

**Fringford Cottage  
Main Street  
Fringford  
Bicester  
OX27 8DP**

**18/00249/OUT**

**Applicant:** Mr Stuart Wright

**Proposal:** Residential development of up to 10 dwellings

**Ward:** Fringford And Heyfords

**Councillors:** Cllr Ian Corkin  
Cllr James Macnamara  
Cllr Barry Wood

**Reason for Referral:** Major planning application

**Expiry Date:** 9 May 2018

**Committee Date:** 12 April 2018

**Recommendation:** Refusal

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site ("the site") is located on Main Street in Fringford. The main part of the site is situated to the rear of Fringford Cottage which is a 1.5 storey residential property with dormer windows facing the Main Road. The site currently consists of part of the garden of the Fringford Cottage, a stable block and paddock land. Open countryside extends to the rear and south of the site.
- 1.2. Public footpath (218/1/10) is situated immediately to the north eastern boundary of the site and separates the site from the properties to the north in St Michaels Close which back onto the footpath.
- 1.3. Access to the site would be provided to the south west of the existing dwelling at Fringford Cottage adjacent to Bakery Cottage. There is a Tree Preservation Order on the lime tree to the front of the site adjacent to this access.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The current application seeks outline planning consent for up to 10 dwellings on the site with all matters reserved except access. The access would be situated in a similar location to an existing access serving Fringford Cottage onto Main Street. It would need to be widened and upgraded and would provide a 5.5m wide carriageway with 2 metre footpath which would extend along the south western boundary of the site and would extend into a cul-de-sac serving up to 10 dwellings. The access would also continue to serve Fringford Cottage which would have access and parking to the rear of the dwelling.
- 2.2. Whilst an indicative plan has been submitted, showing 10 detached dwellings provided on the, this is only indicative. Full details of appearance, landscaping, layout and scale would be determined through later reserved matters applications.

2.3. For the avoidance of doubt the existing dwelling at Fringford Cottage would be retained.

### 3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
00/00821/F	Conservatory to side elevation	Application Permitted
66/00556/NE	Erection of bungalow. Vehicular and pedestrian access.	Application Permitted
82/00234/CHS	Four detached dwellings (outline).	Application Refused

This was refused due to the poor relationship with the pattern of development and the impact of the access on the street scene and loss of wall and vegetation

86/00170/CHS	Two storey side extension utility room and double garage.
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87/00230/CHS	Construction of 5 executive houses with double garages. A portion of wall to be demolished to provide access from main street. Outline.	Refused
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This was refused due to being outside the built limits, its the poor relationship with the pattern of development, the impact of the access on the street scene and loss of wall and vegetation and highway safety.

87/00543/CHS	Erection of two detached dwellings each with a garage with new access - Outline.	Refused
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This was refused due to being outside the built limits, its the poor relationship with the pattern of development, unneighbourly development due to use of access and the impact of the access on the street scene and loss of wall and vegetation

88/00110/CHS	Detached dwelling house and accesses (as amended by plans received 15.6.88 and 4.7.88).	Application Permitted
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88/00401/CHS	Dwellinghouse	Refused
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95/00026/F	Erection of timber stable block to provide shelter for horses	Application Permitted
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This included a condition which requires the stables only to be used for private purposes ancillary to the occupier of the host dwelling.

95/01166/F	Erection of timber stable block to provide	Application
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shelter for horses.

Permitted

This included a condition which requires the stables only to be used for private purposes ancillary to the occupier of the host dwelling.

03/00724/F

Erection of garage with shed

Application  
Refused

Refused due its size and design being out of keeping with locality and insufficient information in relation to the impact on the protected lime tree.

16/00469/CLUP

Certificate of Lawfulness of Proposed Development for the demolition of the existing conservatory and erection of a single storey side extension, extension of the roof to form stairwell, and dormer roof window to the rear of existing roof

Application  
Permitted

#### **4. PRE-APPLICATION DISCUSSIONS**

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

Application Ref.

Proposal

15/00098/PREAPP

Pre-App enquiry - Erection of four detached dwellings with garages to include alterations to existing access from Main Street

16/00156/PREAPP

5 No dwellings with garages

This concluded that the site was situated outside the built limits of the village and would conflict with the Councils rural housing strategy which seeks to restrict new dwellings in villages to the extent of the built limits. It also stated that the proposal would relate poorly to the surrounding pattern and form of development and would result in a harmful intrusion of residential development into the open countryside.

#### **5. RESPONSE TO PUBLICITY**

- 5.1. 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. The final date for comments was 19.03.2018, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. The comments raised by third parties are summarised as follows:

- Development outside the built limits of the village
- Conflicts with the Councils housing strategy at Policy Villages 1 and 2 which seeks to deliver rural housing to the most sustainable locations.
- The village has very limited services and facilities.

