

KIRTLINGTON PARISH COUNCIL

8th November 2023

Ms Jeanette Davey, Planning Officer
Cherwell District Council
Bodicote House, Bodicote
Banbury
Oxfordshire, OX15 4AA.

Dear Jeanette Davey,

Re. 23/02471/F – OS Parcel 0622 South of Jersey Cottages and East of Heyford Road, Kirtlington
Erection of 14 two storey dwellings and upgrading of existing access onto the Heyford Road, together with garaging and parking, footpath link, the removal and re-instatement of a section of existing wall and its repair along the Heyford Road frontage, and landscaping and all enabling development

Kirtlington Parish Council (KPC) is divided on this application with three councillors supporting the application, one in opposition and one abstention. You will be aware that the previous application on this site was unanimously supported by KPC. Compared with the previous application which received overwhelming local support, this one has only attracted 22 comments from villagers, and whilst the majority of these are objections (14), it is notable that most of those are from residents close to the site.

The advantages and disadvantages are sited below:

Support

The village is in need of starter homes and smaller dwellings for downsizing within the village. The planning application comprised several sympathetic design improvements which are seen as a significant improvement on the previous scheme, reducing the number of units to 14 dwellings. The housing mix provides a policy compliant proportion of smaller units and six affordable housing, which at 43%, is in excess of policy.

Heritage Assets

- KPC agrees with the previous officer's report that any harm to heritage assets would be less than substantial and we would suggest the level of perceived harm to be at the lower end of less than substantial.
- We believe the inclusion of the site within the **Registered Park and Garden** is spurious and not supported by substantive mapping evidence. The site did not form part of the park designed by Capability Brown (and this is supported not only by Figure 9 of the Kirtlington Conservation Area Appraisal, where the site is not included in the grey shading of the park on the OS 1887 map, but by other sources). The site does not possess any typical parkland characteristics, such as individual specimen trees typically found in 'wood pasture'. The site has no intervisibility with the Brownian landscape which lies to the east and south of the site, being separated from it by dense belts of trees (and those belts to the south of the site would be the subject of the Woodland Management Plan, thus ensuring their longevity). Although the site sits within the 'estate' walls, it is so well screened from the rest of the park that development of the site would not harm the original design intent (such as vistas) or the setting of Kirtlington Park House. KPC does not consider that these proposals would set a precedent for further development within the park. In addition, we believe, as suggested by the Magic website, that a RPG is a non-statutory designation.

- The site has a very peripheral relationship with the Conservation Area and as described for the RPG, the site has very limited intervisibility with the rest of the CA.
- Due to the lack of intervisibility and historical connection between the site and nearby listed buildings, any harm to these buildings must be perceived as minimal. Further sympathetic mitigation against any perceived harm to Home Farm have been added with the provision of generous open space along the eastern site boundary.
- In this context, KPC considers it advantageous to permit the proposed development in the context of the Conservation Area, as this designation would increase the level of control and restriction to accomplish a high quality of finish to the development.

Benefits

- The site's location is in keeping with the historically important linear form of the village, and does not encroach beyond the defined eastern and western boundaries of the settlement.
- The Woodland Management Plan would augment the screening already afforded to the site by its surrounding tree belts not only from the A4095, but from the Park.
- The reconstruction of the 'estate' wall would be a significant improvement to the condition and quality of the northern part of Kirtlington.
- The existing northerly extent of Jersey Cottages, which are already visible from the approach to Kirtlington from the north, would only be extended by one property, maintaining the village's countryside setting.
- KPC believes these benefits should be given considerable weight in the balance against any perceived contravention of heritage policies.

It is expected that the applicant's engagement with the Parish Council and village will continue through the discharge of conditions to address such items. To that end, the Parish Council would respectfully request that the District Council consider the following points in consideration of this application:

- 1) The provision of the proposed open space, restricting any proposed dwellings within 30m of the listed building of Home Farm, to reduce any perceived harm on its setting; to include details on long term ownership of this space and provisions for its ongoing maintenance.
- 2) A vehicular and pedestrian access/egress that satisfactorily overcomes objections raised by OCC (dated 11 October 2023) regarding visibility to the north of the site access junction, including realignment and reinstated of the boundary stone wall.
- 3) Controls to mitigate any impacts on the arboricultural aspects, including:
 - Implementation of the submitted Woodland Management Plan (dated August 2023).
 - Replacement by commensurate planting of the three trees to be removed from the site.
 - All proposed hard surfacing works within the Root Protection Areas (RPAs) of retained trees should be restricted to 'no-dig' methods to protect mature trees.
 - Proposals for planting a belt of trees (10-15m width) along the northern site boundary to provide robust screening of the development from views to the north (from Akeman Street and Heyford Road).
 - Offset of proposed houses from the western and southern tree belts (by at least 11m from the tree canopy or RPA, whichever is greater) to mitigate future requests for tree thinning/removal due to shading.
- 4) Details for the repair of the wall along the full length of the application site should include who will be responsible, and a timeframe within which the works will be completed.
- 5) A schedule of parking spaces per dwelling dictated by the number of bedrooms per dwelling (excluding garages which are invariably not used for parking).

Opposition

Conservation Area/Historic House and Garden

- The proposal for a modern housing estate lying within the designated boundary of the Grade II registered Kirtlington Park and also within the Kirtlington Conservation Area would not enhance the character of the surrounding environment.
- The development would be in the curtilage of Kirtlington Park, a Grade I building and in close proximity to Home Farm, an 18th century agricultural workers cottage, listed Grade II. The boundary of the park is the wall. The additional trees were planted in the 1980s.
- The land subject to the application for development adjoins the landscape designed by Capability Brown.
- As proposed, destruction of part of the border of this park would damage the design as a whole, and alter its appearance from its outside. There is clear visibility through the trees and when the leaves fall there is even greater visibility. It is considered it is the responsibility of the land owner to repair the wall and this is not a benefit to the community.
- The proposal, for building within a conservation area, would blight the approach to Kirtlington from the north, which consists of green fields, an ancient wall and fine trees.
- The pre-app of 2022 states that *“the proposed development is considered to cause significant harm, to the heritage assets and their settings. This harm is considered less than substantial but may be considered a high degree of harm”*. The pre app goes on to state that the proposals would be *“contrary to the established linear settlement pattern of Kirtlington”* and *“extending well beyond its built up limits to the east into open countryside and into Kirtlington Park”*.

Future Development

- Permitting the proposed development would allow for creeping urbanisation of the village, into the land adjoining and permanently altering its valuable character by the import of street lights, pavements, signage and associated destruction of green space.
- The proposal, for building within a conservation area, would blight the approach to Kirtlington from the north, which consists of green fields, an ancient wall and fine trees.

Planning Policies

- The planning proposal is contrary to the NPPF, Cherwell LP and the MCNP.

General Comments on Sustainability (that would apply to any application within Kirtlington)

- Kirtlington no longer has a shop or Post Office, and there is the likelihood that the reduced 24 bus service connecting the village to Oxford will terminate in March 2025. This calls into question the proposed categorisation of Kirtlington as one of the 11 larger villages in the emerging Local Plan.
- The foul sewage system within Kirtlington is not fit for purpose, with serious failings occurring on a regular basis. Any additions to the system could not be contemplated without major investments in upgrading the pipework through the village. This comment applies to any proposed developments within the village.