered acceptable and to be in excess of the Manual for Streets stopping sight distance given the recorded 85th percentile recorded speeds and the LHA raises no objection to the application in this respect.
- 9.37. As part of the consultation on the application, local residents and the Parish Councils have raised significant levels of concerns regarding the impact of the development in respect of traffic generation, the adequacy of the highway network and highway safety matters alongside concerns over the amount of parking at the site. The roads serving the site are relatively narrow rural lanes with a number of pinch points being single width in some locations.
- 9.38. The application has been accompanied by a Transport Statement and Framework Travel Plan. These have been subject to consultation with the LHA, which raises no objection to the application subject to a legal agreement securing financial contributions to the bus service and travel plan monitoring and a number of conditions.
- 9.39. The Transport Statement reviews the traffic impact of the development which has included a baseline study of the vehicle trips associated with the existing land uses at the site (factored to take account of the vacant units) using a manual traffic count at the site. A forecast of the vehicle trips likely to be associated with the proposed development has been calculated through the interrogation of comparable site surveys in the TRICS database which is common industry practice for Transport Statements. This takes account of all trips to the site including visitors. The difference in traffic associated with the existing use of the site and the forecast traffic from the proposed development provides the net traffic generation. The mode share (i.e. whether people walk, cycle, use public transport or drive) for the development is based on the travel to work census data for the local area. Despite criticism of these methodologies by objectors, this approach and the trip generation and net impact is considered acceptable by the County Highways Engineer who provides the District Council with expert advice in this regard.
- 9.40. The submitted details show that in the AM peak there is estimated to be a total of 33 movements (a net increase of 13 compared to the existing) associated with the proposed development and 24 movements (a net increase of 8) in the PM peak (17:00-18:00). Over the course of the day (07:00-19:00) there is forecast to be 173 trips in total (a net increase of 42). The visits of heavy good vehicles to the site are likely to be limited due to the small size of the commercial units and be similar to the existing situation.
- 9.41. The LHA has considered this information and the characteristics of the site and surrounding road network and advises that the increase in trip generation is unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network so would be acceptable in this regard and not lead to a severe

impact which is the high threshold for refusal set by the NPPF in regard to such matters.

- 9.42. Concerns have been raised by local people and the Governing Body of the School regarding the impact of the increase traffic on the road safety at Dr Radcliffes C of E Primary School, which is located to the south of the site and, like many schools, has peaks of traffic at school drop off and pick up time including parking on the highway. The LHA has considered this in detail and has stated: *The County's Traffic and Road Safety Team has reviewed this matter twice since 2012 and again in the light of the previous planning application under 20/01127/F. It has further been reviewed by the County in response to this planning application. As a result the County still concludes that the additional traffic generated by the development does not give rise to a safety concern that the County needs to address.* Therefore, whilst the concerns of residents in this respect are noted it is considered that the level of traffic associated with the development would not lead to road safety concerns that would justify refusal of the application.
- 9.43. In regards to vehicle parking, the proposed development would provide 74 parking spaces including 12 spaces fitted for Electric Vehicle (EV) charging points. The applicant has also presented a parking accumulation exercise based on the trip generation forecast for the site which indicates that the parking would be adequate to serve the development. The Highway Engineer has considered these against the County Council's optimum parking standard, which the current proposal exceeds, and considers the level of parking to be acceptable to serve the development and should not lead to unwanted on street parking. The Highway Engineer has raised concerns regarding the number of EV charging spaces and have requested that 25% (19) of the spaces are provided with EV charging spaces. This can be controlled through condition. 34 cycle spaces will be provided at the site and this complies with OCC's Standard and is considered to be acceptable.
- 9.44. The application is accompanied by tracking plans and these demonstrate that the site would operate in a safe and efficient manner allowing vehicles to enter and leave the site in a forward gear.
- 9.45. The submission also included a Construction Traffic Management Plan. The LHA has raised a number of concerns regarding the details therein, but these matters can be controlled through a condition of any planning permission given. The concerns of residents regarding construction traffic are noted; however, given their temporary nature and with the submission of an amended CTMP this is not considered to be a matter which would justify refusal of the application.
- 9.46. Overall, the development is considered acceptable from a highways perspective and is considered to comply with the relevant planning policy and is not considered to result in a severe highway impacts or result in unacceptable highway safety impacts.

Residential amenity

- 9.47. Policy ESD15 of the CLP 2015 requires new development to consider the amenity of both existing and future occupants, including matters of privacy, outlook, natural light, ventilation, and indoor and outdoor space.
- 9.48. Saved Policy ENV1 of the CLP 1996 state development which is likely to cause materially detrimental levels of noise, smell, fumes or other types of environmental pollution will not normally be permitted.
- 9.49. The proposed development is considered to be located a sufficient distance from the neighbouring properties to ensure it does not significantly impact on their residential

amenity. The scale of the buildings would be slightly taller than the existing buildings and would be clearly visible from the windows in the side elevation of the new dwelling to the north of the site, Millbrook House. However, given the distance, approx. 30 metres, the scale of the proposals and the fact that the development would largely replace existing buildings, the impact on this light or outlook to this property is not considered to be significant.

- 9.50. By the nature of the uses proposed (use class E(g) allows for uses which can be carried out in a residential area without detriment to its amenity) for the majority of the site they are considered to be appropriate for a residential area. The unit which is proposed to be used for storage and distribution is located to the southern part of the site and furthest from the dwelling to the north. The Council's Environmental Protection Officer has raised no objections to the application in this respect and officers agree with this assessment.
- 9.51. Concerns have also been raised that additional traffic through the villages would be raised to unacceptable levels of noise, disturbance and vibration. However, given the relatively small scale of the development this is not considered to be significant in planning terms.

Ecology Impact

Legislative context

- 9.52. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.53. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.54. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.55. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.

- (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 9.56. Paragraph 174 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.57. Paragraph 180 states that when determining planning applications, local planning authorities (LPAs) should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.58. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.59. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.60. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.61. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that LPAs should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.62. In order for the LPA to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, LPAs must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England (NE) would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

- 9.63. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that NE will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether NE will grant the licence then the Council may grant planning permission.
- 9.64. The application is supported by a Preliminary Ecological Appraisal which the Council's Ecologist considers to be appropriate in scope and depth. The habitats present within the site include buildings, improved grassland, amenity grassland, hedgerow, trees, ruderal vegetation and hard-standing with the mature trees and woodland being the habitats of greatest ecological value. Two buildings are also known to support roosting bats (day roost of low numbers) and the demolition of these will require a European Protected Species Licence.
- 9.65. The Council's Ecologist has considered the submitted information and advises the extent of surveys are adequate for a planning application. The demolition of the buildings will require alternative bat roost provision and this would be secured by the licence and through conditions and the Council's Ecologist considers that the suggested mitigation with roost replacements on mature trees and bat roosting features incorporated into the new buildings, is likely to be acceptable.
- 9.66. There are also unverified records of polecats being present on the site and the Council's Ecologist is satisfied that the proposal would not be harmful in this respect and that additional enhancements could be provided on site through the Landscape and Ecological Management Plan with this species in mind which is proposed to be secured through a planning condition.
- 9.67. A number of conditions are required to protect the ecology and biodiversity of the site including measures during construction, a lighting scheme to ensure it is not harmful to wildlife and a Landscape and Ecology Management Plan with biodiversity enhancement plan to ensure a net gain in biodiversity is secured on the site.
- 9.68. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land would continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Flood Risk and Drainage

- 9.69. Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk. In short, this policy resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems (SUDS) to manage surface water drainage. This is all with the aim to manage and reduce flood risk in the District.
- 9.70. The site is located in Flood Zone 1 which is the lowest areas of flood risk and is also not shown to be at risk of surface water flooding. Surface water from the existing site is connected to a pipe to watercourse to the east of the site
- 9.71. The submitted Flood Risk Assessment and Drainage Strategy notes that the ground conditions are suitable for infiltration drainage and this strategy has been proposed to reduce rainwater run-off from the proposed development compared to the existing flow with the use of a number of trench soakaways and permeable surfacing. The

Lead Local Flood Authority (LLFA) has currently raised objections to the scheme requesting details of methods to improve water quality, details of existing and proposed flood exceedance routes and soakaway tests to demonstrate that infiltration rates are acceptable. These details have now been provided and the LLFA raises no objection to the scheme subject to the implementation of the drainage strategy. In light of the comment from the LLFA Officers consider the matters relating to flood risk and drainage are acceptable.

Other matters

- 9.72. In terms of sustainable construction, Policy BSC3 requires all new non-residential development to meet at least BREEAM 'very good' standard. The proposed development has been accompanied by an Energy Assessment which confirms that the building will achieve BREEAM rate of 'Very Good' and this standard can be secured through a suitable planning condition. The energy efficiency measures include: good fabric insulation, improved air tightness and low energy light fitting with presence detection.
- 9.73. In regard to Policy ESD5 the application includes an analysis of renewable and low carbon energy provision. In this case it is proposed that the units will have air source heat pumps to provide heating and cooling as the most effective source of renewable energy. Solar panels had been considered but discounted due to the orientation of the buildings and tree coverage which would reduce effectiveness and future cost benefit to incoming tenants and air source heat pumps were considered more effective.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposed development would provide economic benefits in the form of providing opportunities for new jobs and construction activities. The principle of intensifying the use of an existing employment site in a rural area is considered to comply with Policy SLE1, which seeks to take a balanced approach to employment development in the rural areas of supporting development on existing sites whilst requiring justification for the establishment of new sites in line with the urban focus of the Development Plan. The site is located near Steeple Aston, a Category A village and one of the more sustainable settlements in the rural part of the district, and whilst it is noted that transport options are limited it is considered that a balanced application of the policy context alongside the existing use of the site indicates that the principle of the redevelopment of the site is acceptable.
- 10.2. The proposal is considered to protect the local environment by being sensitively designed to its rural setting and having regard to the ecological and natural constraints of the site. Whilst the proposal would lead to the creation of additional traffic on the nearby highway network this is likely to be relatively limited when compared to the existing use of the site and it is not considered to result in a severe impact on the highway network which is the high threshold set down by national planning policy. The LHA has carefully considered the highway safety matters and advises that the proposal would not result in unacceptable impacts in this respect.
- 10.3. Overall, the proposal is considered to comply with the Development Plan when considered as a whole and there are not considered to be any material considerations which would justify refusal. The proposed development is therefore considered to constitute sustainable development and it is therefore recommended that Planning Permission be granted.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW** (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- Contribution of £40,989 towards the retention and improvement of the S4 bus service (or other service) through Steeple Aston,
- Contribution of £1,446 to fund the monitoring and review of the Travel Plan

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawing numbers PL001(SK) – Location plan, PL002 – Existing site plan, PL003 - Existing ground floor plan, PL004 = Existing Floor Plans. PL005 - Existing Floor Plans, PL006 - Existing site sections, 139990_P101 G – Proposed site plan, 139990_P102 E – Site plan overall, 139990_P103 A – Site Sections, 139990_P104 A – Site sections, 139990_P105 A – Proposed site elevations, 139990_P106 – Unit 1, 139990_P107 – Unit 2, 139990_P108 – Unit 3, 139990_P109 – Unit 4, 139990_P110 – Unit 5, 139990_P111 – Unit 6, 139990_P112 – The Hub, 139990_P1113 – Visuals, HATCHTRP OCT21 - Tree retention and Protection Plan and HMA-LE-GEN-XX-DR-500-S5-A1-E – Proposed Drainage Strategy

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. No development shall take place until details of all finished floor levels in relation to existing and proposed ground levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in full accordance with the approved levels.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

4. No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to the Local Planning Authority and agreed in writing. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents

Thereafter the development shall be carried out in strict accordance with the approved details.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

Informative Note: The CTMP should follow Oxfordshire County Council's template.

5. No part of the development hereby permitted shall take place until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. If a potential risk from contamination is identified as a result of the work carried out under condition 5, prior to the commencement of the development hereby permitted a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This

information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. If contamination is found by undertaking the work carried out under condition 6, prior to the commencement of the development hereby permitted a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

8. If remedial works have been identified in condition 7, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

9. No works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the Habitat and Species Regulations 2017 (as amended) and a copy thereof has been submitted to the Local Planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. Prior to any works above slab level full details of the pedestrian access through the site linking to the public right of way to the south of the site shall be submitted and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To provide pedestrian access to the site and to encourage sustainable forms of travel in accordance with Policy SLE4 of the Cherwell Local Plan Part 1 (2015) and Government guidance in the National Planning Policy Framework.

11. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the measures in 5.2.1 and 5.3.1.1 of the submitted ecological survey and also include a plan of buffer zones and how they will be marked as well as any other timing and precautionary methodology/supervision needed for bats on site. The approved CEMP: Biodiversity shall be adhered to and

implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

12. Prior to any works above slab level, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include full details of a biodiversity enhancement scheme to demonstrate a net gain in biodiversity for the site. The development shall not be carried out other than in accordance with the approved LEMP and the biodiversity enhancements shall be carried out in accordance with the approved details prior to the first use of the development hereby approved and shall be retained as such thereafter.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

INFORMATIVE ON CONDITION 12:

The LEMP shall include the use of a Biodiversity Impact Assessment Metric to demonstrate a net gain in biodiversity. The Council seeks to secure a 10% net gain.

13. (a) Prior to the commencement of development above slab level, a design stage BREEAM certificate confirming that the development shall be constructed to at least a BREEAM Very Good standard shall be submitted to and approved in writing by the Local Planning Authority.
(b) Within 6 months of the occupation of the development hereby permitted, a final BREEAM certificate shall be submitted confirming that the development has achieved BREEAM Very Good standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with Policy ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1, and the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

14. A schedule of materials and finishes to be used in the external walls and roof(s) of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. This shall include samples of the proposed timber, metal cladding and a sample panel of the proposed stone walls. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

15. Notwithstanding the details on the approved plans, prior to any works above slab level full details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details

and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.

16. No development shall not commence above slab level until full details of the sustainability and energy proposals (based on the submitted report) has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the buildings hereby permitted and unless otherwise agreed in writing by the Local Planning Authority shall be retained as such thereafter.

Reason: To encourage the use of sustainable construction and renewable energy in accordance with Policy ESD1 to ESD5 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.

17. Prior to any works above slab level, a scheme for the provision of vehicular electric charging points to serve at least 25% of the parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1, Policy EVI8 of the Oxfordshire Electric Vehicle Infrastructure Strategy (2021) and to maximise opportunities for sustainable transport modes in accordance with paragraph 112(e) of the National Planning Policy Framework.

18. Prior to any works above slab level a scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

(d) details of any boundary fences or walls.

Such details shall be provided prior to the development progressing above slab level. The hard landscaping shall be provided prior to the first occupation of the development and shall be retained as such thereafter and the approved soft scheme shall be implemented by no later than the end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy ESD15 of the

Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

20. Details of the any proposed external lighting including the design, position, orientation and the management of such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. It shall be demonstrated how the lighting scheme complies with the guidance outlined in Section 5.3.2.6 of the Windrush Ecology – Preliminary Ecological Appraisal (March 2021). The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In the interests of the ecological value of the site and the visual amenity and to comply with Policies, ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policy PD6 of the Mid Cherwell Neighbourhood Plan and Government guidance contained within the National Planning Policy Framework

21. Prior to the first occupation of the development the parking, turning and loading and unloading shown on the approved plan(s) shall be provided on site and shall be permanently set aside and reserved for that purpose and shall be used for no other purpose whatsoever.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/loading/unloading and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance in the National Planning Policy Framework.

22. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing:
- Proposed Drainage Strategy, HMA-LE-GEN-XX-DR-CE-500, Rev D
 - Flood Risk Assessment, HMA-LE-GEN-XX-RP-CE-FRA01-C-Flood Risk Assessment, March 2021

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework

23. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- (a) As built plans;
 - (b) Photographs to document each key stage of the drainage system when installed on site;
 - (c) Photographs to document the completed installation of the drainage structures on site;
 - (d) The name and contact details of any appointed management company information.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework

24. The development and tree protection measures shall be carried out in strict accordance with recommendations in the B J Unwin Forestry Consultancy BS5837 Tree Constraints, Tree Impacts and Tree Protection Method Statement for commercial re-development (18th October 2021) document including drawing HATCHTRP-OCT21 unless otherwise agreed in writing under a separate discharge of planning condition.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

25. Notwithstanding the provisions of section 55 (2A) of the Town and Country Planning Act 1990 (as amended by Section 49 of the 2004 Act), and Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no internal operations increasing the floor space available within the building hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the provision of additional floorspace in order to maintain a satisfactory layout and sustain an adequate overall level of parking provision, traffic generation and servicing on the site in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

26. No goods, materials, plant or machinery (other than vehicles) shall be stored, repaired, operated or displayed outside the buildings unless otherwise approved under a separate discharge or variation of condition by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

27. The hub building hereby permitted shall be used only for purposes ancillary to the remainder of the commercial units hereby permitted and shall not and shall not be sold, leased or occupied as a separate unit.