- A development in a similar village (Finmere) has been dismissed at appeal given the limited services available and reliance on private car.
- No need for further development in the districts village and there is no local need for this housing.
- Detrimental impact on historic rural character and appearance of village which attracts visitors arising from its links to Lark Rise to Candleford. Detrimental impact on street scene.
- Removal of grass verge and wall to front of site for the access would be harmful to the locality.
- Harmful visual intrusion of development into the open countryside and detrimental impact on setting of the village.
- Out of keeping with the pattern of development in the village. Backland development.
- Detrimental impact on the setting of the Grade II listed buildings
- Detrimental impact on neighbouring properties through the noise, vibration and light pollution associated with the use of the access.
- Increased overlooking and loss of privacy.
- Detrimental impact on trees on the site.
- Loss of privacy to neighbouring properties.
- Loss of outlook and view over open countryside.
- The site is not brownfield land as concluded by the applicant. The stables were conditioned to be for private use only and no change of use was granted for the surrounding land.
- Previous applications for residential development in the 1980's have been refused on the site.
- Other applications have been refused on paddock land in the village (09/00704/OUT refers)
- Road infrastructure not suitable for further traffic resulting in congestion and road safety issues. This will happen during construction and once the housing is occupied. The creation of a cross roads will be dangerous.
- Inadequate access and turning into site.
- Insufficient parking provided particularly as many spaces are located in garages.
- Very limited bus service in village
- Highway safety issues with pedestrians and additional traffic. This is exacerbated by the fact the village has no street lighting or footpaths and children walk to school along the road.

- There is no need for further large housing in the village. New housing should be small affordable units.
- Impact on wildlife and ecology not adequately addressed.
- Detrimental impact on flood risk and there have been flooding events previously in the village. The site is within an area of surface water flooding.
- Insufficient water, electricity and sewer infrastructure capacity.
- School does not have capacity for the development,
- The proposals do not include affordable housing.
- Could lead to a precedent for further development.
- Proposal could detrimentally impact on the community of the village.
- Impact on property values.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## 6. RESPONSE TO CONSULTATION

6.1. 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

- 6.2. FRINGFORD PARISH COUNCIL: **Strongly objects.** There is no need for the development in the context of the progress made on Policy Villages 2 allocation. The village has limited services and facilities. The village already has a large number of 4 and 5 bedroom houses and villagers wish to see more affordable 2 bedroom properties if any additional building takes place. The site does not constitute previously developed land and is a green field site. The site is beyond the built up limits and the proposal would have a significant detrimental impact on the character and appearance of the locality. The proposal conflicts with Policy ESD13. The proposal is also not supported by Policy H18. The proposal may also set a precedent for further development.
- 6.3. Fringford is one of the smallest Category A villages with limited services and facilities. The proposal would increase car journeys and would be at odds with planning policy which seeks to assign growth to most sustainable locations where dependence on car travel is minimised.
- 6.4. Proposal would be detrimentally impact on the setting of the adjacent listed building and could impact on neighbouring properties foundations. The proposal will also detrimentally impact on the impact on neighbours in terms of loss of privacy and rural outlook. The proposal will also increase noise and disturbance and lead to light pollution to properties opposite the access.
- 6.5. Fringford is recognised for its local connections with Flora Thompson and as such its historic significance is international, this draws in numerous tourists and groups who come to visit a historic village. The current proposals require the demolition of an ancient stone wall which is an important historic feature of the village, and will

adversely impact the listed row of cottages which are also a significant feature of the historic centre of the village, the setting of which the proposed development would negatively impact.

- 6.6. The proposed access road sited right next to this row of historic properties would have an urbanising visual impact and would not be in keeping with the street scene and the general rural ambiance of this part of the village. This is contrary to Policy ESD 15 which requires development to complement and enhance the character of its context – particularly where development is proposed to be in the vicinity of CDC's historic assets.
- 6.7. The proposal will lead to an increase in traffic and there is no pedestrian footway and no street lighting in the village. This will increase the danger of road accidents including children walking along to the nearby Primary School. It is not feasible for pedestrians to use the verges as a footway due to its undulating nature, particularly for those who have disabilities or are using a pushcar. The Parish Council is aware that the narrowness of the road has sometimes prevented emergency vehicles from gaining access to properties. The parking serving the development appears inadequate.
- 6.8. The water and electricity infrastructure is insufficient and the drainage of the site does not appear adequate. There is historic flooding adjacent to the site and the site is in a low to medium risk of surface water flooding. The existing site provide habitat for various species and the Ecological Appraisal was carried out at the wrong time of year.

#### STATUTORY CONSULTEES

- 6.9. OCC HIGHWAYS: **Objects.** The development is not a sustainable location given the limited services and bus service.
- 6.10. The traffic generation will be generally small and agree with finding of Transport Statement. Whilst there are no footpaths on the roads and the existing roads are narrow in places, given the scale of the proposal it will only have a very small negative impact on the operation of the roads. Even in the peak period, the development will typically generate 1 car movement every 10 minutes.
- 6.11. The access arrangements show adequate visibility and show how a 11.2 refuse wagon can enter and leave the site in a forward gear. Ordinarily the County expect a 11.6m long refuse wagon tracked however these is considered to be sufficient scope for the site access to be adjusted slightly at detailed design stage if this was required.
- 6.12. The pedestrian access into the site is sufficient. A local footpath runs outside the boundary of the site and request a £5K contribution to allow for surface improvements in light of increase usage of the path. They go on to recommend a number of conditions if the Council are minded to approve the development.
- 6.13. In regard to drainage the County object. Two possible options are proposed in the Drainage Strategy one based on infiltration and the other based on restricted discharge to the surface water sewer. The option based on infiltration to the ground is the prefer option but is unproven through undertaking infiltration testing at the site. Therefore they suggest that the sewage undertaker confirms that it will accept the proposed discharge from the site as a proven back up option should infiltration not be feasible.

