

**Proposed farm shop/ café at Saltway Farm, Broughton Road,  
Banbury, OX16 9UL**

**Planning Supporting Statement  
on behalf of Mr N Morris**

**Paul Clarke DipEP, MRTPI**

## 1. INTRODUCTION

- 1.1 This Planning Statement has been prepared by Brown & Co in support of a full Planning Application submitted to Cherwell District Council, on behalf of Mr Nigel Morris of Deerfield's Farm, Canal Lane, Banbury (the Application). The Application relates to proposals for a farm shop and café on land adjacent to the B4035 Broughton Road, in Banbury (the Application site).
- 1.2 The Statement has been prepared to accompany a Planning Application for a new farm shop and café at Saltway Farm (formerly Banbury Self Pick). Currently, a farm shop exists on the site as part of the farm enterprise, although it is located within the operational buildings of the farm unit. The intention is to separate this use away, together with an ancillary café and sited towards the main road, allowing the farm to operate more efficiently.
- 1.3 The purpose of this statement is to set out the case for the proposal and it does it in the following manner:
- Section 2 of this Statement describes the background to the application;
  - Section 3 describes the application site and surrounding area;
  - Section 4 sets out the proposed development and the background to the proposal;
  - Section 5 sets out any relevant consultations and reviews the planning history relating to the site;
  - Section 6 details the relevant National and Local Planning Policy;
  - Section 7 provides a brief conclusion.
- 1.4 This statement should be read in conjunction with the following application documents submitted as part of the full Planning Application:
- Planning Application Form and Certificate of Ownership;
  - Site Location Plan (red line plan);
  - Detailed plans and elevation drawings of the proposed building; and
  - Planning statement;

## **2. BACKGROUND**

- 2.1 The Applicant currently operates Bodicote Flyover Farm Shop as a tenant, which is accessed from the A4260 Oxford Road to the south of Banbury. The Applicant does not own this particular site, which has been the subject of potential re-development proposals for housing. It is clear that the Bodicote Flyover Farm Shop, having once been located in relatively open countryside, is now situated in a completely different surrounding environment with significant residential development occurring to the south and east. Rather than pursue the existing location as a farm shop, the Applicant has purchased Saltway Farm (formerly Banbury Self Pick) with the intention of transferring the activities from Bodicote Flyover Farm Shop to this new location, and terminating the farm shop at Bodicote.
- 2.2 Both farm shops are part of a family run business involving Mr Morris, his wife, son and daughter together with her husband. The business operates with a number of part-time staff and the intention is to employ additional staff, should the Planning Application be successful. The present farm shop business employs 2 full time and 4 part-time employees. The expectation is that the proposals will create 2 full-time and 2 part-time jobs.
- 2.3 This planning application is working in conjunction with a grant funded project. There is currently grant funding available to UK rural businesses, in order to diversify rural income and expand the rural economy. The priorities of these grant schemes are to promote rural businesses development, expand rural food processing, enhance rural tourism infrastructure and to increase rural business productivity. These grant schemes are administered by the Rural Development Programme for England, and cover certain elements of the project expenditure. This project is eligible for grant funding in the UK, and therefore it is targeted towards the national priorities of rural business growth and the development and expansion of the rural economy including increasing the level of rural employment.

### **3. THE APPLICATION SITE AND ITS SURROUNDINGS**

- 3.1 As already described, the existing farm shop is situated some 500 meters away from the Broughton Road, within an existing range of buildings and barns. The intention is to move the farm shop closer to the road and to establish a bespoke building, within a short distance of the access. The site itself is on rising land, slopping upwards from north to south. The existing splayed entrance is defined by an existing established hedge with a highway drain immediately to the north of the boundary. The existing established access has metal gates which serve the farm shop and periodic car boot sales. The access track southwards, towards the complex of buildings and existing farm shop, is defined by an existing established hedge and to the west a tree belt.
- 3.2 In general, the surrounding land is relatively open in character, with established tree belts to the west and south west of the site.