Reason: In order to ensure the uses are appropriate to the location of the site having regard to traffic generation and Policy SLE2, SLE4 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

28. Notwithstanding the provisions of Part 3 (changes of use) and Part 7 (non-domestic extensions and alterations), Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) the approved building shall not be changed use, extended or hard surfaces laid within the site without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain a satisfactory overall level of parking provision and servicing on the site in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

29. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or enacting that Order) the site shall only be occupied for the purposes falling within Class E(g) (i), (ii) and (iii) and Class B8 and no other purpose whatsoever. No more than 732 sq m of the total permitted Gross Internal Floor Area shall be utilised for purposes falling within Class E (g)(i) at any one time and no more than 862 sq m of the total permitted Gross Internal Floor Area shall be utilised for purposes falling within Class E(g) (ii) and (iii) at any one time. The remaining floor area is restricted to those uses falling within use Class B8 or ancillary uses.

Reason: In order to retain planning control over the use of the site, to ensure residential amenities are protected and the character of the area is maintained, and to ensure the development complies with Policies SLE1, SLE2, ESD1 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

21/03017/F

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Kidlington
OX5 2AG



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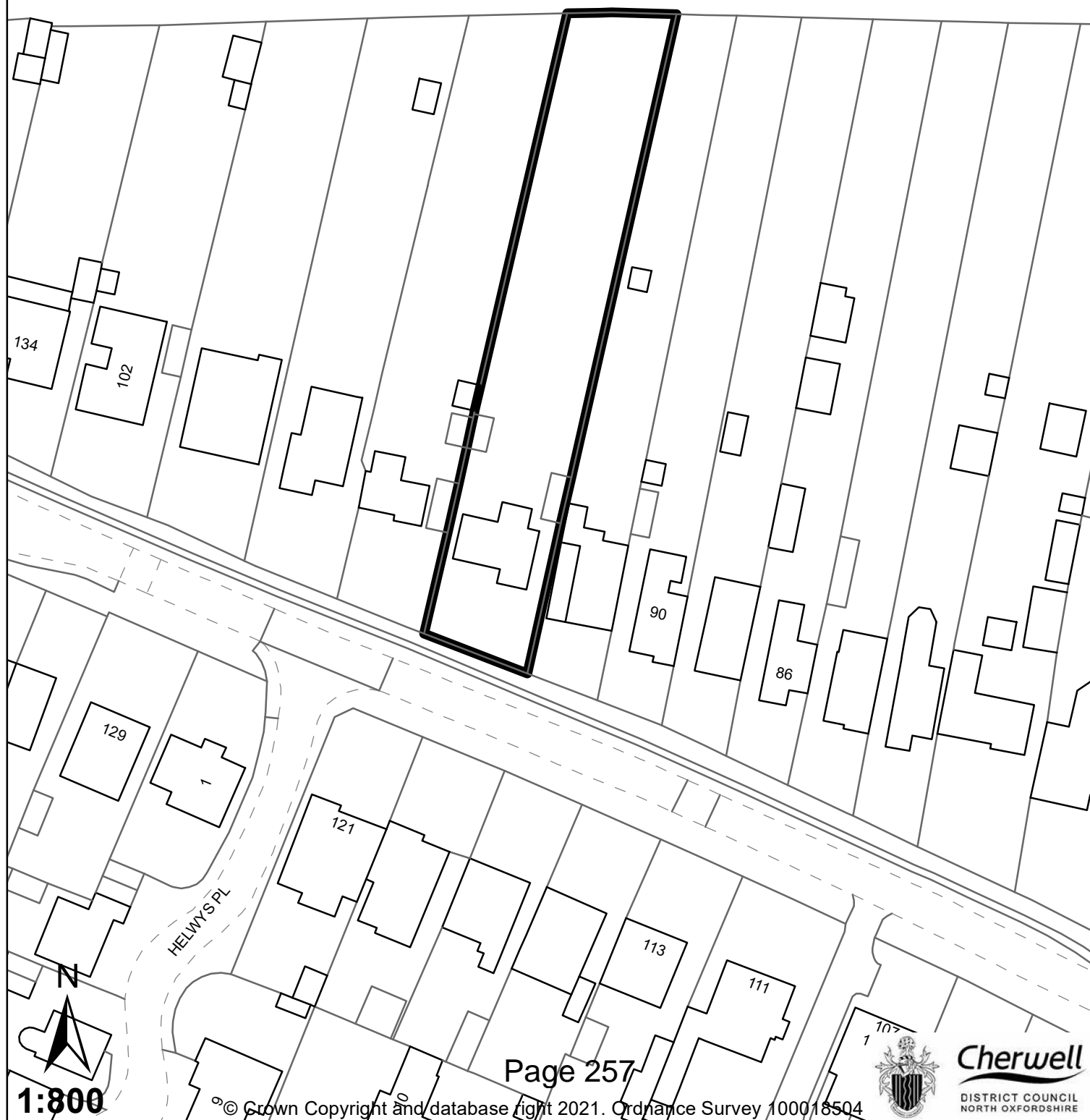
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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

21/03017/F

94 The Moors
Kidlington
OX5 2AG



Case Officer: John Cosgrove

Applicant: Henaud Developments

Proposal: Demolition of existing dwellinghouse, garage and outbuilding. Erection of 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking, and alterations to access and landscaping.

Ward: Kidlington West

Councillors: Cllr Walker, Cllr Tyson and Cllr Copeland

Reason for Referral: Called in by Councillor Billington for the following reasons: The development would represent an overdevelopment of the plot and significant public interest.

Expiry Date: 17 November 2021

Committee Date: 2 December 2021

SUMMARY OF RECOMMENDATION: REFUSE

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located on the north side of The Moors within the built-up area of Kidlington and contains a detached bungalow constructed from brick and situated on a generous plot. The existing dwelling benefits from a rear conservatory and a detached single garage to the eastern boundary of the plot with a further outbuilding being located to the rear of the dwelling adjacent to its western boundary. The dwelling benefits from 2 no. accesses onto the highway and front of the plot is laid to hardstanding sufficient for the parking of several vehicles. There is open land to the rear of the site, with a two-storey brick dwelling to the east and a bungalow to the west. There is a telegraph pole situated on highway land to the front of the site which would need to be repositioned at the applicant's expense to facilitate the proposed access.
- 1.2. The Moors is characterised by detached dwellings in a range of scales and architectural styles situated on generous plots. The application site forms a point of change in the streetscene with larger two storey dwellings being common place to the west of the site with bungalows being the dominant form of development to the east, and the established building line shifts further into the plots to the west with the existing dwelling being positioned in the mid-point of this change.

2. CONSTRAINTS

- 2.1. The application site is within Flood Zone 1, the area of least flood risk, however there is a drainage ditch to the rear of the site that has been known to result in localised drainage issues. The site is not within a conservation area and does not contain or impact on the setting of any listed buildings. There are no protected species or trees identified on the site however there is an oak tree subject to a Tree Protection Order within the curtilage of the adjacent dwelling, no. 94 the Moors. There are no other relevant planning constraints.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application proposes the demolition of the existing detached bungalow and the erection of two 2 x 5-bed detached dwellinghouses (Use Class C3). Car parking, and alterations to access and landscaping.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was **18 October 2021**.

- 6.2. The comments raised by third parties are summarised as follows:

- Objects due to loss of existing parking and parking stress in the area.
- Scale of the proposed dwellings would be out of keeping with the surrounding dwellings.
- Adverse Impact on the water table.
- Would constitute overdevelopment of the plot.
- Would result in on street parking/parking on verges.

- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. KIDLINGTON PARISH COUNCIL: **Object** on the grounds of over-development, impact on neighbour amenity, Impact on traffic and on street parking, lack of visitor parking, and lack of an ecology survey and statement, also notes the design and access statement refers to 4-bedroom dwellings while the application is for 5-bedroom units.

CONSULTEES

- 7.3. OCC HIGHWAYS: **No objections**, request informative on works to the highway and note that telegraph pole would need to be repositioned at the applicant's expense.
- 7.4. CDC ARBORICULTURE: No response.
- 7.5. CDC BUILDING CONTROL: No comment.
- 7.6. CDC LAND DRAINAGE: The site is in a location where there is a risk of surface water flooding. This occurs where surface water can pond in low-lying areas due to

not being able to flow freely away. No objections in principle to this development. Soakaways as a means of surface water disposal will only be acceptable subject to satisfactory BRE 365 soakage tests. A ditch exists at the northern boundary of the site which must under all circumstances be retained.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20 July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1: Presumption in Favour of Sustainable Development
- Villages 1: Village Categorisation
- BSC1: District Wide Housing Distribution
- BSC4: Housing Mix
- SLE4: Improved Transport and Connections
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems
- ESD10: Protection and Enhancement and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- BSC2: The effective and efficient use of land - brownfield Land and Housing Density.

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 - Design of New Residential Development

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (SPD) 2018
- Kidlington Framework Masterplan 2016
- Conservation of Habitats and Species Regulations 2017

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity

- Highway safety
- Land drainage
- Ecology

Principle of Development

Policy Context

- 9.2. Planning law requires that planning decisions are determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF reinforces this and states the planning system should be genuinely plan led in seeking to deliver sustainable development. The Council's Development Plan consists of the Cherwell Local Plan 2011- 2031 Part 1 ('CLP 2031') and the Saved Policies of the Cherwell Local Plan 1996.
- 9.3 With regard to residential development, Government guidance contained within the NPPF seeks to significantly boost the supply of homes, requiring local planning authorities to demonstrate a five-year supply of deliverable housing sites (with an appropriate buffer).
- 9.4 The current position of the Council is that a five-year supply cannot be demonstrated, and in such circumstances, there is a presumption in favour of sustainable development and therefore paragraph 11d of the NPPF is engaged which states where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless: i). the application of policies in the NPPF that protect areas or assets of particular importance provide 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 the NPPF when taken as a whole.

Assessment

- 9.5. The principle of residential development in Kidlington is assessed against Policy Villages 1 in the Cherwell Local Plan Part 1. Kidlington is recognised as a Category A village in the Cherwell Local Plan 2011–2031 Part 1. Category A villages are considered the most sustainable settlements in the District's rural areas and have physical characteristics and a range of services within them to enable them to accommodate some limited extra housing growth. Within Category A villages, residential development will be restricted to the conversion of non-residential buildings, infilling and minor development comprising small groups of dwellings on sites within the built-up area of the settlement.
- 9.6 The Kidlington Framework Masterplan (2016) is supportive of residential re-development within the built-up area of Kidlington including intensification and infill, and notes that this may involve increasing housing densities. However, the masterplan also states that the density of housing development will be expected to reflect the character and appearance of individual localities and development principles that are appropriate to the individual circumstances of sites.

Conclusion

- 9.7. This proposal is considered to be 'minor development' within the built-up limits of the settlement and could also be considered to represent a form of infill development and could therefore be considered acceptable in principle. However, the overall acceptability of the development in this case will also be dependent on it not causing demonstrable harm to the character and appearance of the area, residential amenities, or highway safety. These issues are discussed below.

Design, and impact on the character of the area

Policy Context

- 9.8. Guidance contained within paragraph 126 of the NPPF covering good design states that *good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.*
- 9.9. Saved Policy C28 of the CLP 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.10. Policy ESD15 of the CLP 2031 Part 1 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and ensuring a high-quality design.
- 9.11. Paragraph 130 of the NPPF states that planning decisions should ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
 - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.*
 - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*
- 9.12 Section 6.4 of the Cherwell Residential Design Guide (SPD) 2018 relates to Scale. It advises the building scale should respond to local context and proposed character. As a principle for scale, it states “Taller buildings may be appropriate in town centre locations, but individual buildings should be designed to fit comfortably with the general urban form”.

Assessment

- 9.13. The application proposes the demolition of the existing dwelling and its replacement with two detached dwellings constructed from brick and featuring two storey front gables finished in render with a third floor contained within the roof space and served by front facing flat roofed dormers. The dwellings would also feature large single storey rear projections. The proposed dwellings would be slightly staggered within the plot with the eastern dwelling being positioned slightly forward of the western dwelling.
- 9.14. The main bulk of the proposed dwellings would measure c. 6.3 metres wide, 13.58 metres deep with a front eaves height of c. 5.1 metres and a ridge height of c. 8.83 metres. The single storey projections would measure c. 6.5 metres deep, c. 5.7 metres wide and would have an eaves height of c. 2.1 metres and a ridge height of c. 3.39 metres.
- 9.15. The proposed dwellings would sit within a street scene characterised by a variety of dwelling types, with the application site forming a point of change in the streetscene where larger two storey dwellings give way to a ribbon of single storey dwellings to the east of the plot. There appears to be planning history for 98, and 100 the Moors

which are situated to the west of the site for redevelopment with larger units adjacent to bungalows with the permission for no 98 having been implemented.

- 9.16. The replacement of the existing bungalow with two larger dwellings can be considered acceptable in principle especially in light of the absence of a five year supply of housing land. However, notwithstanding the application of the tilted balance in favour of the intensified re-development of the site for residential use and the benefits of providing an additional dwelling in a sustainable location, the impacts of development still have to be considered.
- 9.17. The bulk scale and massing of the dwellings proposed which would be taller than the adjacent two storey dwelling to the west, and would tower above the bungalow to the east and would fail to mediate the point of change between two storey and single storey dwellings that occurs at this point in the streetscene. While it is noted that two storey dwelling have been permitted elsewhere within the streetscene these permissions have been predominantly for single replacement dwellings where the impact has been mitigated by their relationship to the boundaries of their respective plots and the related separation distances between the dwellings.
- 9.18. Due to the bulk height and depth of the proposed dwellings and their relationship to the boundary of the plot it is considered that the proposed eastern dwelling would when viewed from the adjacent dwelling no 92 the Moors appear as a dominant and incongruous addition to the plot which due to its scale and massing would have a detrimental impact on the character and appearance of the street scene and would fail to fit comfortably with the general urban form of The Moors. It would represent an unduly dominant feature that would have a detrimental impact on the character of the area contrary to the provisions of Policy: ESD15 of the CLP 2031 Part 1, and Saved Policy: C28 of the CLP 1996 and the Cherwell Residential Design Guide (SPD) 2018.

Conclusion

- 9.18. Having regard to the above, due to its bulk, scale and positioning in relation to neighbouring dwellings and its setting within the streetscene, the proposed development is considered to represent an unduly dominant feature that which would have a detrimental impact on the character of the area contrary to the provisions of Policy: ESD15 of the CLP 2031 Part 1, and saved Policy: C28 of the CLP, the Cherwell Residential Design Guide (SPD) 2018 and the NPPF, and is therefore considered unacceptable in design terms.

Residential Amenity

Policy Context

- 9.14. Policy ESD15, requires new development to consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space. Saved Policy: C30 states that development should provide acceptable standards of amenity and privacy.

Assessment

- 9.15. The proposed development would provide a good standard of amenity for any future occupants of the proposed dwellings. However, while the side facing windows would be obscurely glazed with the exception of the side windows in the front gable projections, and the proposed development would not therefore result in a loss of amenity by way of overlooking.
- 9.16. Due to the bulk and scale of the proposed dwellings, they would have a significant detrimental impact on the amenity of the neighbouring properties, no's 92 and 96

The Moors, especially the adjacent bungalow to the east no. 92 The Moors. Whilst a plan has been supplied to indicate a 45 degree sight lines from the rear of the flanking neighbouring properties, this does not adequately reflect their layout or the potential impact upon them. In the case of no. 92 the Moors, this property has its main entrance way on its western side elevation west facing the development site and from this perspective the proposal would represent an unduly oppressive relationship, and would therefore be contrary to the amenity elements of provisions of Policy: ESD15 of the CLP 2031 Part 1, and saved Policy: C30 of the CLP 1996.

Conclusion

- 9.17. Having regard to the above, due to its bulk, scale and close proximity to neighbouring dwellings, it is considered that the proposal would create an unduly oppressive relationship and would therefore have a detrimental impact on the amenity of neighbouring properties contrary to the provisions of Policy: ESD15 of the CLP 2031 Part 1, and saved Policy: C30 of the CLP 1996, and is therefore considered unacceptable in amenity terms.