- 6.14. ANGLIAN WATER: **Comment.** The wastewater treatment infrastructure does not have capacity however Anglian Water would be obligated to provide this if the development were permitted. The sewerage system has capacity to accommodate the development. The drainage strategy is not acceptable as not evidence has been presented that the surface water hierarchy has been followed. If infiltration or discharge to a watercourse is not feasible they require confirmation of the intended manhole connection point and discharge rate.

#### NON-STATUTORY CONSULTATION

- 6.15. CDC LANDSCAPE: Queries a number of the assumptions made in the LVIA and considers this underestimates the significance of the visual effect from a number of viewpoints. Also requests a further viewpoint from the public right of way 218/13/10 to the south of the site. The mitigation in the LVIA is going to be subject to householders decision to remove the sections of structural planting which will increase the visual harm. The development combined with the development in St Michaels Close will create an accumulation of visual and landscape harm. There is limited assessment in the LVIA on the residential receptors.
- 6.16. If granted a revised housing layout is required to ensure retention and management of hedges and trees and an off-site contribution for play provision will be required.
- 6.17. CDC ECOLOGY: **No objections.** The submitted ecology report is sufficient in scope and depth. It has assessed the potential for the site to support protected species and priority habitat and the recommendations within the report (Section 6) are adequate to protect existing ecological interest and should be conditioned – namely retention of the South West border vegetation and Northern wall, appropriate wildlife friendly planting, best practice with regard to bats and badgers (including lighting), avoidance measures for reptiles and amphibians, avoidance of nesting bird season for vegetation removal.
- 6.18. In addition in line with local policy and NPPF guidance a biodiversity enhancement scheme to ensure a net gain for biodiversity on site should be conditioned. The ecological report makes some recommendations in this regard which should be included (hedgehog passes, integrated bat and bird provisions) but further enhancements for invertebrates and native planting should be included.
- 6.19. CDC TREE OFFICER: **No objections** as long as the trees on site are protected as set out on the tree protection plan and in accordance with the method statement detailed in the Arboricultural Impact assessment. Although a new driveway is proposed within the RPA of a protected lime tree to the front of the site as long as it is constructed using the no dig method (with a permeable surface) as set out in the Arboricultural Impact Assessment this should not be detrimental to the tree.
- 6.20. OCC EDUCATION: **No objection.** There is sufficient capacity to meet the needs of this proposed development.

#### **7. RELEVANT PLANNING POLICY AND GUIDANCE**

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. 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)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC4 – Housing Mix
- 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
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems (SuDs)
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation
- Villages 2 – Distribution Growth Across the Rural Areas
- INF1 – Infrastructure

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New dwellings in the countryside
- C8 – Sporadic development in the open countryside
- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development
- C33 – Important local gaps.
- ENV1 – Environmental pollution
- ENV12 – Potentially contaminated land

#### 7.1 Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Written Ministerial Statement on Sustainable Drainage Systems (Dec 2014)
- Annual Monitoring Report (AMR) 2017

## **8. APPRAISAL**

### 8.1. The key issues for consideration in this case are:

- Principle of development
- Landscape and visual impacts and local character
- Design and layout
- Heritage
- Impact on trees
- Impact on residential amenity



- Highways
- Previously developed land
- Drainage
- Ecology
- Sustainable construction
- Infrastructure
- Other matters

### Principle of development

- 8.2. Paragraph 14 of the National Planning Policy Framework (NPPF) states that a presumption of sustainable development should be seen as a golden thread running through decision taking. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.
- 8.3. Paragraph 12 of the NPPF notes that the development plan is the starting point for 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. The Council can demonstrate a five-year supply of deliverable housing sites therefore the presumption in favour of sustainable development, as set out at para 14 of the NPPF, will therefore *not* necessarily need to be applied in this context.
- 8.4. Policy ESD1 of the Cherwell Local Plan Part 1 states that to reduce the impact of development on climate change, growth should be distributed to the most sustainable locations as defined in the local plan and that new development should seek to reduce the need to travel and reduce the reliance on private cars.
- 8.5. The rural housing strategy is guided by Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 alongside Saved Policy H18 of the 1996 Local Plan. Policy Villages 1 allows for some limited development within the built up limits of villages however as the current application site is clearly not within the built up limits of the village existing village, the proposal is not supported by Policy Villages 1 in this respect. Saved Policy H18 restricts development outside the built limits of settlement except in a number of circumstances none of which are applicable to the current proposals. The proposals therefore conflict with Saved Policy H18.
- 8.6. Policy Villages 1 does, however, include a rural settlement hierarchy which includes Fringford as a Category A settlement. These are amongst the most sustainable rural settlements in the district and have physical characteristics and a range of services within them to enable them to accommodate some limited extra housing growth.
- 8.7. Policy Villages 2 states that: *“A total of 750 homes will be delivered at Category A villages’ in addition to the rural allowance for small sites and planning permissions for 10 or more dwellings which existed at 31 March 2014. It goes on to state “sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission. In identifying and considering sites, particular regard will be given to the following criteria:*
- *Whether the land has been previously developed land or is of less environmental value;*
  - *Whether significant adverse impact on heritage and wildlife assets could be avoided;*

- *Whether development would contribute in enhancing the built environment;*
- *Whether best and most versatile agricultural land could be avoided;*
- *Whether significant adverse landscape impacts could be avoided;*
- *Whether satisfactory vehicular and pedestrian access/egress could be provided;*
- *Whether the site is well located to services and facilities;*
- *Whether necessary infrastructure could be provided;*
- *Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period;*
- *Whether land the subject of an application for planning permission could be delivered within the next five years; and*
- *Whether development would have an adverse impact on flood risk.”*

8.8. The acceptability of the proposal when tested against these criteria, and other material planning considerations, is discussed later in this report. However, it is first important to consider the Council’s housing land position in relation to Policy Villages 2 and whether Fringford is a sustainable settlement to accommodate this level of growth.