Highway Safety

Policy Context

- 9.18. Policy SLE4 of the CLP 2031 Part 1 requires that new developments maximise opportunities for access to sustainable modes of travel and seeks improvements to the highway network to mitigate significant adverse impact of traffic generation resulting from new development.
- 9.19. Paragraph 110 of the NPPF states that in assessing specific applications for development, it should be ensured that: a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;* b) *safe and suitable access to the site can be achieved for all users;* and c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46;* and d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
- 9.20. In addition to this paragraph 111 highlights that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Assessment

- 9.21. The application proposes 2 no. off street parking spaces to serve each dwelling and the applicant has stated that secure cycle storage could be provided within the curtilage of the dwellings.
- 9.22. It is noted that the proposal would not provide any visitor parking and there would not be room for vehicle to manoeuvre within the site to exit in a forward gear.
- 9.23. A number of objections have been received from the Parish Council and local residents regarding the lack of visitor parking and referencing parking safety. The Highways Authority has not raised any objections to the proposal on grounds of parking or highway safety. The proposed western access would be constrained by the location of an existing telegraph pole, this could be relocated at the applicant's expense, and the required cycle storage could be secure by way of a suitably worded condition.

Conclusion

- 9.24. On balance, and in the absence of objections from the Highways Authority, the proposed development can be considered acceptable in highways terms. The relatively sustainable location of the site the proposed development is considered to accord with the provisions of Policy SLE4 of the CLP 2031 Part 1, and therefore no objections are raised with regard to parking or highway safety.

Land Drainage

Policy Context

- 9.25. The NPPF states at paragraph 163 that *when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.*
- 9.26. Policies ESD 6 and ESD 7 of the CLP 2031 Part 1 together resist new development where it would increase flood risk or be unduly vulnerable to flooding. They also seek to ensure that the proposals incorporate sustainable drainage systems in order to prevent increased risk of flooding.

Assessment

- 9.27. The site lies within Flood Zone 1 the area at lowest risk of flooding, and therefore a Flood Risk Assessment was not required in support of the application. The applicants Design and Access statement acknowledges that a SuDS compliant drainage scheme will be required to serve the proposal however, it is considered that this could be secured by way of a suitably worded condition attached to any permission granted.
- 9.28 There is a drainage ditch located to the rear of the site and the Council's Land Drainage Officer has stated that while they have no objections in principle, the site is in a location where there is a risk of surface water flooding. This occurs where surface water can pond in low-lying areas due to not being able to flow freely away, and that soakaways as a means of surface water disposal will only be acceptable subject to satisfactory BRE 365 soakage tests, and the drainage ditch must not be adversely affected.

Conclusion

- 9.29. Having regard to the above, and considering the depth of the site and the fact that the site currently contains a dwelling, notwithstanding the fact that BRE 365 soakage testing would be required to inform the design of any proposed soakaways it is considered that this could be secured by way of a suitably worded condition and therefore the proposed development is considered acceptable in drainage terms and therefore no objections are raised with regard to the provisions of Policies: ESD6 and ESD7 of the CLP 2031 Part 1.

Ecology Impact

Legislative context

- 9.30 The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and

protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

- 9.31. Under the Regulations competent authorities, i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.32. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.33. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.34. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.35. The NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.36. Paragraph 180 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.37. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.38. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.39. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.40. The Planning Practice Guidance dated 2014 postdates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.41. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are: present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development
- 9.42. It also states that LPA's can also ask for a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')
- 9.43. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of a well-managed, closely mown lawn with fencing and semi-established hedgerow to the boundaries. There are a number of trees close by and in the boundary of the site which would not be affected by the proposals.
- 9.44. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and any species present are unlikely to be adversely affected by the proposed development. As such no formal survey is required and in the absence of which this does not result in a reason to withhold permission. An informative reminding the applicant of their duty to protected species could be included on any decision notice issued and this is considered sufficient to address the risk of any residual harm.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. While it is recognised that the Council is not currently able to demonstrate a five-year supply of housing land and that the application proposes the provision of an additional residential unit, and that in the absence of a five-year supply of housing land a tilted balance applies in favour of proposals for additional residential development which may otherwise conflict with policies regarding the supply of housing land. However, in this case the principle of the proposed development is acceptable, and the proposal would not conflict with the relevant land supply policies. However, as detailed above the proposal fails to comply with other relevant Development Plan policies and guidance listed at section 8 of this report, and because there are no other material considerations that outweigh this conflict and the harm caused, it is therefore recommended that permission should be refused.

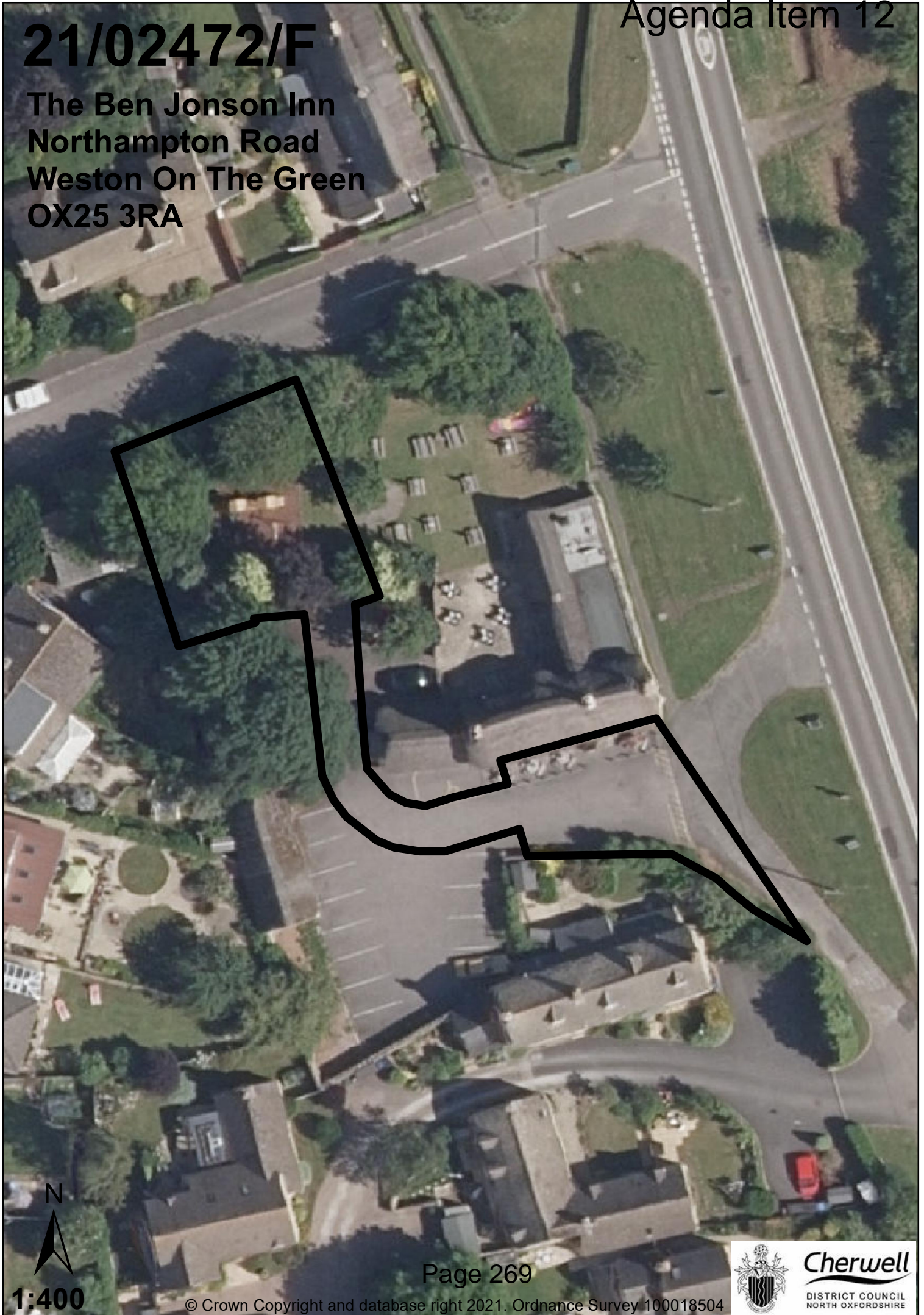
11. RECOMMENDATION

RECOMMENDATION – TO REFUSE THE APPLICATION FOR THE REASONS SET OUT BELOW

1. The proposed development by way of its height, bulk, scale and positioning in relation to neighbouring dwellings would be an overly dominant and incongruous addition to the plot which due to its scale and massing would have a detrimental impact on the character and appearance of the street scene and would fail to fit comfortably with the general urban form of The Moors. It would represent an unduly dominant feature that would have a detrimental impact on the character of the area contrary to the provisions of Policy: ESD15 of the CLP 2031 Part 1, and Saved Policy: C28 of the CLP 1996 and the Cherwell Residential Design Guide (SPD) 2018.
2. The proposed development due to its bulk, scale and positioning in relation to the neighbouring dwellings, 92 and 96 The Moors, would create an unduly oppressive relationship and would therefore have a detrimental impact on the amenity of neighbouring residents contrary to the provisions of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

21/02472/F

The Ben Jonson Inn
Northampton Road
Weston On The Green
OX25 3RA



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Northampton Road
Weston On The Green
OX25 3RA

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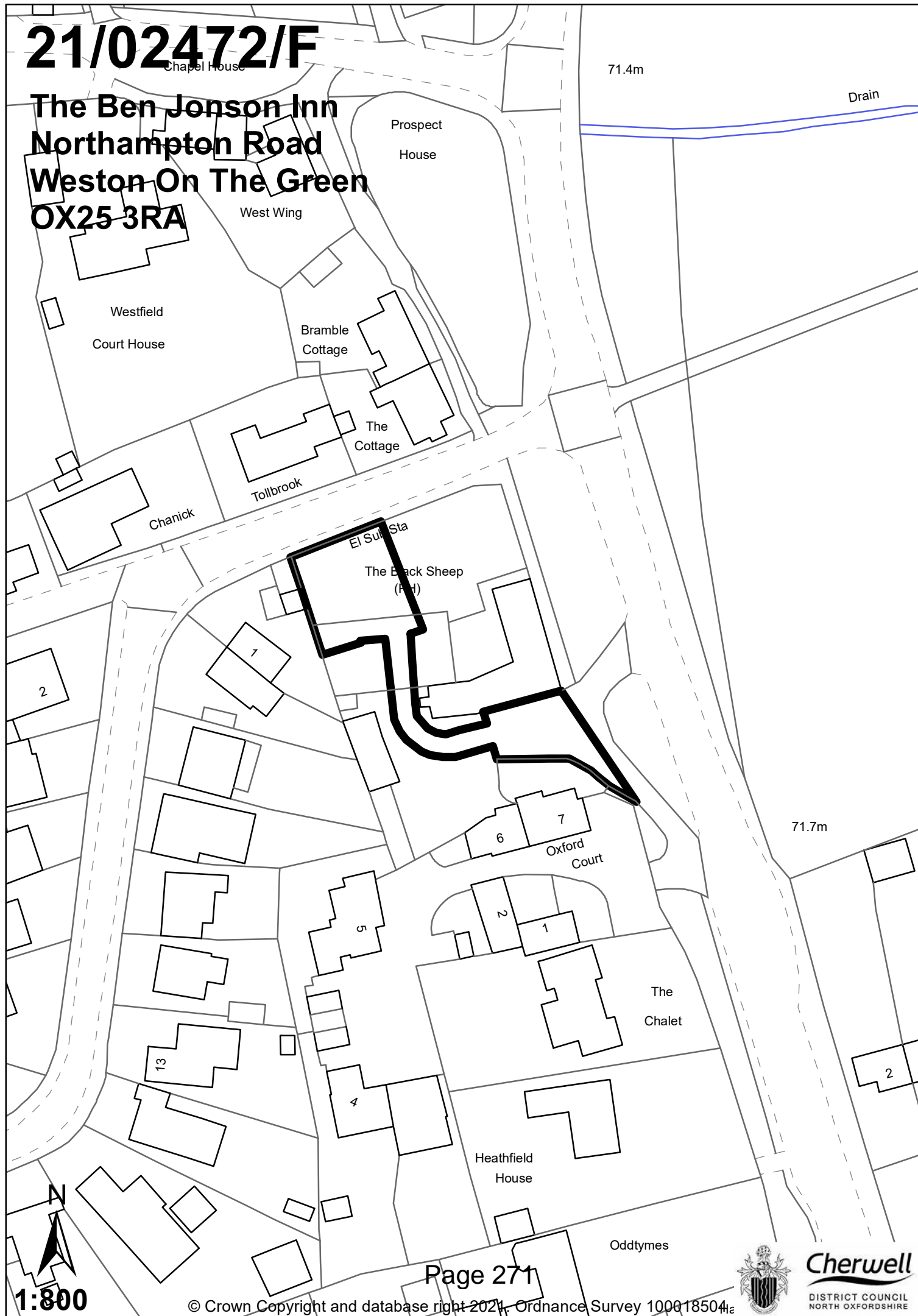
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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

21/02472/F

The Ben Jonson Inn
Northampton Road
Weston On The Green
OX25 3RA



Case Officer: Gemma Magnuson

Applicant: Punch Partnerships (PML) Limited

Proposal: Erection of a two-bedroom bungalow to the rear of the existing public house (Sui Generis), utilising existing access and associated parking and landscaping, and the small breakthrough in the boundary wall to facilitate a pedestrian entrance. (resubmission of 21/01022/F)

Ward: Launton And Otmoor

Councillors: Cllr Hallchurch MBE, Cllr Holland and Cllr Hughes

Reason for Referral: Called in by Cllr David Hughes for the following reasons: A valued asset of the village that is of high public interest

Expiry Date: 3 December 2021

Committee Date: 2 December 2021

SUMMARY OF RECOMMENDATION: DELEGATE POWERS TO GRANT PERMISSION SUBJECT TO CONDITIONS FOLLOWING EXPIRY OF CONSULATION PERIOD

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site consists of part of the garden associated with The Ben Jonson Inn, currently occupied by play equipment that is understood to have been erected as a memorial.
- 1.2. The site is enclosed on three sides by dense vegetation, including some trees, with the northern boundary abutting Westlands Avenue also being marked by a curtilage listed stone wall. An electricity substation is positioned adjacent to the site to the west, with bungalow dwelling and associated flat roofed garage at 1 Westlands Avenue beyond. One and a half storey Tollbrook is positioned across the road from the site to the north. The car park and outbuilding associated with the pub are positioned to the south of the site, with remainder of the pub garden and associated outdoor seating situated to the east.

2. CONSTRAINTS

- 2.1. The Ben Jonson Inn itself is a Grade II listed building. A former stable, now outhouse, situated to the south-west of The Ben Jonson Inn is also a Grade II listed building. Other Grade II listed buildings are positioned in close proximity to the site, including Oxford House to the south-east, and The Cottages across the road to the north-east. The site lies within the designated Weston-on-the-Green Conservation Area and has been identified as being of archaeological interest. The land is potentially contaminated. The Weston Fen Site of Special Scientific Interest is within 2km of the site and a protected species, the west european hedgehog has been identified in the area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Planning permission is sought for the erection of a detached two bedroom bungalow dwelling together with associated works to include landscaping, the erection of

boundary treatment and the creation of an off-street parking area. A section of the curtilage listed stone wall along the northern boundary would also be removed to create a pedestrian access onto Westlands Avenue. Vehicular access to the site would be via the existing public house car park.

- 3.2. The proposed dwelling would be single storey and form a rough 'T' shaped footprint with central gabled projection off the rear elevation. Construction materials would consist of natural limestone walls with slate tile roof. Openings would have painted timber frames, with the exception of the front door which would be composite. Conservation grade rooflights would be installed within the rear gabled projection.
- 3.3. Some existing trees would be removed to facilitate the proposal, with low level landscaping replacing the vegetation alongside the northern boundary. The existing curtilage listed stone wall would remain in place, with the exception of the 940mm width to be removed and replaced with a post and rail style pedestrian gate. A post and rail fence would divide the curtilage of the proposed dwelling from the pub garden. The remaining boundaries would be marked by a close boarded fence.
- 3.4. A bin and bicycle store would be positioned between the dwelling and the eastern boundary. An electric vehicle charging point would be installed within the parking area. Three integral bird nesting boxes would be installed within the dwelling and hedgehog highways would be provided within boundary fencing.
- 3.5. An existing play area, which was constructed in a memorial of a local child, would be relocated within the pub garden to the west as part of the works. The application for planning permission for the relocation play area is being considered alongside this application (see 21/03591/F). An application for listed building consent for the removal of the 940mm section of curtilage listed stone wall along the northern boundary of the site is also being considered alongside the current application (see 21/02473/LB).

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application: 20/02180/F

Refused - 6 November 2020

Erection of a four bedroom chalet bungalow (C3) to the rear of the existing public house (A4), with a new access created off Westlands Avenue, and associated parking and landscaping

Application: 20/03406/F

Refused - 18 February 2021

Erection of a two-bedroom bungalow (C3) to the rear of the existing public house (Sui Generis), with a new access created off Westlands Avenue following the partial demolition of the boundary wall, and associated parking and landscaping.