8.9. Of the 750 dwellings identified under Policy Villages 2 to be delivered at Category A Villages across the plan period until 2031, only 86 dwellings remain to be identified according to the Council’s Annual Monitoring Report 2017. Recent appeal decisions received by the Council, including one at Finmere (16/01209/OUT refers), confirm that an overprovision of the rural housing allocation at an early stage in the plan period could prejudice the sustainable growth strategy set out in the Development Plan and leave limited ability to respond to later changes in housing need in individual settlements without fundamentally compromising the overall sustainability strategy contained in the Local Plan. Furthermore whilst 750 dwellings is not to be regarded as an upper limit, significant deviation from this may result in unconstrained growth in less sustainable locations which against would conflict with the Development Plans housing strategy. Therefore, significant progress has already been made on the housing allocation under Policy Villages 2 and there is no pressing need for housing.

8.10. Whilst Fringford is one of 23 Category A villages, it is one of the Category A villages with the smallest populations (a population of 602 accord to 2011 Census). It is noted that there is a considerable variation in Category A villages in terms of their size, service provision and therefore their overall ability to accommodate additional growth. It is therefore considered that not all Category A villages will be suitable for additional growth under Policy Villages 2. It is noted that the village has a school, pub, village hall and recreation facilities. However, it does not have any shop, post office or medical facilities and there is little in the way of employment opportunities.

8.11. Furthermore since the 2015 Local Plan was adopted the regular bus service which used to run through the village connecting the village to Bicester, Brackley and Northampton has been withdrawn (July 2016) and now the village is only served by one return service on a Friday between Finmere and Bicester. Planning Inspectors for new residential development in Finmere (16/01209/OUT) and Weston on the Green (15/01953/OUT refers) have both given weight to the fact that the reduced bus service has impacted on the relative sustainability of some category A villages.

In addition the site is remote from any other villages which contain further services or bus links which residents might access by cycle or on foot. Thus residents have no realistic choice of transport to access these services other than private car.

- 8.12. Given the above in relation to the limited services available in the village and the lack of alternative means of transport any residents of the proposed housing are likely to be highly reliant on the private car to access day to day services. In light of the Council's ability to demonstrate a 5 year land supply, the advanced position regarding the progress of identifying sites under Policy Villages 2 and poor access the residents would have to services and facilities, and the limited opportunities for travel other than by private car, the proposed development is considered to be unsustainable in this regard and would not manage growth in a pattern which reduces the need to travel. The proposal would therefore conflict with the Council's rural housing strategy contained with Policy ESD1 and Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 and Saved Policy H18 of the 1996 Local Plan in this respect.

#### Landscape and Visual Impact and Local Character

- 8.13. 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.
- 8.14. Paragraph 61 of the NPPF states that: *"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."*
- 8.15. Policy ESD15 of the Cherwell Local Plan Part 1 states that: *"New development proposals should:*
- a. Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views.*
  - b. Respect the traditional pattern routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages."*
- 8.16. Policy ESD13 of the Cherwell Local Plan Part 1 states that: *"Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:*
- a. Cause undue visual intrusion into the open countryside;*
  - b. Cause undue harm to important natural landscape features and topography;*
  - c. Be inconsistent with local character;*

*d. Harm the setting of settlements, buildings, structures or other landmark features;*

*e. Harm the historic value of the landscape.”*

- 8.17. Saved Policy C28 of the Cherwell Local Plan 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 and Saved Policy C8 seeks to limit sporadic development beyond the built limits of settlements.
- 8.18. Fringford is an attractive village which contains a wide mix of dwellings. The site is located on a part of Main Street where there is a looser knit pattern of development than the development to the east of the site. This results in a strong rural character and appearance with views out to the countryside between the buildings.
- 8.19. The linear form of development in this location following Main Street also reflects the historic pattern of development and positively contributes to the rural character and identity of the village and reflects the location of the site at the edge of the village.
- 8.20. Whilst development in depth exists to the east of the site in St Michaels Close, this is a modern form of development which is not reflective of the more positive characteristics of the village and is a development of its time. Furthermore it turns its back on the site and is separated by a public footpath and therefore the development does not have a strong relationship with this development. It therefore forms a very different character area to the current application site.
- 8.21. The site itself currently maintains a strong rural character and appearance being largely laid to open grass and paddock land. Whilst the northern part of the site does contain some built development in the form of stabling and outbuildings these retain a strong ancillary appearance to the main dwelling. Therefore the site is visually part of the open countryside surrounding the village and visually contributes to the rural setting of the village and the enjoyment of people using the public rights of way to the east and south of the site where clear views of the site exist.
- 8.22. The proposed development would be located to the rear of this linear grouping of dwellings and is considered to represent a poorly related form of backland development. The proposed development would be accessed via a long access drive between two existing dwellings with no street frontage and would have a detached relationship with the rest of the village and be poorly integrated into the existing pattern of development. Whilst the development would extend a similar depth to St Michael Close, there would be no integration between the developments which would effectively turn their backs on each other with the public right of way situated in between. Furthermore, as outlined above, the character and qualities of the site are different to those of St Michaels Close.
- 8.23. The development would also harm the setting of the village and result in a visual intrusion to the open countryside. Views of the site from Main Street would be harmed due to the introduction of development in depth in this location. This would impede views of the countryside that exist between the buildings and positively contribute to the rural setting of the village and loose knit pattern of development in this location. The creation of the new engineered road access between Fringford Cottage and the Old Bakery would also be harmful to the rural character and appearance of the street scene and result in the loss of part of the attractive stone wall and grass verge along the frontage of the site which positively contribute to the locality and street scene.