Application: 20/03407/LB

Refused 18 February 2021

Partial demolition of the boundary wall to create access for new dwelling proposed under 20/03406/F

Application: 21/01022/F

Refused 18 May 2021

Erection of a two-bedroom bungalow to the rear of the existing public house (Sui Generis), utilising existing access and associated parking and landscaping, and the small breakthrough in the boundary wall to facilitate a pedestrian entrance.

Application: 21/01023/LB

Refused 18 May 2021

Partial demolition of the boundary wall to create pedestrian entrance

Application: 21/02473/LB

Undetermined at time of writing

Breakthrough in boundary wall to facilitate a pedestrian entrance (resubmission of 21/01023/LB)

Application: 21/03591/F

Undetermined at time of writing

Relocation of children's play equipment/memorial garden

- 4.2. The site has been the subject of a number of recent applications for a similar proposal, all of which have been refused. This detailed history has been summarised below:

20/02180/F

- 4.3. Planning permission was sought for a chalet bungalow style dwelling upon the site with front and rear dormer windows serving first floor accommodation. Construction materials would consist of red brick and rendered walls with a slate roof. A larger section of the curtilage listed stone wall on the northern boundary would be removed when compared to the current scheme, providing vehicular access to three off-street parking spaces. A larger area of pub garden would also have been used for the development. An objection was received from the Conservation Officer. The application was subsequently refused on the following grounds:

1. *By virtue of its unsympathetic design and its siting in an undeveloped gap and the loss of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.*
2. *In the absence of clear evidence that the loss of a large area of the garden for the public house would not impact on the future of the business, the proposed development would cause harm to the viability of the public house and may result in the loss of a village service. The proposal is therefore contrary to Saved Policy S29 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.*

20/03406/F & 20/03407/LB

- 4.4. Planning permission and listed building consent were sought for the erection of a two bedroom bungalow upon a reduced area of the pub garden. The dwelling would have an 'L' shaped footprint, with limestone walls and a grey tiled roof. Vehicular access would continue to be taken from Westland Avenue, although the width of the section of wall to be removed is reduced to the width of one parking space with a tandem parking arrangement in the site. A pedestrian gate would also be installed requiring the removal of a second, smaller section of the wall. An objection was received from the Conservation Officer. The applications were subsequently refused on the following grounds:

F. *By virtue of its siting in an undeveloped gap and the loss of sections of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the*

locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

LB. By virtue of the loss of sections of the curtilage listed boundary wall, the proposed development would cause harm to the significance of the Grade II listed Ben Jonson public house as well as the Weston on the Green Conservation Area. The harm to heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to saved policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4.5. Appeals against the above decisions have been submitted and a start date is awaited (see Appeal Ref: APP/C3105/W/21/3278245).

21/01022/F & 21/01023/LB

- 4.6. Planning permission and listed building consent were sought for the erection of a two bedroom bungalow upon the site. The dwelling would have a 'T' shaped footprint, with limestone walls and a grey tiled roof. Vehicular access would now be taken through the pub car park and not through an opening in the curtilage listed stone wall on the northern boundary. A pedestrian access onto Westlands Avenue, in the same position as that currently proposed, remained. An objection was received from OCC Highway Authority due to third party land separating the site and the public highway, and the potential for the parking arrangements to be affected by customer parking and deliveries for the public house. The Conservation Officer had not commented on the scheme at the time of writing the report. The applications were subsequently refused on the following grounds:

F. By virtue of its siting in an undeveloped gap and the loss of a section of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

The proposed development, by reason of its separation from the highway by a section of third party land, would fail to provide a safe access to the site. The proposed parking could not be guaranteed to remain in perpetuity and the vehicles from the development would park on the nearby highway network. The proposal would therefore result in significant and demonstrable harm to highway safety. As such the proposal is contrary to Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

LB. By virtue of the loss of a section of the curtilage listed boundary wall, the proposed development would cause harm to the significance of the Grade II listed Ben Jonson public house as well as the Weston on the Green Conservation Area. The harm to heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4.7. Late comments were received from the Conservation Officer although these were not taken into consideration in the determination of the latest refused applications. The advice given by the Conservation Officer was that, although the harm had been reduced, the proposal was considered to still result in some harm to the heritage assets and therefore the wider benefits of the scheme needed to be weighed against this harm.
- 4.8. The current scheme includes the access to the public highway within the red line application site area, and the relevant notice has been displayed in the Bicester Advertiser as is the process where the current owner of the land is unknown.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **29 November 2021**, by advertisement in the local newspaper expiring **25 November 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments will be **2 December 2021**.
- 6.2. At the time of writing, 15 responses have been received, all objecting to the proposal. Any further comments received will be reported as a late representation. The comments raised by third parties are summarised as follows:
- The development would cause harm to the setting of the Grade II listed Ben Jonson public house.
 - The development would cause harm to the designated Conservation Area
 - The design of the dwelling and choice of construction materials would not relate well to the character of the area.
 - The proposals are contrary to the Neighbourhood Plan.
 - The development would cause harm to local ecology/biodiversity.
 - The applicant could build a larger house on the site in the future.
 - The development would cause harm to highway safety and the access through car park is impractical and result in loss of overflow parking
 - Construction would cause disruption to the business and cause a hazard parking on Westlands Avenue.
 - The development would impact on the viability of the public house due to the reduction in size of the pub garden.
 - The cutting down of trees would affect the privacy of neighbours.
 - The dwelling would result in the loss of a memorial garden/historical green space amenity for the village
 - Wall height inaccurate on plans
 - Archaeological impact
 - Previous reasons for refusal not addressed
 - The pub is currently for sale including the parking spaces, alleged motivation of applicant to strip the asset of as much value as possible before sale goes through, or to enhance sales value of pub
- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. WESTON ON THE GREEN PARISH COUNCIL: **Object** on the grounds of the dwelling not constituting infilling or acceptable minor development harming the loose-knit character of the village, harm to protected species the West European Hedgehog, inconsistent with local character of Conservation Area and surrounding Grade II listed buildings especially the wall, harm the character of the Conservation Area, contrary to Neighbourhood Plan, loss of amenity garden, access required during building phase and loss of access required to current car park in perpetuity having a detrimental effect upon this historic site and business that is the Ben Jonson Inn, unsatisfactory access that is not owned or controlled by the applicant.
- 7.3. WESTON ON THE GREEN NEIGHBOURHOOD PLAN FORUM: No comments received.

CONSULTEES

- 7.4. OCC ARCHAEOLOGY: **No objection** subject to implementation of an archaeological watching brief with the findings being reported to the Local Planning Authority.
- 7.5. OCC HIGHWAYS: **No objection.**
- 7.6. CDC CONSERVATION: **No objection** subject to conditions relating to materials, joinery details and a method statement for the treatment of the wall.
- 7.7. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to conditions requiring an odour assessment, noise assessment, Construction Environment Management Plan and a system of electrical vehicle charging to serve the dwelling.
- 7.8. CDC ARBORICULTURE: No comments received.
- 7.9. CDC ECOLOGY: No comments received.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20 July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- BSC1 – District Wide Housing Distribution

- BSC2 – Effective and Efficient Use of Land
- BSC12 – Indoor sport, recreation and community facilities
- SLE4 – Transport and connections
- ESD1 – Mitigating and Adapting to Climate Change
- ESD 3 – Sustainable Construction
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- Policy Villages 1 – Village Categorisation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- ENV1 – Environmental pollution
- S29 – Loss of existing village services
- C23 – Retention of features contributing to character or appearance of a conservation area
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Weston on the Green Neighbourhood Plan (WotGNP) and the following Policies of the Neighbourhood Plan are considered relevant:

- E1 – Development contributing positively to the character of the village
- E2 - Development to preserve and enhance the green infrastructure and the natural environment of the area
- E3 – Development making use of previously developed land
- H2 – Sustainable residential development
- H3 – Contribution to target number of bedrooms
- H4 – Housing type appropriate to local setting, consistent and compatible density
- H5 – Design code and utility consultation
- H7 – New housing designed for needs of older residents
- C4 – Avoid harm to heritage assets, character of village centre, important space, key street scenes and views
- T1 – Parking areas and access routes

8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Weston-on-the-Green Conservation Area Appraisal (2009)
- Cherwell Residential Design Guide (2018)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Conservation of Habitats and Species Regulations 2017

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Heritage impact and archaeology
- Residential amenity

- Highway safety
- Ecology impact

Principle of Development

Policy Context

- 9.1. The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 12 of the NPPF notes that the development plan is the starting point of decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 9.2. Policy PSD1 contained within the CLP 2031 Part 1 echoes the requirements of the NPPF relating to 'sustainable development' and states that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- 9.3. In terms of housing supply, while the Written Ministerial Statement of 12th September 2018 stated that relevant and important policies for determining the application may be considered out of date only where a 3-year supply of deliverable sites cannot be demonstrated, a subsequent Written Ministerial Statement of 25th March 2021 has confirmed this 'flexibility' has ended. Therefore, Cherwell District Council will need to demonstrate a 5-year supply of housing. Cherwell District Council can demonstrate a 4.7-year supply of land for housing, and so paragraph 11d of the NPPF applies, meaning the Development Plan policies for housing provision are to be considered out of date, and the presumption in favour of sustainable development, as advised by the NPPF, will need to be applied in this context.
- 9.4. Policy ESD1 of the CLP 2031 Part 1 states that measures will be taken to mitigate the impact of development on climate change and deliver the goals of sustainable development. This includes distributing housing growth to the most sustainable locations as defined in the Local Plan and delivering development which reduces the need to travel. The local plan has a strong urban focus with large amounts of housing planned at Bicester and Banbury. The policies relating to rural housing growth are therefore more restrained.
- 9.5. Policy Villages 1 of the CLP 2031 Part 1 provides a categorisation of the District's villages based on their relative sustainability. The amount and type of development that could be appropriate in sustainability terms within the built-up limits of a village depends on its categorisation under Policy Villages 1. Weston on the Green is a Category A village where normally minor development, infilling and the conversion of suitable buildings is acceptable as they are the most sustainable settlements in the District's rural areas and have physical characteristics and a range of services within them to enable them to accommodate some limited extra housing growth. Infilling is defined at paragraph C.264 of the CLP 2031 Part 1 as the development of a small gap in an otherwise continuous built-up frontage.
- 9.6. Policy H2 of the Weston on the Green Neighbourhood Plan (WotGNP) states that sustainable residential development within the village confines will be permitted for conversion, infilling and minor development, typically but not exclusively less than 10 dwellings, provided that they protect the character of the village and are in accordance with the other policies in the Neighbourhood Plan and Local Planning

Policies. Policy H3 of the WotGNP states that development that makes use of previously developed land will generally be preferred to greenfield locations. Policy H3 of the WotGNP requires housing development to contribute to the overall target of 30% 1-2 bedrooms, 40% 2-3 bedrooms, 25% 3-4 bedrooms and 5% 5-4 bedrooms. Policy H7 of the WotGNP requires new housing to be clearly designed for the needs of residents at or beyond the state pension age; adaptable for wheelchair access with ground level WC and shower where practicable.

- 9.7. The proposed development would consist of the erection of a dwelling upon an area of land within the curtilage of an existing pub, The Ben Jonson Inn. The impact of the development upon this community facility is therefore also a consideration.
- 9.8. Government guidance contained within the NPPF requires the provision of the social, recreation and cultural facilities and services that a community needs, and decisions should plan positively for the provision and use of shared places and community facilities such as public houses. The unnecessary loss of valued facilities and services should be guarded against, particularly where this would reduce the community's ability to meet its day-to-day needs. Further, decisions should ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.
- 9.9. Policy BSC12 of the CLP 2031 Part 1 states that the Council will encourage the provision of community facilities to enhance the sustainability of communities through the protection and enhancement of the quality of existing facilities.
- 9.10. Saved Policy S29 of the CLP 1996 states that proposals that will involve the loss of existing village services which serve the basic needs of the local community will not normally be permitted. The supporting text explains that the Council recognises the importance of village services, particularly the local shop and pub, to the local community and will seek to resist the loss of such facilities whenever possible. However, it is also recognised that it will be difficult to resist the loss of such facilities when they are proven to be no longer financially viable in the long term.

Assessment

- 9.11. The application site is positioned within the existing garden associated with The Ben Jonson Inn. The dwelling would be erected in the north-western corner of the garden, with the remainder of land to the east consisting of garden and outdoor seating at The Ben Jonson Inn. The B430 and its wide grassed verge is positioned beyond the pub garden to the east. Bungalow dwelling 1 Westlands Avenue, with intervening electricity substation, is positioned to the west of the site.
- 9.12. Given the location of the site, Officers are of the opinion that the proposed dwelling would not constitute infilling under the definition of the CLP 2031 Part 1. There is no definition of 'infill' within the WotGNP. However, it is considered that the development of this site for one dwelling would constitute minor development within the built-up limits of the village, in accordance with Policy Villages 1 of the CLP 2031 Part 1 and Policy H2 of the WotGNP. The acceptability of the principle of the erection of a dwelling upon the site has never been disputed by Officers as part of all previous related applications.
- 9.13. This proposal would provide an additional dwelling to help towards the Council's supply of housing. At a time when Cherwell cannot demonstrate an appropriate 5-year supply of land for housing, this is additional provision, albeit limited to single dwelling, represents a material consideration weighing in favour of the proposal.
- 9.14. The proposed dwelling would sit upon an area of garden that is currently occupied by children's play equipment for customer use. The loss of part of the outdoor

space associated with the public house raises the issue of the impact of the development upon the future viability of the public house. If the future viability of the public house were to be harmed, the long-term future of this community facility could be jeopardised. The current situation with COVID-19 has served to emphasise the importance of outdoor space to public houses.

- 9.15. The original application seeking planning permission for an erection of a dwelling within the garden of The Ben Jonson Inn (see: 20/02180/F) was refused in part due to the absence of clear evidence that the loss of a large area of the garden from the public house would not impact on the future of the business, and that the proposed development would cause harm to the viability of the public house and may result in the loss of a village service.
- 9.16. As a result, a further application for planning permission was submitted (see: 20/03406/F) that included a reduced site area, to involve the loss of no existing outdoor seating. The applicant considered that the reduced area of garden that would be lost is underutilised, being overgrown and occupied by play equipment that is does not make a material contribution to the public house business. It was also considered that the development of the site would enable further investment into the public house business.
- 9.17. The case put forward as part of the second application was accepted by Officers, concluding that given the reduced site area and the additional information submitted by the agent, it was considered, on balance, that the proposed development would not cause harm to the viability of the public house to an extent that warranted refusal of the application.
- 9.18. A separate application has been made for the relocation of the play area (see 21/03591/F). The outcome of this separate application cannot be pre-determined, and the impacts of any alternative siting of the play area elsewhere within the pub garden and any resultant impacts on the viability of the public house are matters to be considered under 21/03591/F.
- 9.19. The proposed dwelling cannot be constructed without the removal of the play area and memorial garden, and therefore consideration needs to be given as to whether it is necessary to ensure appropriate arrangements are in place to secure the relocation of play equipment before any works could commence, for example by way of Grampian condition. Planning conditions can only be applied to a planning approval where they meet 6 test which include being: necessary; relevant to planning; and reasonable.
- 9.20. This play area is not public facility, it is a facility on private land which primarily provides benefit of the patrons of the public house. This is a sensitive issue as the land is also understood to be a memorial garden but isn't formally recognised as such, for example it isn't identified in the WotGNP. On this basis, and without prejudice to the Council's future assessment of application 21/03591/F, it is not considered that it could be argued as necessary for planning purposes to restrict implementation of any permission issued if this proposal for a dwelling on the same site was found to be acceptable.
- 9.21. In terms of the size of the resultant plot for the public house, Officers previously accepted the reduced site area would not automatically cause harm to the viability of the public house to an extent that warranted refusal of the application. It remains the opinion of Officers that the proposed development would not create clear harm to the long-term viability of the public house that would justify a refusal on this point. .

Conclusion

- 9.22. It is the opinion of Officers that the principle of the erection of a dwelling within the built-up limits of the village, upon an area of garden associated with The Ben Jonson Inn, is considered acceptable in accordance with Government guidance contained within the NPPF, Policies PSD 1, ESD 1, Villages 1 and BSC12 of the CLP 2031 Part 1, saved Policy S29 of the CLP 1996 and Policies H2 and E3 of the WotGNP. Further, the provision of a two bedroomed single storey dwelling would accord with the thrust of Policies H3 and H7 of the WotGNP that seek a larger proportion of 1-2 bedroom dwellings, and dwellings that are suitable for older residents. The provision of an additional dwelling would also make a small contribution the Cherwell's housing land supply.

Design, and impact on the character of the area

Policy Context

- 9.23. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 9.24. Policy ESD15 of the CLP 2031 Part 1 states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards and should respect the historic environment including conservation areas and listed buildings.
- 9.25. Saved Policies C28 and C30 of the CLP 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. New housing development should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- 9.26. Policy E1 of the WotGNP seeks a positive contribution to the locally distinctive character of the village, conserving important aspects of its setting. Policies H4 and H5 of the WotGNP require development to place additional emphasis of the conservation or enhancements of all heritage assets of the Parish, such that housing type should be appropriate to local setting, and to require compliance with a Design Code (Appendix A). In summary, with regard to new dwellings, the Design Code requires houses to be either directly against a front verge or set behind a boundary wall that delineates the front of the property, porous driveway surfacing, refuse bin storage away from view of the street, external bicycle storage and boundary treatments to reflect the materials found in neighbouring properties, including stone walls and post and rail fencing. Walls should be constructed using coursed rubble limestone and roof pitch to be consistent with the chosen roof covering, although steep pitches are preferred in the Conservation Area. The use of UPVC openings is not acceptable.

Assessment

- 9.27. The application proposes the erection of a detached bungalow dwelling upon an area of pub garden that is currently occupied by play equipment. The northern boundary consists of a stone wall, a section of which would be removed in order to facilitate a pedestrian access. The site is currently bounded on three sides by dense vegetation, including trees, the majority of which would be removed.

- 9.28. The proposed dwelling would be single storey in height and constructed with stone walls and a slate tile roof. The dwelling would front onto Westlands Avenue, with vehicular access and off-street parking to the rear, accessed via the existing pub car park. Westlands Avenue consists of both single and one and a half storey dwellings of contemporary design, appearance and material palette. Immediately opposite the proposed dwelling frontage sits Tollbrook, a one and a half storey dwelling constructed from reconstituted stone, tiled roof and pitched roof render clad dormer windows. Stone walled and thatched roofed Grade II listed buildings The Cottage and Bramble Cottage are positioned to the north-east, although these front onto the B430, with their much altered rear elevations facing towards the west.
- 9.29. A rather unsightly electricity substation with associated, and poorly maintained, close boarded fenced enclosure sits immediately adjacent to the site, with the flat roofed concrete block garage associated with 1 Westlands Avenue situated beyond.
- 9.30. Officers are of the opinion that the design of the proposed dwelling succeeds in representing a sympathetic addition to the curtilage of the public house, making use of traditional materials and appearing as a further outbuilding associated with The Ben Jonson Inn. In addition, the design also relates well to the streetscene within which it would be positioned, being of single storey height and retaining the majority of the existing northern boundary wall.
- 9.31. Whilst trees and vegetation would be removed in order to facilitate the development, the Arboricultural Officer raised no objection to the original scheme and continues to hold this opinion of the current scheme.
- 9.32. The siting of the bin store, bicycle parking and vehicle parking discreetly to the side and rear of the proposed dwelling avoids these ancillary features detracting from the visual amenities of the area, and their final appearance can be controlled via condition.

Conclusion

- 9.33. It is the opinion of Officers that the proposed dwelling and associated features, would constitute good design and would represent a sympathetic addition to the streetscene, that is compatible to both its historic context and the more contemporary appearance of dwellings on Westlands Avenue, in accordance with Government guidance contained within the NPPF, Policy ESD 15 of the CLP 2031 Part 1, saved Policies C28 and C30 of the CLP 1996 and Policy E1 and H4 of the WotGNP.

Heritage Impact and archaeology

Legislative and policy context

- 9.34. The site is within and affects the setting of a Conservation Area, and also affects the setting of Grade II listed building The Ben Jonson Inn and the separately listed stable building to the south, and would involve the removal of a section of curtilage listed wall that marks the northern boundary of The Ben Jonson Inn. The site has also been identified as being of archaeological interest.
- 9.35. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 9.36. Likewise, Section 66 of the same Act states that: *In considering whether to grant planning permission for development which affects a listed building or its setting, the*

local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Therefore, significant weight must be given to these matters in the assessment of this planning application.

- 9.37. Conservation Areas and Listed Buildings are designated heritage assets, and the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).* This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 9.38. With regard to sites of archaeological interest, the NPPF requires developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation. Again, this is echoed in the CLP 2031 Part 1.
- 9.39. Conservation Areas are designated heritage assets, and the NPPF states that: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.40. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.41. Policy ESD15 of the CLP 2031 Part 1 requires development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Further, development proposals will be required to conserve, sustain and enhance designated and non-designated heritage assets including buildings, features, archaeology, conservation areas and their settings. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.
- 9.42. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 seek a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development. In sensitive areas, such as Conservation Areas, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 9.43. Saved Policy C23 of the Cherwell local Plan 1996 states that there will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a Conservation Area.
- 9.44. Saved Policy C33 of the Cherwell Local Plan 1996 seeks to preserve a view or feature of recognised amenity or historical value, such as trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape.
- 9.45. Policy C4 of the WotGNP states that development should not harm a heritage asset, character of the village centre or important spaces, key street scenes and views Policies H4 and H5 of the WotGNP require development to place additional

emphasis of the conservation or enhancements of all heritage assets of the Parish, such that housing type should be appropriate to local setting, and to require compliance with the Design Code (Appendix A).

Assessment

- 9.46. The site is positioned just inside the designated Weston On The Green Conservation Area, with the northern and western boundaries of the site itself forming the boundary of the Conservation Area. The site is also within the curtilage of The Ben Jonson Inn that is a Grade II listed building dating from the early/mid 18th Century, and adjacent to the separately Grade II listed stable building to the south. The Ben Jonson Inn occupies a prominent position in the Conservation Area, with the associated garden being considered to contribute to the setting of the listed buildings and the character of the Conservation Area in this location. Whilst there are other Grade II listed buildings situated further afield to the north-east and south, the site is not considered to play an integral role in forming a part of their setting.
- 9.47. The historic significance of the site is considered to be its location and the contribution it makes to the designated Conservation Area, and the setting of the listed buildings within the confines of The Ben Jonson Inn. The site is also considered to be of archaeological interest.
- 9.48. The Weston on the Green Conservation Appraisal places the site within the Farms Character Area and, despite the areas having been occupied by former farms, the land uses are now described as predominantly residential, including agricultural barns or outbuildings that have been converted into residential use. Westlands Avenue is described as modern residential infill development that was constructed mostly in the 1970s, although the former farm buildings in the Farms Character Area give an agricultural character to the area, interspersed with dwellings.
- 9.49. The view into the yard behind The Ben Jonson Inn, taken from the verge on the B430 as opposed to Westlands Avenue, is mentioned as highlighting the other listed buildings that make up the setting of the public house.
- 9.50. The impact of the proposed development upon the designated Conservation Area, the curtilage listed wall and the setting of the listed buildings has remained a concern of Officers dealing with all previous applications relating to the erection of a dwelling upon the site. In summary, the concerns related to the siting of the dwelling within an undeveloped gap, and the loss of sections of curtilage listed boundary wall, both of which were considered to cause harm to the historic significance of the Weston on the Green Conservation Area and the setting of Grade II listed The Ben Jonson Inn. Previously, although the harm was considered to be less than substantial, this was not outweighed by public benefits.
- 9.51. It is important to note that the Officer reports relating to the latest refused applications (see: 21/01022/F & 21/01023/LB) were written without the benefit of advice from the Conservation Officer. The Conservation Officer had later advised that the retention of much of the boundary wall was welcomed, and that the creation of a small pedestrian access was not considered to result in an unacceptable loss of historic fabric or on its own alter the character of the wall in a detrimental way. The Case Officer had instead referred to the previous comments made by the Conservation Officer where a larger section of wall was to be removed.
- 9.52. Given this change in opinion, Officers are of the opinion that this reason for refusal of the application could not be sustained at appeal. The loss of a small section of the wall would not result in a harmful loss of fabric, and the sense of enclosure would be maintained.

- 9.53. The design and siting of the dwelling within an undeveloped gap that had caused concern previously, did however, continue to cause concern to the Conservation Officer as part of the latest refused applications (see: 21/01022/F & 21/01023/LB). Despite the comments not having been available to the Officer at the time of writing their latest reports, the opinion that the development would not sit comfortably within the streetscene, and that a new dwelling here would be detrimental to the character of the Conservation Area, resulting in less than substantial harm to the historic significance of the Conservation Area and the listed buildings through development within their setting, were broadly shared.
- 9.54. Amendments have now been made to the design and siting of the proposed dwelling, resulting in the scheme that is currently under consideration. The dwelling has been designed to appear as an outbuilding within the curtilage of The Ben Jonson Inn, as opposed to attempting to replicate the style of development on Westlands Avenue. The overall width of the dwelling has been reduced and traditional construction materials would now be used. The bin and bicycle store have been repositioned to the side of the dwelling, and the vehicular parking has been moved to the rear. In addition, the fencing immediately adjacent to the remainder of the pub garden would be of post and rail style. Officers are of the opinion that the latest scheme would be sympathetic to its historic context, avoiding any harm to the historic significance of the designated Conservation Area or the listed buildings through development within their setting. Further, the Conservation Officer concludes that no harm would result from the proposed development.
- 9.55. The County Archaeologist has advised that there is the possibility that remains associated with the medieval and post-medieval periods are present within the site, including potential for 'backlot' activity associated with the Ben Jonson. Conditions have been recommended that would secure archaeological monitoring and recording action to be maintained during the period of construction. Findings should then be compiled into an accessible and useable archive, with a full report for publication to be submitted to the Council. It is considered that this would avoid harm to any archaeological deposits that may be present within the site.
- 9.56. If supported, it is considered that a condition removing the permitted development rights for the erection of extensions or outbuildings within the curtilage of the dwelling would enable the impact of future development upon the setting of the listed building and the designated conservation area to be assessed.

Conclusion

- 9.57. The amended scheme avoids any harm to the historic significance of the designated Conservation Area, the curtilage listed wall or the nearby listed buildings through development within their setting, in accordance with Government guidance contained within the NPPF, Policy ESD15 of the CLP 2031 Part 1, saved Policies C23, C28 and C33 of the CLP 1996, and Policies C4 and H4 of the WotGNP.

Residential amenity

Policy Context

- 9.58. Government guidance contained within the NPPF requires development to create places that are safe, inclusive and accessible, promoting health and well-being, and with a high standard of amenity for existing and future users.
- 9.59. Policy ESD15 of the CLP 2031 Part 1 requires all development to consider the amenity of both existing and future development. Saved Policy C30 of the CLP 1996 seeks standards of amenity and privacy acceptable to the Local Planning Authority. Saved Policy ENV1 of the CLP 1996 seeks to ensure that the amenities of

the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation.

Assessment

- 9.60. The proposed dwelling and associated curtilage would share the eastern and southern boundaries of the site with the public house, and the western boundary with the electricity substation and the curtilage of 1 Westlands Avenue.
- 9.61. Due to the angle at which 1 Westlands Avenue is positioned within its curtilage, and the separating distance with intervening garage, it is considered that no harm would be caused to this neighbour in terms of a loss of amenity. Whilst side facing openings are proposed to face towards this neighbour, as they are at ground level only, the outlook would be impeded by the boundary fence, thus avoiding a significant loss of privacy.
- 9.62. The frontage of the proposed dwelling would look out towards the frontage of Tollbook, the one and a half storey dwelling across the road to the north, although this front-to-front relationship is generally accepted upon the least private elevations that face towards the public domain. It is for the above reasons that Officers consider that the development would not result in a significant loss of amenity or privacy for neighbouring properties.
- 9.63. As the proposed dwelling would share boundaries with the pub garden, and its occupation would be independent of the public house business, the impact of this relationship upon the living amenities of future occupants must also be taken into consideration. The Environmental Health Team has been consulted as part of the application process and no objections have been raised in this regard, although conditions requiring the submission of an odour assessment, noise report and a Construction Environmental Management Plan have been recommended in order to safeguard the living amenities of both the existing neighbours and the occupants of the new dwelling. Officers are of the opinion that the potentially detrimental effects of living adjacent to a public house can be sufficiently addressed via condition, and that harm to the amenities of nearby neighbours can be avoided during the period of construction.
- 9.64. Addressing any potentially detrimental effects arising from the proximity of the public house is also imperative to avoid future nuisance complaints that could jeopardise the future viability of this important community facility.

Conclusion

- 9.65. The proposed development would not result in a significant loss of amenity or privacy for neighbouring properties and would provide acceptable standards of amenity and privacy for the future occupants of the dwelling, thus avoiding future nuisance complaints regarding the proximity of the public house use, in accordance with Government guidance contained within the NPPF, Policy ESD15 of the CLP 2031 Part 1 and saved Policy C30 of the CLP 1996.

Highway safety

Policy context

- 9.66. Government guidance contained within the NPPF seeks to achieve safe and suitable access to sites for all users and requires development to be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 9.67. ESD15 of the Cherwell Local Plan 2031 Part 1 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 echoes this, with all development where it is reasonable to do so, being required to facilitate the fullest possible use of sustainable modes of transport including walking and cycling.
- 9.68. Policy T1 of the WotGNP seeks parking areas and access routes to new development that are designed in a manner in keeping with the local area with regard to scale, materials, splays and signage, to be consistent with the Design Code (Appendix A) and should not result in a net loss to biodiversity or green space.

Assessment

- 9.69. The current and latest refused applications (see: 21/01022/F & 21/01023/LB) indicate vehicular access to the dwelling being taken through the existing pub car park. This amendment was made following concern regarding the width of the section of curtilage listed wall along the northern boundary that would need to be removed to facilitate vehicular access from Westlands Avenue.
- 9.70. The reasons for refusing 21/01022/F included the failure to provide safe access to the site by reason of the separation of the site from the public highway by a section of third party land. In addition, it was considered that the proposed parking could not be guaranteed to remain in perpetuity, with vehicles from the development then needing to park on the nearby highway network.
- 9.71. The current application has sought to overcome the reason for refusal, through the inclusion of the third party land within the red line in order to connect the development with the highway network. The required publicity for the inclusion of land within the red line where the owner is unknown has been undertaken through the publication of a notice in the Bicester Advertiser.
- 9.72. The Highway Authority has advised that the inclusion of the intervening land within the red line has overcome their previous concerns, ensuring that the vehicular access would be available to the proposed dwelling. The Highway Authority consider that the proposal is unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view and offer no objection to the scheme.
- 9.73. Officer's share the opinion of the Highway Authority in that the amended red line area has overcome the concerns with the previous application, and that the development would not result in harm to highway safety.
- 9.74. Bicycle parking would also be provided within the curtilage of the dwelling, safe pedestrian access would be taken from Westlands Avenue and an electric vehicle charging point would be installed.

Conclusion

- 9.75. Vehicular access to the site would be secured and more sustainable modes of transport are supported, avoiding any adverse impact upon the local highway network, in accordance with Government guidance contained within the NPPF, Policies SLE4 and ESD15 of the CLP 2031 Part 1 and Policy T1 of the WotGNP.

Ecology Impact

Legislative context

- 9.76. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.77. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.78. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.79. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.80. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.81. The NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 9.82. Paragraph 180 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.83. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.84. Policy ESD10 of the CLP 2031 Part 1 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.85. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.86. The Planning Practice Guidance dated 2014 postdates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 9.87. Policy E2 of the WotGNP requires development to preserve and enhance the green infrastructure and natural environment of the area.

Assessment

- 9.88. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:
- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development
- It also states that LPA's can also ask for:
- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
 - an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')
- 9.89. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of a well-managed, closely mown lawn and play equipment upon a bark chip surfacing. Fencing, a stone wall, and

vegetation and trees, mark the boundaries. Some of the trees are proposed for removal as part of the works, although the Arboricultural Implications Assessment and Method Statement includes the seeking of advice regarding the potential for the trees to be used by protected species prior to their removal. The play equipment would be removed, although there are no buildings to be removed or altered as part of the proposed development. The Ecology Officer has not provided any comments on the current scheme at the time of writing, or on the previous scheme, and it must therefore be assumed that no objections are raised.

- 9.90. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and any species present are unlikely to be adversely affected by the proposed development. As such no formal survey is required and in the absence of which this does not result in a reason to withhold permission. An informative reminding the applicant of their duty to protected species shall be included on the decision notice and is considered sufficient to address the risk of any residual harm.
- 9.91. The west european hedgehog, is not a species that is protected by The Conservation of Habitats and Species Regulations 2017. However, a number of hedgehog highways would be installed within boundary fencing to allow access for this species if they so desire. A note could also be included to ensure that care is taken removing dense vegetation or piles of logs/leaves using hand methods only, and the provision of escape routes from any deep excavations, in order to ensure that hedgehogs are not harmed during development. Three integral bird nesting boxes would also be installed within the dwelling as part of the scheme.