- 8.24. The proposal would result in a significant urbanisation of the application site and be very prominent in views from the public footpath to the west and south of the site. There would be high magnitude of visual effects to users of these rights of way as views of the site are relatively open particularly further to the south of the site. The submitted Landscape Visual Impact Assessment includes some indicative mitigation planting to the boundaries of the site however this would merely attempt to visually screen/hide the development which would be largely reliant on future properties not removing the planting rather than providing a development which positively integrates and contributes with the surrounding built and natural environment.
- 8.25. Overall for a combination of the above reasons the proposal is considered to result in a poorly related backland form of development which would not respect the traditional pattern of plots and would be poorly integrated into the built and natural environment. It would result in a significant urbanisation of the site and would harm to the character and appearance of the locality and the setting of the village. Overall the proposal would therefore be contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan in this respect, Saved Policies C8 and C30 of the Cherwell Local Plan 1996 and advice in the NPPF.

#### Design and layout

- 8.26. The application is made in outline with only matters of access for consideration. Therefore the final layout, scale, appearance and landscaping would be for subsequent applications to determine.
- 8.27. An indicative layout plan has been submitted and demonstrates one way the site could be developed for 10 dwellings arranged around two small cul-de-sacs. This layout results in a rather non-distinct suburban layout and is it unclear from the submission how this has been based on a contextual appraisal or how it would seek to reinforce local distinctiveness. Many of the house types also appear to be narrow fronted detached properties with deep plan form, which do not respond positively to the more traditional and locally distinctive properties in the village.
- 8.28. Given the constraints of the site it is considered difficult to see how the site layout could be significantly altered. Whilst the house types themselves could be altered to more positively respond to the local vernacular overall it is considered that indicative layout only goes further to reinforce officers concerns that the proposal would be poorly related and integrated into the village.

#### Heritage

- 8.29. The application site lies within the setting of a number of listed buildings, the closest of which are situated immediately to the west of the site. This includes the thatched element of Bakery Cottage, Fox Cottage and The Cottage all of which are Grade II listed. Given the proximity of the site to these properties the proposal has the potential to impact on their setting.
- 8.30. The NPPF requires Local Planning Authorities take account of the desirability of sustaining and enhancing the significance of heritage assets and seeks to ensure that new development should make a positive contribution to local character and distinctiveness. It states that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. It goes on to state that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Policy ESD 15 of the Cherwell Local Plan echoes this advice. Furthermore Section 66 of the

Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is given to the desirability of preserving the setting of listed buildings.

- 8.31. There would be no direct impacts associated with the proposed development on the listed buildings and it is considered that the main significance of these dwellings stems from the vernacular appearance, layout and historic fabric. However the rural setting of these building does also contribute to the significance and setting of these traditional vernacular properties. The proposed development is considered to lead to some harm to the setting of the adjacent listed buildings predominantly through the creation of a more engineered access along Main Street and the subsequent loss of part of the stone boundary wall and the grass verge to the front of the site both of which currently positively contribute to the street scene and hence the rural setting of these buildings. Also the general urbanisation of the site and depth of the development would have an urbanising impact on the open countryside setting of these properties to the rear.
- 8.32. Overall it is considered that the level of harm to the setting of these buildings would be relatively modest; however, it would amount to less than substantial harm in the context of paragraph 134 of the NPPF. Therefore this harm needs to be weighed against the benefits of the scheme but would weigh against the development in undertaking the planning balance.
- 8.33. The site also lies within a medium priority area of archaeological potential. As such an Archaeological Desk Based Assessment has been submitted with the application. The highlights the site has moderate potential to contain archaeological deposits. The County Archaeologist has raised no objection to the application and is satisfied that this matter could be managed through planning conditions which requires a staged programme of investigation and mitigation for the site.

#### Impact on Trees

- 8.34. The site contains a number of trees which positively contribute to the character and appearance of the area. This includes a lime tree to the front of the site which is subject to a Tree Preservation Order and two category B trees adjacent to the western boundary of the site. All these trees are located within close proximity of the proposed access road and have the potential to be impacted upon by the proposed new access road.
- 8.35. The application is accompanied by a Tree Report which outlines the impact of the proposal on the trees on the site. However, this is based on an indicative site layout plan and not the access road which planning consent is being sought for in this application (as access is not a reserved matters). The alignment of the access varies between the indicative plans in the Tree Report and the detailed access plan which forms part of the application. Therefore the impact on the trees would also vary. Furthermore no assessment has been made in relation to the impact on the provision of services on the tree roots.
- 8.36. Currently it is not considered that robust evidence has been submitted by the applicant to demonstrate that the proposed development would not harm or lead to the loss of these trees. It is also noted that wherever the access road is situated in this location it is likely to be conflict with the root protection areas of the trees and would therefore be required to be constructed of no-dig raised construction. It is currently unclear whether this would be feasible or acceptable to the highway authority to serve this level of housing and whilst the Council's tree officer is satisfied with a no dig construction for the access it is unclear if this would be acceptable to the highway officer or whether services could be provided. Comments from the highways officer are awaited.