Conclusion

- 9.92. Protected species and their habitat are unlikely to be harmed as a result of the development, in accordance with Government guidance contained within the NPPF, Policy ESD10 of the CLP 2031 Part 1 and Policy E2 of the WotGNP.

Sustainability

Policy Context

- 9.93. Government guidance within the NPPF covers the issue of meeting the challenge of climate change, flooding and coastal change. It states that new development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. The NPPF continues by stating, amongst other things, that in order to help increase the use and supply of renewable and low carbon energy and heat, plans should: c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
- 9.94. Policy ESD 1 of the CLP 2015 Part 1 states that measures will be taken to mitigate the impact of development within the District on climate change, including but not limited to, designing developments to reduce carbon emissions and use resources more efficiently, including water.
- 9.95. Policy ESD 3 of the CLP 2015 Part 1 covers the issue of sustainable construction and states amongst other things that all new residential development will be

expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy. The Policy continues by stating that Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day. Further stating that all development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to minimising both energy demands and energy loss, maximising passive solar lighting and natural ventilation, maximising resource efficiency, incorporating the use of recycled and energy efficient materials, incorporating the use of locally sourced building materials, reducing waste and pollution and making adequate provision for the recycling of waste, making use of sustainable drainage methods, reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

Assessment

- 9.96. The new dwelling would be located in a north-south orientation, with the open plan living room, kitchen and dining room served by a pair of doors and rooflights, allowing natural light during the day from the south. As a new build the development would need to comply with the current building regulations which will ensure that the development would be built to a high standard of sustainable build. Notwithstanding this, if supported, it is considered that a condition should be added to ensure that the development has a higher level of water efficiency than required in the Building Regulations as required under Policy ESD 3.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The principle of the erection of a dwelling within this Category A village is considered acceptable. It has not been demonstrated that the loss of a section of garden associated with The Ben Jonson Inn would impact upon the long-term viability of this important community facility. The development would not harm the historic significance of the designated Conservation Area, the curtilage listed wall or nearby listed buildings through development within their setting. Further, harm would not be caused to the visual amenities of the area, the amenity and privacy currently enjoyed by neighbouring properties and the living amenities or privacy that would be enjoyed by future occupants of the dwelling. In addition, the development would not result in harm to highway safety, or protected species or their habitat.
- 10.2. The development would deliver social benefits through contribution to the District's housing land supply, albeit minor, whilst avoiding harm to the economic and environmental dimensions of sustainable development.
- 10.3. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, INCLUDING THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY), SUBJECT TO NO NEW COMMENTS

**BEING RECEIVED AT THE CLOSE OF THE PUBLIC CONSULTATION PROCESS
ON THE 2 DECEMBER 2021 UNLESS IN THE VIEW OF THE ASSISTANT
DIRECTOR ANY COMMENTS RECEIVED DO NOT RAISE NEW MATERIAL
PLANNING ISSUES**

CONDITIONS

Time Limit

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

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Planning, Design and Access Statement Ref: 00151, EcoUrban Arboricultural Implications Assessment and Method Statement ref: 201271-AIA3, TPA Transport Planning Associates Transport Statement ref: 2005-011/TS/03, Roper-Pressdee Heritage Ltd. Heritage Statement Drawing No's: 20.02 Rev. D, 10.00 Rev. J, 10.01 Rev. G, 10.03 Rev. D, 10.04 Rev. H, 00.06 Rev.C.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Archaeological WSI

3. Prior to any groundworks associated with the development hereby approved, the applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

Archaeological watching brief and report of findings

4. Following the approval of the Written Scheme of Investigation referred to in condition 3, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

Construction Environmental Method Statement

5. No works of demolition or groundworks shall take place upon the site until a

Construction Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- i. The parking of vehicles of site operatives and visitors;
- ii. The routeing of HGVs to and from the site;
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi. Wheel washing facilities/ road sweeping;
- vii. Measures to control the emission of dust and dirt during construction;
- viii. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- ix. Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason - To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Stone sample panel

6. Prior to the commencement of the construction of the dwelling hereby approved above slab level, a stone sample panel (minimum 1m² in size) shall be constructed on site which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the dwelling shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Slate tile sample

7. Prior to the commencement of the construction of the dwelling hereby approved above slab level, a sample of the slate tile to be used on the roof of the dwelling shall be made available for inspection on site and approved in writing by the Local Planning Authority. Thereafter, the roof of the dwelling shall be constructed in accordance with the approved slate tile sample.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Openings

8. Prior to the installation of any windows, doors or rooflights hereby approved, full details of the windows, doors and rooflights at a scale of 1:20 including a cross section and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The openings shall be installed in accordance with the approved details and retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood

Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Bin and bicycle store details

9. Prior to the first occupation of the dwelling hereby approved, full design details including colour/finish of the bin and bicycle store shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bin and bicycle store shall be erected in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Boundary enclosure details and hedgehog highways

10. Prior to the first occupation of the dwelling hereby approved, full details of the enclosures along all boundaries of the site, to include details of hedgehog highways and any associated signage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwelling hereby approved, the approved means of enclosure and hedgehog highways shall be erected and installed in accordance with the approved details and retained and maintained in situ at all times.

Reason - To ensure the satisfactory appearance of the completed development, to ensure that the development does not cause harm to any protected species or their habitats, and to comply with Policies E1, E2, H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policies ESD 10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Odour assessment

11. Prior to the first occupation of the dwelling hereby approved, an odour assessment of the catering plant associated with The Ben Jonson Inn shall be undertaken, with the findings, together with confirmation of the completion of any identified remedial works and a future maintenance plan for the catering plant, being submitted to and approved in writing by the Local Planning Authority. Thereafter, the catering plant shall be maintained in accordance with the approved maintenance plan.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Noise assessment

12. Prior to the commence of the dwelling hereby approved above slab level, a report shall be submitted to and approved in writing by the Local Planning Authority that confirms that all habitable rooms within the dwelling will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) for indoor and external noise levels and that identifies all noise sources at the adjacent The Ben Jonson Inn and assess them in accordance with the requirements of BS4142. Thereafter, and prior to the first occupation of the dwelling hereby approved, the dwelling shall be insulated and maintained in accordance with the approved details.

Reason - To ensure the creation of a satisfactory environment free from intrusive

levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Water efficiency

13. Prior to the first occupation of the dwelling hereby approved, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason - Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

Pedestrian gate details

14. Prior to the installation of the pedestrian gate in the northern boundary hereby approved, full design details to include colour/finish shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the pedestrian gate shall be installed in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Making good of wall

15. Following demolition of the section of stone wall along the northern boundary hereby approved, the remaining element of wall shall be made good with any remedial stonework being carried out in natural stone of the same type, texture, colour and appearance as the stone on the existing stone wall, and shall be laid, dressed and coursed to match that of the existing stone wall.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

PD removed – Extensions

16. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwelling(s) shall not be extended, nor shall any structures be erected within the curtilage of the said dwelling(s), without the prior express planning consent of the Local Planning Authority.

Reason – To ensure and retain the satisfactory appearance of the completed development and to comply with Policies H2, H4 and C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Access to remain in perpetuity

17. The vehicular access to the dwelling hereby approved shall be kept free of obstructions at all times and used only for the specified purpose.

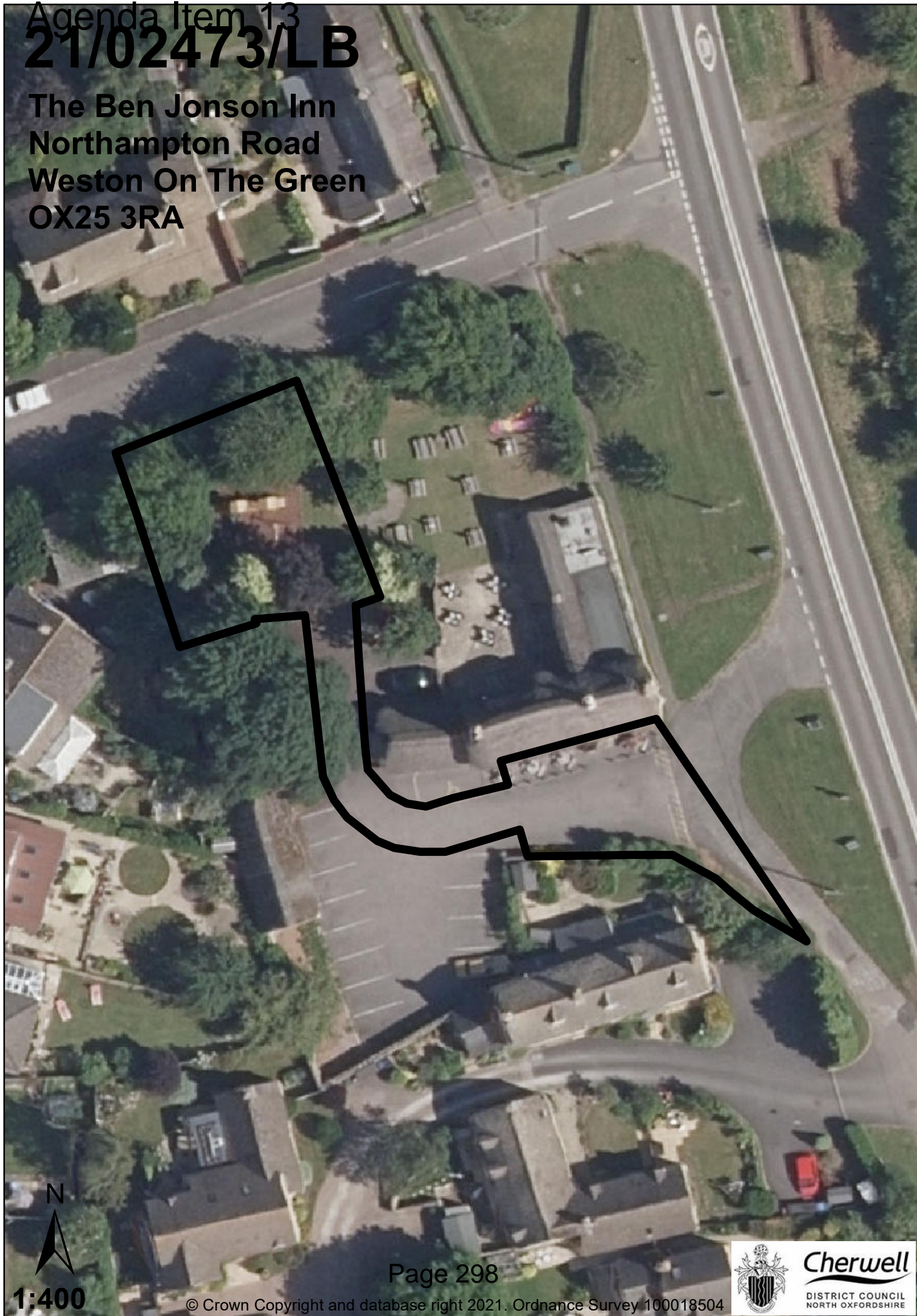
Reason - In the interests of highway safety, to ensure a proper standard of development and to comply with Government guidance contained within the National Planning Policy Framework.

Notes

1. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution.
2. Due to the presence of the west european hedgehog in the vicinity of the site, the applicant is advised to ensure that the removal of dense ground level vegetation, piles of logs, stones or leaves are removed by hand methods only in order to avoid harm to any hedgehogs that may be making use of these features. Ramped or stepped access from any deep excavations should also be provided to enable hedgehogs to exit the excavated areas if required.
3. Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved

Agenda Item 13
21/02473/LB

**The Ben Jonson Inn
Northampton Road
Weston On The Green
OX25 3RA**



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1:400



21/02473/LB

The Ben Jonson Inn
Northampton Road
Weston On The Green
OX25 3RA

Cottage

Tollbrook

El Sub sta

The Black Sheep
(F-H)

Oxford
Court

N

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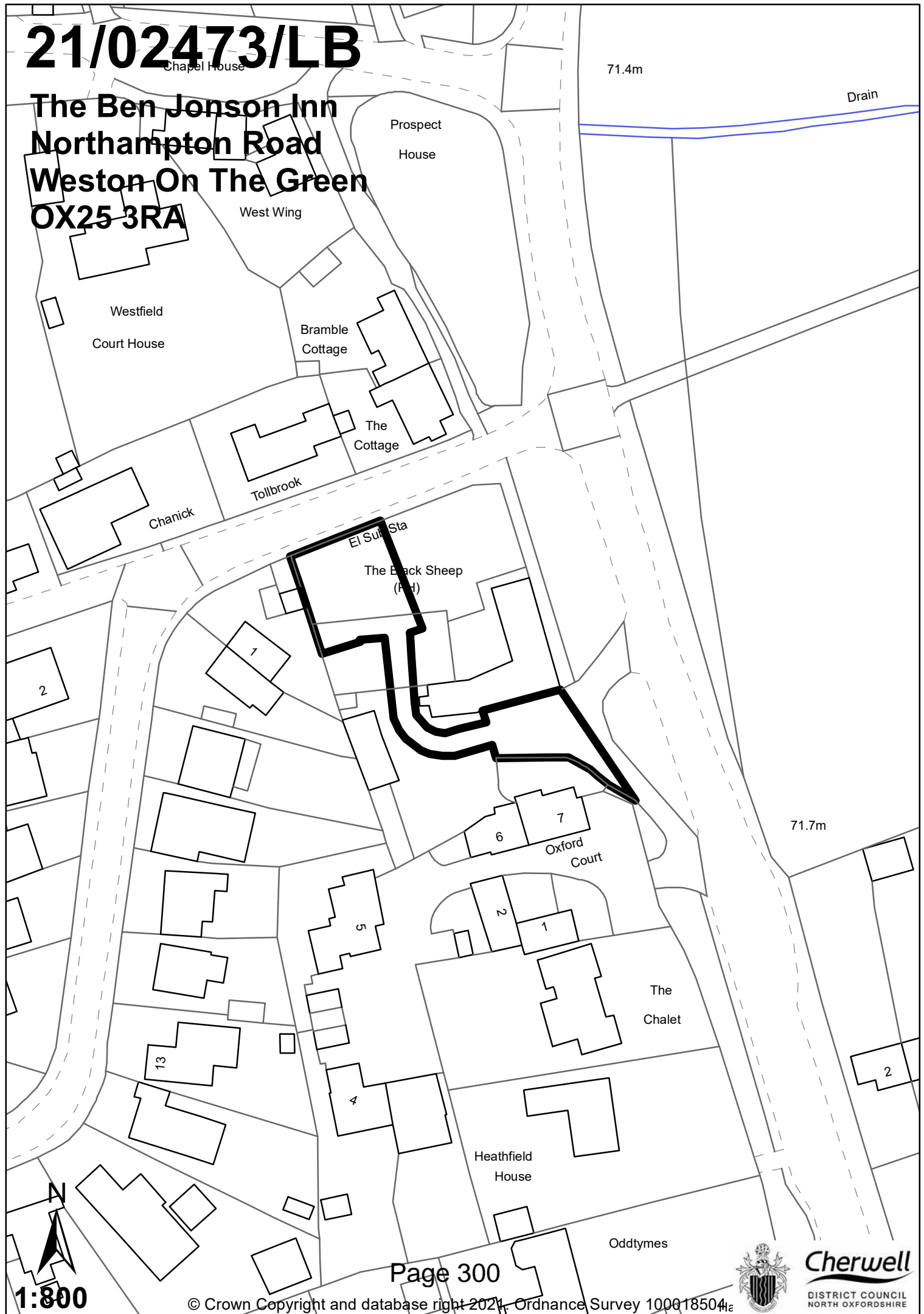
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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

21/02473/LB

The Ben Jonson Inn
Northampton Road
Weston On The Green
OX25 3RA



Case Officer: Gemma Magnuson

Applicant: Punch Partnerships (PML) Limited

Proposal: Breakthrough in boundary wall to facilitate a pedestrian entrance (resubmission of 21/01023/LB)

Ward: Launton And Otmoor

Councillors: Cllr Hallchurch MBE, Cllr Holland and Cllr Hughes

Reason for Referral: Called in by Cllr Hughes for the following reasons: a valued asset of the village that is of high public interest

Expiry Date: 3 December 2021

Committee Date: 2 December 2021

SUMMARY OF RECOMMENDATION: DELEGATE POWERS TO GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS FOLLOWING EXPIRY OF CONSULTATION PERIOD

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site consists of part of the garden associated with The Ben Jonson Inn, more specifically, the existing stone wall marking the northern boundary of the garden. The wall runs alongside the pavement on Westlands Avenue.