### Impact on neighbouring amenity

- 8.37. Policy ESD 15 of the CLP 2031 (Part 1) requires new development to consider the amenity of both existing and future occupants, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Furthermore, Paragraph 17 of the Framework states that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 8.38. The main impact stemming from the development relating to residential amenity is considered to be the increase in noise and disturbance to the closest neighbouring properties in association with the use of the access. Bakery Cottage is located immediately to the west of the proposed access. This is a two storey property, which has a blank stone side elevation forming the boundary with the application property. The property currently does not have any windows in the rear elevation of the rear wing of the property immediately adjacent to the access. However, it is noted that planning permission has been granted for an extension to this properties which would result in a first floor bedroom window and two ground floor windows in the rear elevation immediately adjacent to the boundary (16/01738/F refers). However, given this consent has been not been implemented the potential future arrangement only holds limited weight in determining the current application.
- 8.39. At the closest point the proposed access would be situated approximately 1.5 metres from the boundary with this property where it immediately adjoins the garden of Bakery Cottage. The garden of Bakery Cottage is relatively small and includes a small seating area immediately adjacent to the boundary. Given the access would serve 11 dwellings (10 new dwellings plus the existing dwelling) it is considered that the noise and disturbance through the use of the access, particularly in light of the limited distance to the boundary and limited space for screening, would detrimentally impact on the outdoor amenity space of this property particularly in light of the level of amenity they currently enjoy.
- 8.40. Given the position of windows on the rear of Bakery Cottage and the distance of the access road from these it is not considered that the proposal would significantly impact on the internal amenity of the property in terms of noise and disturbance.
- 8.41. Concerns have also been raised regarding the impact of the proposal on the privacy of this property particularly in relation to the proximity of the access to the front windows. However, whilst it is acknowledged there would be some impact on these windows from users of the access given the distance of the access point from the windows on the front of the property, the fact that the windows on the front of the property already face onto the main street through the village and the scope to provide a boundary treatment between the access and this property this matter is not considered to justify refusal.
- 8.42. The properties opposite the access known as One Step Cottage and Burcote House will also be impacted by the proposed access through noise and disturbance and potential light pollution. However, these windows already face onto the main street through the village so will already experience a degree of noise and disturbance from existing traffic. Furthermore it is not unusual for a property in a residential area to be situated opposite a road junction serving residential properties in a similar situation to that which is proposed in this application. For these reasons the impact on this property is not considered to be significant.
- 8.43. Whilst it is acknowledged that the proposal will impact on the neighbouring properties to some extent in relation to other issues relating to residential amenity it needs to be considered whether these impacts would be significant and justify

refusal. It is considered that given the size of the site, distance and the relationship with the neighbouring properties, a layout which conformed with the Council's informal guidance on separation distances and was acceptable in regard to outlook, light and privacy could be achieved in a reserved matters application to ensure these impacts were not significant.

#### Highway safety

- 8.44. Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.”* Policy SLE4 states that: *“All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.”* The NPPF advises that development should provide safe and suitable access for all and development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.
- 8.45. The Local Highway Authority (LHA) has objected to the general geographical sustainability of the site on the basis that Fringford lacks sufficient facilities or an adequate bus service to reduce reliance on the private motor car and these matters are discussed in the “principle” section of this report above and officers agree with this assessment.
- 8.46. In terms of the technical highway matters the application proposes a new 5.5m access road into the site with a 2 metre footway on the eastern side. The LHA is generally satisfied with the layout of the junction and that adequate visibility would be provided in both directions. Whilst it has requested that a slightly larger refuse wagon be tracked into the site they are satisfied that there would be sufficient scope in the site entrance to be adjusted slightly if tracking of a larger vehicle demonstrated this would be required. If the development was acceptable in all other regards it is considered that this could be conditioned. The highway engineer has also not raised any objection to the location of the in respect with the junction opposite the site with Church Close. The vehicle movements are likely to be relatively modest given the scale of the existing and proposed developments so the opportunity for conflict to occur is limited. Therefore in the absence of an objection from the LHA in this respect the development is considered acceptable.
- 8.47. In relation to the traffic movements associated with the development the LHA agrees with the analysis of the submitted Transport Assessment which are based on the TRICS database and indicate the development is likely to result in 6 vehicles movements in the am and pm peak each and 36 movements across the typical week day. Residents have raised considerable concerns regarding the suitability and width of the existing roads within the village to accommodate this scale of new development and have provided photographs of verges being damaged through traffic movements due to the limited width of the road for 2 way traffic. However, given no objection has been received from the LHA on this basis and the level of traffic generated from the proposal is relatively modest the proposed development is not considered to result in a significant exacerbation of this issue which could be regarded as ‘severe’ which is the test within the NPPF the proposal must be assessed against.
- 8.48. The layout of the site is reserved for future application however it is considered that sufficient parking could be provided on the site to serve 10 dwellings.



- 8.49. Concerns have also been raised regarding the impact of construction traffic and the impact this would have on the highway network. No objections have been raised by the LHA on this basis. Furthermore whilst it is acknowledged that the construction period can lead to some detrimental impacts in the short term, these are a product of most construction activities, and given they are temporary nature of these impacts they are not considered to be capable of carrying significant weight in determining the application. A construction traffic management plan planning condition could seek to address some of these issues if the development were considered to be acceptable in all other regards.
- 8.50. Overall, therefore, the development is considered to be acceptable in regard to technical highway matters.

Whether the site constitutes previously developed land

- 8.51. Policy BSC2 states the Council will encourage the re-use of previously developed land ('PDL') in sustainable locations and one of the criteria to assess new development under Policy Villages 2 is if the site is PDL. Paragraph 111 of the NPPF also states planning decisions should encourage the effective use of land by reusing PDL.
- 8.52. In the current application the applicant argues that the site constitutes PDL as it forms part of the garden of Fringford Cottage and also has been used for equestrian purposes. The NPPF includes a definition of PDL which states:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*

- 8.53. The applicant has pointed to recent case law (the Dartford Case) which concludes that only garden land within built up areas is excluded from PDL. Therefore, unlike garden land *inside* built up areas, garden land *outside* built up areas is now considered to be PDL. Therefore, given that officers consider that the site lies outside the built limits it is considered reasonable to conclude that the land to the north of the application site which is currently occupied by garden (i.e. mainly the access way) is PDL.
- 8.54. The applicant also argues that the stables and paddock land should constitute PDL and refer to 2 written representation appeal decisions elsewhere in the County which have concluded that equestrian land with stabling and manège are PDL. In both these case the local planning authority considering the applications agreed with this assessment and in both cases the associated paddock included a manège within the paddock. However, it is considered each case has to be assessed on its own merits.
- 8.55. In the current case it is considered that the stable buildings and hard standing to the north of this which form the northern part of the application site can be considered PDL. However, the paddock land to the south of the stables is not considered to be PDL. The Council has not approved the change of use of the land to equestrian at any point in time and have not permitted any buildings or structures on it. Unlike the

referenced appeals there is no manège in the paddocks and they appear to have solely be used for grazing. The stable buildings turn away from the field and appear separate from the paddock land which is not considered to lie within the curtilage of this building.

- 8.56. Therefore, whilst it is considered a small element of the northern part of the application site containing the stables and hard standing can be regarded as PDL, the larger area to the south is not. Whilst the reuse of the PDL weighs in favour of the proposal it is not considered to outweigh the overall harm arising from the development.
- 8.57. Even if officers were to conclude that the whole site was to constitute PDL this is only one element of the assessment of the sustainability of the site and it is not considered that this benefit / lack of impact would outweigh the harm identified elsewhere.

#### Flooding Risk and Drainage

- 8.58. The current application is not required to provide a Flood Risk Assessment as it is below 1 hectare in size and is situated wholly within Flood Zone 1 which is land which has a less than 1 in 1,000 annual probability of river flooding.
- 8.59. 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. The Written Ministerial Statement on Sustainable Drainage Systems (Dec 2014) which is to be read along the NPPF states that to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.
- 8.60. The southern part of the site is situated in area that is identified on the Environment Agency's mapping system as having a low to medium risk of surface water flooding. The application is accompanied by a Drainage Strategy which looks at the feasibility of managing surface water on the site. The proposed development will significantly increase hard surfacing on the site and it is therefore important that this is managed appropriately. The drainage strategy seeks to achieve green field runoff rates for the site with an allowance for climate change.
- 8.61. The Lead Local Flood Authority (LLFA) has objected to the application on the basis of the Drainage Strategy being inadequate and not fully exploring the feasibility of the drainage options. They raise concerns that at the current time it does not demonstrate that the drainage hierarchy has been followed as it has not been demonstrated whether ground infiltration would be a feasible option on the site as no infiltration tests have been undertaken.
- 8.62. If ground infiltration is not feasible then the drainage would need to discharge to a public surface water sewer but be limited to a greenfield rate. This would require a pumped solution given that the site lies on lower ground than the public surface water sewer. Anglian Water has also stated that the surface water drainage is unacceptable for the same reasons as the LLFA and also no details have been provided detailing the intended connection point or discharge rate.
- 8.63. Overall at the current time it has not demonstrated that there is a feasible surface water drainage strategy for the site based on the drainage hierarchy. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan and advice in the Written Ministerial Statement on Sustainable Drainage Systems (Dec 2014).

- 8.64. In relation to foul drainage, Anglian Water has stated the proposal would need to provide additional capacity in the wastewater treatment centre if planning permission were to be granted and that the sewerage system at present has capacity to accommodate the flows from the development.

#### Ecology

- 8.65. Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making. Paragraph 99 of Circular 06/2005: Biodiversity and Geological Conservation states that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".
- 8.66. Paragraph 109 of the NPPF states that: "The planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible."
- 8.67. Policy ESD10 of the Cherwell Local Plan Part 1 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. The Authority also has a legal duty set out at the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that "every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity."
- 8.68. The application has been accompanied by an Ecological Appraisal. This concludes that the site supports no habitats or vegetation of significant biodiversity interest and the buildings to be demolished are highly unlikely to support backs. This advises that the hedgerow and trees along the south west boundary should be ideally be retained and new hedgerow planting and trees would be carried out within the development to result in a net gain in biodiversity. The Council's ecology adviser is generally satisfied with this subject to conditions that secure a number of enhancements and benefits which would need to be provided in a reserved matters application.