2. CONSTRAINTS

- 2.1. The Ben Jonson Inn itself is a Grade II listed building. A former stable, now outhouse, situated to the south-west of The Ben Jonson Inn is also a Grade II listed building. Other Grade II listed buildings are positioned in close proximity to the site, including Oxford House to the south-east, and The Cottages across the road to the north-east. The site lies within the designated Weston-on-the-Green Conservation Area and has been identified as being of archaeological interest.
- 2.2. The land is potentially contaminated. The Weston Fen Site of Special Scientific Interest is within 2km of the site and Oxfordshire protected and notable species the west european hedgehog has been identified in the area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Listed building consent is sought for the demolition of a 940mm section of wall to facilitate the creation of a pedestrian entrance. A post and rail style gate would be installed within the gap. The section of wall to be removed would be at the western most end of the wall.
- 3.2. This application for listed building consent has been submitted alongside an application for planning permission for the removal of the 940mm section of wall, and the erection of a two bedroom bungalow within the garden. The pedestrian access would serve the new dwelling.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application: 20/02180/F

Refused - 6 November 2020

Erection of a four bedroom chalet bungalow (C3) to the rear of the existing public house (A4), with a new access created off Westlands Avenue, and associated parking and landscaping

Application: 20/03406/F

Refused - 18 February 2021

Erection of a two-bedroom bungalow (C3) to the rear of the existing public house (Sui Generis), with a new access created off Westlands Avenue following the partial demolition of the boundary wall, and associated parking and landscaping.

Application: 20/03407/LB

Refused 18 February 2021

Partial demolition of the boundary wall to create access for new dwelling proposed under 20/03406/F

Application: 21/01022/F

Refused 18 May 2021

Erection of a two-bedroom bungalow to the rear of the existing public house (Sui Generis), utilising existing access and associated parking and landscaping, and the small breakthrough in the boundary wall to facilitate a pedestrian entrance.

Application: 21/01023/LB

Refused 18 May 2021

Partial demolition of the boundary wall to create pedestrian entrance

Application: 21/02473/LB

Undetermined at time of writing

Breakthrough in boundary wall to facilitate a pedestrian entrance (resubmission of 21/01023/LB)

Application: 21/03591/F

Undetermined at time of writing

Relocation of children's play equipment/memorial garden

- 4.2. The site has been the subject of a number of recent applications for a similar proposal, all of which have been refused. This detailed history has been summarised below:

20/02180/F

- 4.3. Planning permission was sought for a chalet bungalow style dwelling upon the site with front and rear dormer windows serving first floor accommodation. Construction materials would consist of red brick and rendered walls with a slate roof. A larger section of the curtilage listed stone wall on the northern boundary would be removed when compared to the current scheme, providing vehicular access to three off-street parking spaces. A larger area of pub garden would also have been used for the development. An objection was received from the Conservation Officer. The application was subsequently refused on the following grounds:

1. *By virtue of its unsympathetic design and its siting in an undeveloped gap and the loss of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is*

contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

2. *In the absence of clear evidence that the loss of a large area of the garden for the public house would not impact on the future of the business, the proposed development would cause harm to the viability of the public house and may result in the loss of a village service. The proposal is therefore contrary to Saved Policy S29 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.*

20/03406/F & 20/03407/LB

- 4.4. Planning permission and listed building consent were sought for the erection of a two bedroom bungalow upon a reduced area of the pub garden. The dwelling would have an 'L' shaped footprint, with limestone walls and a grey tiled roof. Vehicular access would continue to be taken from Westland Avenue, although the width of the section of wall to be removed is reduced to the width of one parking space with a tandem parking arrangement in the site. A pedestrian gate would also be installed requiring the removal of a second, smaller section of the wall. An objection was received from the Conservation Officer. The applications were subsequently refused on the following grounds:

F. By virtue of its siting in an undeveloped gap and the loss of sections of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

LB. By virtue of the loss of sections of the curtilage listed boundary wall, the proposed development would cause harm to the significance of the Grade II listed Ben Jonson public house as well as the Weston on the Green Conservation Area. The harm to heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to saved policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4.5. Appeals against the above decisions have been submitted and a start date is awaited (see Appeal Ref: APP/C3105/W/21/3278245).

21/01022/F & 21/01023/LB

- 4.6. Planning permission and listed building consent were sought for the erection of a two bedroom bungalow upon the site. The dwelling would have a 'T' shaped footprint, with limestone walls and a grey tiled roof. Vehicular access would now be taken through the pub car park and not through an opening in the curtilage listed stone wall on the northern boundary. A pedestrian access onto Westlands Avenue, in the same position as that currently proposed, remained. An objection was received from OCC Highway Authority due to third party land separating the site and the public highway, and the potential for the parking arrangements to be affected by customer parking and deliveries for the public house. The Conservation Officer had not commented on the scheme at the time of writing the report. The applications were subsequently refused on the following grounds:

F. By virtue of its siting in an undeveloped gap and the loss of a section of the curtilage listed boundary wall, the proposed dwelling would cause harm to the significance of the Weston on the Green Conservation Area and the Grade II listed Ben Jonson public house as well as adversely affecting the visual amenities of the locality. The harm to the heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C23, C28, C30 and C33 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

The proposed development, by reason of its separation from the highway by a section of third party land, would fail to provide a safe access to the site. The proposed parking could not be guaranteed to remain in perpetuity and the vehicles from the development would park on the nearby highway network. The proposal would therefore result in significant and demonstrable harm to highway safety. As such the proposal is contrary to Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

LB. By virtue of the loss of a section of the curtilage listed boundary wall, the proposed development would cause harm to the significance of the Grade II listed Ben Jonson public house as well as the Weston on the Green Conservation Area. The harm to heritage assets, which is less than substantial, would not be outweighed by public benefits. Thus, the proposal is contrary to saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4.7. Late comments were received from the Conservation Officer although these were not taken into consideration in the determination of the latest refused applications. The advice given by the Conservation Officer specifically regarding the loss of the section of wall was that the retention of much of the boundary wall is welcomed, and the creation of the small pedestrian access is not considered to result in an unacceptable loss of historic fabric or on its own alter the character of the wall in a detrimental way.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **29 November 2021** and by advertisement in the local newspaper expiring **25 November 2021**. The overall final date for comments is **2 December 2021**.
- 6.2. At the time of writing, no comments have been raised by third parties. Any comments received after the date of writing will be reported as a late representation.
- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. WESTON ON THE GREEN PARISH COUNCIL: **Object** on the grounds of the dwelling not constituting infilling or acceptable minor development harming the loose-knit character of the village, harm to protected species the West European Hedgehog, inconsistent with local character of Conservation Area and surrounding Grade II listed buildings especially the wall, harm the character of the Conservation Area, contrary to Neighbourhood Plan, loss of amenity garden, access required during building phase and loss of access required to current car park in perpetuity having a detrimental effect upon this historic site and business that is the Ben Jonson Inn, unsatisfactory access that is not owned or controlled by the applicant.
- 7.3. WESTON ON THE GREEN NEIGHBOURHOOD PLAN FORUM: No comments received.

CONSULTEES

- 7.4. NATIONAL AMENITY SOCIETIES: No comments received at time of writing.
- 7.5. CDC CONSERVATION: **No objection** subject to condition requiring a method statement for the treatment of the wall.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Listed buildings

- 8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Weston on the Green Neighbourhood Plan and the following Policies of the Neighbourhood Plan are considered relevant:

- C4 – Avoid harm to heritage assets, character of village centre, important space, key street scenes and views

- 8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Weston-On-The-Green Conservation Area Appraisal (2009)

9. APPRAISAL

Policy context

- 9.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building(s).
- 9.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 9.4. The NPPF directs that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 9.5. Saved Policy C18 of the Cherwell Local Plan 1996 only supports minor and sympathetic alterations to listed buildings.
- 9.6. Policy C4 of the WotGNP states that development should not harm a heritage asset, character of the village centre or important spaces, key street scenes and views.

Assessment

- 9.7. The site is positioned just inside the designated Weston on the Green Conservation Area, with the curtilage listed wall itself forming the boundary of the designated area. The site is also within the curtilage of The Ben Jonson Inn that is a Grade II listed building dating from the early/mid 18th Century, and adjacent to the separately Grade II listed stable building to the south. The Ben Jonson Inn occupies a prominent position in the Conservation Area, with the associated garden being considered to contribute to the setting of the listed buildings and the character of the Conservation Area in this location. Whilst there are other Grade II listed buildings situated further afield to the north-east and south, the site is not considered to play an integral role in forming a part of their setting.
- 9.8. The historic significance of the wall is considered to be its location and the contribution it makes to the designated Conservation Area, and the setting of the listed buildings within the confines of The Ben Jonson Inn.
- 9.9. The impact of the proposed development upon the designated Conservation Area, the curtilage listed wall and the setting of the listed buildings has remained a concern of Officers dealing with all previous applications relating to the erection of a dwelling upon the site. In summary, the concerns related the loss of sections of curtilage listed boundary wall, were both the harm to the historic significance of the

Weston on the Green Conservation Area and the setting of Grade II listed The Ben Jonson Inn. Previously, although this was found to represent less than substantial harm, it was not outweighed by public benefits.

- 9.10. It is important to note that the Case Officer reports relating to the latest refused applications (see: 21/01022/F & 21/01023/LB) were written without the benefit of advice from the Conservation Officer. The Conservation Officer had later advised that the retention of much of the boundary wall was welcomed, and that the creation of a small pedestrian access was not considered to result in an unacceptable loss of historic fabric or on its own alter the character of the wall in a detrimental way. The Case Officer had instead referred to the previous comments made by the Conservation Officer where a larger section of wall was to be removed.
- 9.11. The loss of a small section of the wall would not result in a harmful loss of fabric, and the sense of enclosure would be maintained.

Conclusion

- 9.12. The amended scheme avoids any harm to the historic significance of the designated Conservation Area, the curtilage listed wall or the nearby listed buildings through development within their setting, in accordance with Government guidance contained within the NPPF, Policy ESD 15 of the CLP 2031 Part 1, saved Policy C28 of the CLP 1996 and Policy C4 of the WotGNP.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. In light of the opinion of the Conservation Officer that the breakthrough in the wall to create a pedestrian access would not result in harm to the historic significance of the curtilage listed wall, or alter the character of the wall in a detrimental way so that it would result in harm to the historic significance of the designated Conservation Area or the nearby listed buildings through development within their setting, it is considered that listed building consent should be granted for the works.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT LISTED BUILDING CONSENT, INCLUDING THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY), SUBJECT TO NO NEW COMMENTS BEING RECEIVED AT THE CLOSE OF THE PUBLIC CONSULTATION PROCESS ON THE 2 DECEMBER 2021 UNLESS IN THE VIEW OF THE ASSISTANT DIRECTOR ANY COMMENTS RECEIVED DO NOT RAISE NEW MATERIAL PLANNING ISSUES

CONDITIONS

Time Limit

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Planning, Design and Access Statement Ref: 00151, EcoUrban

Arboricultural Implications Assessment and Method Statement ref: 201271-AIA3, TPA Transport Planning Associates Transport Statement ref: 2005-011/TS/03, Roper-Pressdee Heritage Ltd. Heritage Statement Drawing No's: 20.02 Rev. D, 10.00 Rev. J, 10.01 Rev. G, 10.03 Rev. D, 10.04 Rev. H, 00.06 Rev.C,

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

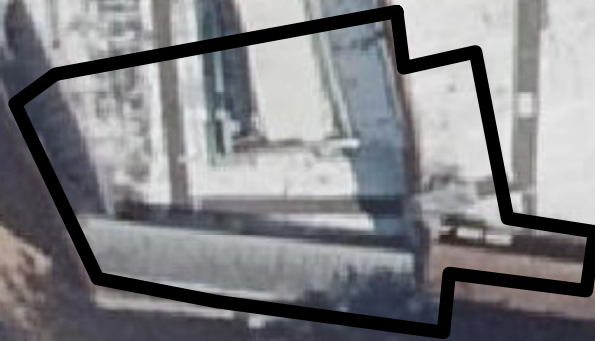
Making good of wall

3. Following demolition of the section of stone wall along the northern boundary hereby approved, the remaining element of wall shall be made good with any remedial stonework being carried out in natural stone of the same type, texture, colour and appearance as the stone on the existing stone wall, and shall be laid, dressed and coursed to match that of the existing stone wall.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C4 of the Weston On The Green Neighbourhood Plan, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

21/03059/CLUP

**35 Bridge Street
Banbury
OX16 5PN**



21/03059/CLUP

35 Bridge Street
Banbury
OX16 5PN

35



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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

**35 Bridge Street
Banbury
OX16 5PN**



Case Officer: Lewis Knox

Applicant: Cherwell District Council

Proposal: Certificate of Lawfulness of Proposed Development for an internal fit out to the ground and first floor of an existing unit, within Castle Quay Shopping Centre

Ward: Banbury Cross and Neithrop

Councillors: Cllr Banfield, Cllr Hodgson, and Cllr Perry

Reason for Referral: Application affects Council's own land, and the Council is the applicant

Expiry Date: 1 November 2021

Committee Date: 2 December 2021

SUMMARY OF RECOMMENDATION - TO ISSUE CERTIFICATE CONFIRMING LAWFULNESS

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located within the existing Castle Quay shopping centre which lies within Banbury town centre. The site is part of a former department store unit which has been empty for a prolonged period of time.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This certificate of lawfulness application (proposed development) seeks the Local Planning Authority's opinion as to whether the proposals for the change of use of the unit from Class E(a) Retail to Class E (cii) Professional Services and the associated internal refit is permitted development.
- 2.2 This application is before Planning Committee for determination as the proposal is located on Council owned land and the applicant in Cherwell District Council.

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:

CHN.205/94

Redevelopment to form extension of Castle Quay and new covered shopping centre, together with the provision of link road from Castle Street to inner relief road, car parking, landscaping and ancillary facilities and the relocation of the bus station
Application Permitted

96/00923/F

Redevelopment to form extension of Castle Centre and new covered shopping centre, new link road from Castle Street to Inner Relief Road, car parking, landscaping and ancillary facilities. Relocate bus station. Amended Plans 14.10.96
Application permitted

13/01601/OUT

Outline planning permission for the redevelopment of land adjacent to the Oxford Canal comprising; the demolition of the Castle Quay Shopping Centre northern car

park and the General Foods Sports and Social Club; change of use of part of the ground floor of the Castle Quay Shopping Centre southern car park and associated works; the erection of a retail foodstore (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafes (Use Class A3 and A4) and altered vehicular and pedestrian accesses, landscaping, construction of infrastructure, car parking and associated works, including glazed canopy over the Oxford Canal and the construction of pedestrian/cycle bridges over the Oxford Canal and River Cherwell. Details of new vehicular access off Cherwell Drive and alterations to Spiceball Park Road
Application Permitted

17/00284/REM

Reserved Matters Application to 16/02366/OUT across the whole development site is sought. Application for approval of reserved matters for scale, layout, appearance and landscaping.

Application permitted

18/01426/F

Installation of new entrance doors in north western elevation of former BHS unit to allow pedestrian access to shopping centre from south multi-storey car park.

Application permitted

4. PRE-APPLICATION DISCUSSIONS

4.1 No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1 This application has not been publicised due to the nature of the application, which is a certificate application, seeking the Local Planning Authorities opinion as to whether the works proposed are lawful.

5.2 No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

6.1. No consultations have taken place in regard to this application

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Article 3(1A) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and Part A, Class E of Schedule 2 to the Order

8. APPRAISAL

8.1. The key issues for consideration are:

- Whether the change of use is lawful
- Whether the proposed internal works are lawful

Legislative Context

8.2. Section 55 of the Town and County Planning Act sets out the definition of development from a planning perspective, which is the carrying out of building, engineering, mining and other operations, in, on, over or under land, or the making of any material change of use of any buildings or other land.

- 8.3. Section 192 of the Town and County Planning Act 1990 allows for an application to be made to the Local Planning Authority to ascertain whether proposed development is lawful.

Whether the change of use is lawful

- 8.4. The most recent (approved use) and proposed uses of the site now both fall within the same use class (Schedule 2, Class E). Under Article 3(1A) of the Use Classes Order (as amended), where a building or other land is used for a purpose of any class specified in Schedule 2, the use of that building or that other land for any other purpose of the same class is not to be taken to involve development of the land.
- 8.5. The site was most recently in use for retail purposes (Marks and Spencers) and as such was within Use Class E(a) - Display or retail sale of goods, other than hot food. The proposed alterations would see a change of use to a unit to provide professional services. This would fall within Use Class E(cii). Assessed against the provisions of Article 3(1A) of the Use Classes Order 1987 (as amended), the change of use would not involve development of the land.
- 8.6. There are no planning conditions or legal obligations placed on the unit which would restrict the ability to change the use of the unit within the same use class and as such the Local Planning Authority does not retain planning control over the proposed change of use from Class E(a) Retail to Class E (cii) Professional Services.