#### Sustainability and Energy Efficiency

- 8.69. Policy ESD1 of the Cherwell Local Plan Part 1 states that measures should be taken to mitigate the impact of development within the District on climate change, and Policy ESD2 of the Cherwell Local Plan Part 1 seeks to achieve carbon emission reductions. Policy ESD3 of the Cherwell Local Plan Part 1 encourages sustainable construction and states that all non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect.
- 8.70. The application has not been accompanied by a Sustainability and Energy Statement and sustainability should be built into the proposal and it should be demonstrated how the proposal complies with Policies ESD1-3 of the Cherwell Local Plan Part 1. However, this is a matter that would be addressed by condition if the application were to be recommended for approval.

#### Effect on Infrastructure/Public Open Space

- 8.71. Policy INF1 of the Local Plan states that: *development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.*
- 8.72. Policy BSC11 of the Cherwell Local Plan Part 1 states that: *“Development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs generated by it. Provision should usually be made on site in accordance with the minimum standards of provision set out in ‘Local Standards of Provision – Outdoor Recreation’. Where this is not possible or appropriate, a financial contribution towards suitable new provision or enhancement of existing facilities off site will be sought, secured through a legal agreement.”*
- 8.73. In the current application the proposal would required by the policy to provide a Local Area of Play, which would have a 100 sq m activity zone with a total areas of 400 sq m. It would also require a 0.027 ha of general green space. It is unclear where on the site the LAP would be provided and given the limited size of the development the Landscape Officer has requested a financial contribution to improve existing facilities. At the current time discussions with the applicant have not been advanced in this matter due to the principal objections that relate to the site. Therefore at the current time in the absence of a legal agreement that secure these matters the proposal conflicts with Policy BSC10 and BSC11 of the Cherwell Local as they do not make adequate provision for the open space and recreational demands imposed by the development.
- 8.74. Oxfordshire County Council has stated that there is adequate capacity in the schools to accommodate the development so no contribution is sought in this regard.

#### Other matters

- 8.75. A number of other matters have been raised in relation to the current application. The concerns regarding the loss of a private view of open field or the impact on house prices is not material planning considerations.
- 8.76. The concerns relating to the size of the proposed properties is noted however as the application is made in outline, a reserved matters application which better reflected the housing mix outlined in Policy BSC3 could potentially be negotiated with the applicant.
- 8.77. Concerns have also been raised regarding the potential damage to the neighbouring properties however these are private matters.

### **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposed development would be located in a Category A settlement however the village does not benefit from a wide range of services to meet the day to day needs of the residents and residents would have very limited opportunities to reach these apart from through the use of the private car given the distance to other settlements with facilities and a lack of any regular public transport. The proposal

would therefore conflict with Policy ESD1, Policy Villages 1 and 2 and advice in the NPPF which seeks to guide rural housing development to locations which reduce the need to travel and reduce the impact on climate change.

- 9.3. The proposal would also result in further environmental harm through the poorly related backland form of development it would create and the harmful visual intrusion into the open countryside which would be caused by the development. In addition there would also be harm to the rural character and appearance of the locality, the setting of the adjacent listed buildings and the applicant has not adequately demonstrated that the protected and other high value trees could be successfully retained on the site. In these respects the proposal is contrary to Policies ESD10, ESD13 and ESD15 and Saved Policies C8 and C28.
- 9.4. The proposal would also be harmful to the amenity of the neighbouring residential property at Bakery Cottage and insufficient information has been provided to demonstrate that the surface water drainage strategy which is proposed for the site follows the surface water hierarchy.
- 9.5. Whilst the proposal would lead to some economic and social benefits which stem from the construction and provision of 10 dwellings and would also use a small element of previously developed land, these are not considered to outweigh the significant environmental harm which would be caused by the proposal particularly in light of the Council's ability to demonstrate a 5 year land supply and the significant progress that has already been made regarding the rural housing allocation under Policy Villages 2.
- 9.6. It is therefore recommended that planning permission be refused for the reasons outlined below.

## **10. RECOMMENDATION**

That permission is refused, for the following reason(s):

1. The development proposed, by reason of its scale and relative sustainability of Fingford, and taking into account Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development that which would undermine the housing strategy in the Cherwell Local Plan Part 1 which seeks to distribute new housing to the most sustainable locations having regard to such matters as public services and facilities, transport and employment. Consequently the proposal is unacceptable in principle and contrary to Policies ESD1 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the adjacent listed buildings and the harm stemming from the proposals are not considered to be outweighed by any public benefits. Insufficient information has also been provided in relation to the existing protected and high value trees on the site and whether they could be successfully retained as part of the development. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C8 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the

National Planning Policy Framework.

3. The submitted Drainage Strategy is inadequate and does not provide sufficient information to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems has been explored for the site. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan and advice in the Written Ministerial Statement on Sustainable Drainage Systems (Dec 2014).
4. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, BSC10 and BSC11 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

CASE OFFICER: James Kirkham

TEL: 01295 221896