Whether the proposed internal works are lawful

- 8.7. The refit of the unit would not involve any changes to the external appearance of the building. The internal layout would remain largely as existing with some internal partition walls removed and some new private office spaces created. The bulk of the changes would be the addition of desking.
- 8.8. There are no planning conditions or legal obligations placed on the unit which would restrict the ability to refit the internal area of the units and as such the Local Planning Authority does not retain planning control over the internal layout of the unit. It is considered that the proposed development does not require planning permission and is therefore lawful.

9. CONCLUSION

- 9.1. The proposed use of the unit (E(cii) Professional Services) would fall within the same use class as the most recent use and approved use of the unit (E(a) retail) and as such the change of use would not, in the absence of any restrictions, require planning permission. There are no restrictive planning conditions attached to the unit that would prevent the internal refit of the unit without prior consent from the LPA.
- 9.2. The proposals are considered to be lawful and would not require planning permission.

10. RECOMMENDATION

**RECOMMENDATION - TO ISSUE A CERTIFICATE CONFIRM THE
LAWFULNESS OF THE SPECIFIED WORKS SUBJECT TO THE SCHEDULES
BELOW**

First Schedule

Change of Use from E(a) to E(cii) and internal refit of the unit (35 Bridge Street) within Castle Quay Shopping Centre in accordance with: Drawing No. 7002.100, 7002.102 and Application Form

Second Schedule

35 Bridge Street Banbury OX16 5PN

Third Schedule

Under the provisions of Article 3(1A) of the Town and Country Planning (Use Classes) Order 1987 (as amended), the proposed change of use from retail to professional services does not require planning permission and the associated internal refit does not constitute development as defined by Section 55 of the Town and Country Planning Act 1990 (as amended).

Agenda Item 15

Cherwell District Council

Planning Committee

2 December 2021

Appeal Progress Report

Report of Assistant Director - Planning and Development

This report is public

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

1.0 Recommendations

- 1.1 To note the position on planning appeals contained within the report.

2.0 Introduction

- 2.1 This report provides a monthly update regarding planning appeals, including new appeals, status reports on those in progress, and determined appeals.

3.0 Report Details

3.1 New Appeals

a) 21/01387/F – 3 Bryony Road, Bicester, OX26 3WY

Increase dropped kerb outside of residential property (6 kerb stones to be replaced)

Officer recommendation - Refused (Delegated)

Method of determination: Written Representations

Start Date: 25.10.2021

Statement Due: 29.11.2021

Decision: Awaited

Appeal reference – 21/00034/REF

b) 21/02075/F – 50 Spruce Drive, Bicester, OX26 3YN

First floor extension and partial garage conversion

Officer recommendation - Refused (Delegated)

Method of determination: Householder (Fast Track)

Start Date: 25.10.2021

Statement Due: N/A

Decision: Awaited

Appeal reference – 21/00035/REF

3.2 **New Enforcement Appeals**

None

3.3 **Appeals in Progress**

a) 20/01122/F - OS Parcel 9635 North East of HMP Bullingdon Prison, Widnell Lane, Piddington

Material Change of Use of land to use as a residential caravan site for 12no. gypsy / traveller families, each with two caravans, including improvement of access, laying of hardstanding and installation of package sewage treatment plant.

Officer recommendation – Refused (Committee)

Method of determination: Hearing (Date not arranged)

Start Date: 08.10.2021

Statement Due: 26.11.2021

Decision: Awaited

Appeal reference – 21/00033/REF

b) 20/01747/F - Land south side of Widnell Lane, Piddington

Change of Use of land to a 6no. pitch Gypsy and Traveller site to include 6no mobiles, 6no tourers and associated operational development including hardstanding and fencing.

Officer recommendation – Refused (Committee)

Method of determination: Written Representations

Start Date: 12.02.2021

Statement Due: 19.03.2021

Decision: Awaited

Appeal reference – 21/00003/REF

c) 20/02826/F - Southcroft House, Southrop Road, Hook Norton, OX15 5PP

Erection of gates, pillars and boundary wall with railings above.

Officer recommendation – No decision. Appeal against non-determination

Method of determination: Written Representations

Start Date: 01.10.2021

Statement Due: 05.11.2021

Decision: Awaited

Appeal reference – 21/00030/NON

d) 21/01199/HPA – 43 Kingsway, Banbury, OX16 9NX

Proposed demolition of existing extension and rebuild extension with a dual pitched roof - height to eaves 2.75m, overall height 3.79m, length 4.1m.

Officer recommendation - Refused (Delegated)

Method of determination: Householder (Fast Track)

Start Date: 01.10.2021

Statement Due: N/A

Decision: Awaited
Appeal reference – 21/00032/REF

e) 21/01756/F – 25 Broad Close, Barford St Michael, OX15 0RW

Single storey side and rear extension including demolition of existing conservatory.

Officer recommendation - Refused (Delegated)
Method of determination: Householder (Fast Track)
Start Date: 01.10.2021
Statement Due: N/A
Decision: Awaited
Appeal reference – 21/00031/REF

3.4 Enforcement Appeals in Progress

a) 20/00419/ENF - The Stables, at OS Parcel 3873, Main Street, Great Bourton, Cropredy, Oxfordshire, OX17 1QU

Appeal against the enforcement notice served for “*Without planning permission the change of use of the land to use as a caravan site currently accommodating one mobile home type caravan designed and used for human habitation together with associated parking and storage of motor vehicles and trailer, storage of touring caravans and associated domestic paraphernalia*”.

Method of determination: Hearing
Start Date: 24.02.2021
Statement Due: 07.04.2021
Decision: Awaited
Hearing date: Tuesday 16 November 2021
Hearing venue: The Pavilion, Banbury Cricket Club, White Post Road, Bodicote, OX15 4BN
Appeal reference: 21/00008/ENF

3.5 Forthcoming Public Inquiries and Hearings between 3rd December 2021 and 12th January 2022

None

3.6 Appeal Results

Inspectors appointed by the Secretary of State have issued the following decisions:

a) 20/00871/F – Dismissed the appeal by W Potters & Sons Ltd against the refusal of planning permission for Erection of a free range egg production unit and gatehouse including all associated works - re-submission of 19/00644/F. (Please note the appellant withdrew the agricultural dwelling from the appeal proposal.). OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue, Lower Arncott

Officer recommendation – Refused (Committee)
Method of determination: Written Representations
Appeal reference – 21/00007/REF

The Inspector noted that unlike the refused application the appeal proposal did not include the proposed agricultural workers dwelling and that therefore the Council's first refusal reason fell away. In addition, the Inspector noted that the EA and the LLFA had withdrawn their objections and that the Council was therefore no longer defending the fifth refusal reason.

The Inspector considered the main issues to be the proposal's effect on (a) the character and appearance of the area; and (b) biodiversity including pollution.

The Inspector found that most views of the proposals would be relatively localised but that views from nearby public rights of way would be affected, and that the amount of built form proposed was significant. The Inspector concluded that the proposals would be a very noticeable addition to the landscape even in the context of pylons that traverse the area, and that the impact would be materially harmful, the proposal being 'visually incongruous in the wider landscape'. The Inspector held that the proposed mitigation would provide 'no meaningful relief' and that landscaping attempting to screen the development cannot make it acceptable. The Inspector considered that the proposal would erode a significant proportion of the field pattern and broad landscape causing material harm in terms of landscape effects.

The Inspector noted the number of hens, the amount of faecal matter to which this would lead and the resultant potential for pollution, noting the objections in this regard from CDC and from BBOWT and, despite the LLFA having withdrawn its objection, the Inspector was not convinced drainage would not remain an issue. The Inspector held that the appellant had not demonstrated how the proposed biodiversity measures would suffice nor that species rich grassland and 'shallow scrapes' would be viable in the context of the identified flooding and pollution from faecal matter. The Inspector found that given the lack of confidence in the proposed measures re biodiversity, flooding and pollution it would not be appropriate to secure outstanding details by means of conditions.

The Inspector concluded the proposals failed to accord with Policies ESD8, ESD10, ESD11, ESD13 and ESD15 of the 2015 Local Plan and Policies AG2, AG4, C8, C29 and ENV1 of the 1996 Local Plan (but not AG3 of the 1996 Plan). The Inspector was not convinced of the proposal's benefits in terms of egg production or economic growth and on the basis of the identified harm he dismissed the appeal.

b) 21/01057/F – Dismissed the appeal by Compass Foods Ltd against refusal of planning permission for Variation of Condition 2 (opening times) of 03/00144/F - amendment of opening hours at the store, trading hours for Monday-Saturday 11.00am - 12.00am and Sunday 12.00 noon - 11.00pm. 177 Warwick Road, Banbury, OX16 1AS.

Officer recommendation – Refusal (Delegated)
Method of determination: Written Representations
Appeal reference – 21/00022/REF

The Inspector identified two main issues as the proposal's effect on the character and appearance of the area and on the living conditions of nearby residents.

The Inspector found that the proposed extended duration of the activities related

with the commercial use would result in the commercial character of the area becoming unduly dominant in a somewhat large residential area.

In respect of the effect on the living conditions of nearby residents, the Inspector found that varying the opening hours later in the evenings and on Sundays would likely increase the noise and disturbance. She concluded that the effect of varying the opening times as proposed would not provide sufficient control on the existing use so as to safeguard against residents suffering undue noise and disturbance.

The Inspector noted the proposal would have economic benefits but that these would be outweighed by the harm to visual amenity and nearby residents' living conditions, and concluded the appeal should be dismissed.

- c) 21/01083/F – Dismissed the appeal by Mr S Cook against refusal of planning permission for Creation of new driveway from Wykham Lane to existing car parking area of Wykham House - Removal of 4m of brick wall and build pillars to exposed ends. Remove grass bank from brick wall to road, install Marshalls permeable paving - scoop/blend edges of grass bank into permeable driveway - install cobble setts to join Wykham Lane to Marshalls permeable paving. Wykham House, Wykham Lane, Broughton, OX15 5DS.**

Officer recommendation – Refusal (Delegated)
Method of determination: Written Representations
Appeal reference – 21/00023/REF

The Inspector identified the main issue as the effect of the proposed development on highway safety.

At the time of the Inspector's visit several cars passed the site from both directions along Wykham Lane. The Inspector considered it reasonable to conclude that the levels of traffic would increase at peak hours. The Inspector found that the visibility splays of the proposed development would be 'considerably reduced' compared to the existing access and that while the existing access is substandard for visibility it is better than that proposed in this appeal. She observed that no evidence had been supplied to justify a reduction from the expected standards. The Inspector had regard to the appellant's personal circumstances but considered this not a factor sufficient to outweigh the harm identified and considered any benefits to pedestrian safety to be small and to not overcome the harm identified.

The Inspector concluded that the proposed works would be detrimental to highway safety and therefore dismissed the appeal.

- d) 20/03327/F – Allowed the appeal by G Clark against refusal of planning permission for Development of a detached dwelling with new access onto Howes Lane - Resubmission of 20/00138/F. Land SW of Coleridge Close and Rear 6 Chaucer Close, Bicester, OX26 2XB.**

Officer recommendation – Refusal (Delegated)
Method of determination: Written Representations
Appeal reference – 21/00021/REF

The Inspector considered the main issues to be the proposal's effect on (i) the character and appearance of the area, and (ii) highway safety in terms of visibility from the proposed access.

In respect of visual amenity, the Inspector found that the proposed dwelling, a bungalow, would not be prominent in Chaucer Close, and placed weight on the existing use of the site as residential garden. The Council did not disagree with the foregoing but had contended the proposal would be out of keeping in Howes Lane as it would be the only dwelling accessed from Howes Lane and would change its character. The Inspector disagreed, concluding the dwelling would not appear isolated and would integrate with its context.

The Inspector disagreed with CDC and OCC that Howes Lane should be classified as a trunk road and (rather than the Design Manual for Roads and Bridges) instead applied Manual for Streets. The Inspector held that drivers leaving the site would be able to see traffic coming from the left for a similar distance to that stipulated by the Council and highway authority. In respect of the signalised junction, the Inspector found that stationary vehicles at the signals would only affect visibility for short periods and would not prejudice highway safety.

The Inspector concluded that Howes Lane was sufficiently safe (human error deemed the primary reason for accidents) and the appeal proposal would not increase any risk and would therefore be acceptable in terms of highway safety. Accordingly the appeal was allowed, subject to various conditions (materials, finishes, landscaping, hardstanding, parking, visibility splays).

e) 20/00789/CLUE – Allowed the appeal by Mr B Cummings for Certificate of Lawful Use Existing for amenity land to west of dwelling at no. 8 Foxglove Road as a domestic garden, with the introduction of boundary fence and hedge on the western and northern boundaries. Belmont, 8 Foxglove Road, Begbroke, OX5 1SB

Officer recommendation – Refusal (Delegated)
Method of determination: Written Representations
Appeal reference – 20/00035/REF

The Inspector deemed the main issue to be whether the existing use of the site as a domestic garden and the existing fence and hedge were lawful on 16 March 2020.

The Inspector had sympathy for the Council's view that the evidence did not unambiguously show ten years of continuous garden use, however she stated that there was less evidence of 'amenity land' ever being the lawful or actual use of the site.

The Inspector considered that the conditions from 1971 when the house was built relating to the retention of boundary fences and planting and the removal of permitted development rights for land to the front of the dwellings did not affect or restrict the use of the land and that on the balance of probabilities, the 1971 permission authorised the use of site in question as a domestic garden and that this use remains authorised and lawful. As such it does not matter whether the appellant demonstrated that the use might be immune from enforcement action. The fence was considered to be lawful given the passage of time.

The appeal was allowed but the appellant's application for costs against the Council for maintaining its objection was dismissed on the grounds that the circumstances of the case were complex and unusual, and it was not unreasonable of the Council to find that the appellant had not demonstrated that the use was

immune to enforcement on the balance of probabilities.

- f) 20/03419/F – Dismissed the appeal by Ms Tamsin Graham on behalf of Mrs Rebecca Lowe against the refusal of planning permission for RETROSPECTIVE - uPVC rear conservatory. 18 Boxhedge Road, Banbury, OX16 0BP.**

Officer recommendation - Refused (Delegated)
Method of determination: Written Representations
Appeal reference – 21/00028/REF

The Inspector identified the main issue as being whether the conservatory preserves the special architectural and historical interest of the Grade II listed application property, and whether the conservatory preserves or enhances the character or appearance of the Banbury Conservation Area.

The Inspector found that the conservatory had little in common with the original dwelling and conflicted with the simple design, plan form and materials of the listed building and therefore detracts from the architectural and historical interest of the building as well as the character and appearance of the Banbury Conservation Area.

The harm was found to be “less than substantial” and as there were no public benefits which outweighed the harm identified, the appeal was dismissed.

- g) 20/03420/LB – Dismissed the appeal by Ms Tamsin Graham on behalf of Mrs Rebecca Lowe against the refusal of listed building consent for RETROSPECTIVE - uPVC rear conservatory. 18 Boxhedge Road, Banbury, OX16 0BP.**

Officer recommendation - Refused (Delegated)
Method of determination: Written Representations
Appeal reference – 21/00029/REF

The Inspector identified the main issue as being whether the conservatory preserves the special architectural and historical interest of the Grade II listed application property, and whether the conservatory preserves or enhances the character or appearance of the Banbury Conservation Area.

The Inspector found that the conservatory had little in common with the original dwelling and conflicted with the simple design, plan form and materials of the listed building and therefore detracts from the architectural and historical interest of the building as well as the character and appearance of the Banbury Conservation Area.

The harm was found to be “less than substantial” and as there were no public benefits which outweighed the harm identified, the appeal was dismissed.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The report provides the current position on planning appeals which Members are invited to note.

5.0 Consultation

5.1 None.

6.0 Alternative Options and Reasons for Rejection

6.1 None. The report is presented for information.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising from this report. The report is for information only. The cost of defending appeals is met from existing budgets other than in extraordinary circumstances.

Comments checked by:

Janet Du Preez, Service Accountant, 01295 221606

janet.du-preez@cherwell-dc.gov.uk

Legal Implications

7.2 As this report is purely for information there are no legal implications arising from it.

Comments checked by:

Matthew Barrett, Planning Solicitor, 01295 753798

matthew.barrett@cherwell-dc.gov.uk

Risk Implications

7.3 This is an information report where no recommended action is proposed. As such there are no risks arising from accepting the recommendation.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes,
01295 221786

louise.tustian@cherwell-dc.gov.uk

Equality & Diversity Implications

7.4 This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation.

Comments checked by:

Emily Schofield, Acting Head of Strategy,
07881 311707

Emily.Schofield@oxfordshire.gov.uk

8.0 Decision Information

Key Decision:

Financial Threshold Met	No
Community Impact Threshold Met	No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient, and engaged communities

Lead Councillor

Councillor Colin Clarke, Lead Member for Planning

Document Information

None

Background papers

None

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