### **4. THE PROPOSED DEVELOPMENT**

- 4.1 The Planning Application seeks full permission for a new farm shop building to replace the existing farm shop operating from agricultural buildings on the farm. In addition, an ancillary café is also proposed as part of the new building. The third element is a car park, sited between the front boundary of the site and the new building.
- 4.2 The building is single storey, with a pitched roof over a general 'L' shaped plan incorporating the farm shop and café. The farm shop itself is split between bulk food sales and the fruit and vegetable elements of the business.

## 5. CONSULTATION

- 5.1 Given the location of the proposals, there has been very limited opportunity to undertake any consultation other than to liaise with Planning Officers. The applicants have, however, had discussions with the Councils Economic Development Officer (Steven Norman) about the proposals.

### **Additional Information**

- 5.2 The entire site falls within Flood Zone 1 and is not, therefore, identified as being at risk of flooding.
- 5.3 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) describes certain types of developments ('Schedule 1 and Schedule 2 development') that require an EIA. It is considered that by virtue of the type and scale of development proposed, an EIA is not required under the Regulations.

### **Planning History**

- 5.4 There is no relevant planning history relating to the site, in relation to these particular proposals. There are, two listings on the Council's website relating to the following:
- 05/00002/COP – Scoping Opinion for residential development
  - 05/00008/SO – Screening opinion for residential development
- 5.5 Both the screening and scoping opinions were related to this site and other land to the east at Crouch Hill Farm, Broughton Road, Banbury.

## 6 DEVELOPMENT PLAN POLICIES AND MATERIAL CONSIDERATIONS

6.1 The purpose of this section is to assess the proposed development against relevant development plan policies and material considerations.

6.2 In determining Planning Applications, section 38(6) of the Planning and Compulsory Purchase Act 2004, and Section 70(2) of the Town and Country Planning Act 1990, requires proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

### The Development Plan

6.3 The Development Plan consists of:

- Cherwell Local Plan 2011 – 2031 (Part 1), adopted in 2016;
- “Saved” Policies of the adopted Cherwell Local Plan (adopted 1996).

6.4 It is understood that 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 as the main part of the development plan.

6.5 Other material considerations which need to be considered include the following:

- National Planning Policy Framework, 2012
- National Planning Practice Guidance, 2014

6.6 The Governments Planning Policies, as set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), are also a significant material consideration in deciding Planning Applications. National Planning Policies have particular relevance to this Application, as summarised, later in this Statement.

### **Cherwell Local Plan 2011 – 2031 (Part 1)**

6.7 There are no specific policies in the Local Plan relating to Farm Shops, but the plan states (paragraphs B.36 and C.238) that employment growth in rural areas will be limited to farm diversification schemes that are sustainable and support local communities, whilst at the same time, protecting the landscape and built environment of the district.

6.8 Similarly, Policy SLE1 – “Employment Development”, is of some relevance as it states that proposals on sites that are not identified for economic use will be supported if they make efficient use of premises, avoid any adverse impact on surrounding land uses and do not give rise to excessive and inappropriate traffic. The proposal is in accordance with the objectives of this Policy, whilst making a small but important contribution towards

local employment and support for the farms income, that of local producers and the districts wider economy.

- 6.9 Policy ESD15 – “The Character of the Built and Historic Environment” is also relevant as it refers to new development proposals needing to be designed to deliver high quality, safe, attractive, durable and healthy places to live and work in. It adds that development of all scales should be designed to improve the quality and appearance of an area in the way it functions. The proposal clearly achieves these objectives.
- 6.10 Policy ESD15 supports the efficient use of land and buildings through appropriate land uses, mix some density/ development intensity. It also supports proposals that contribute positively to an areas character by achieving high quality development that re-enforces local distinctiveness and respects local typography and landscape features.

### **Cherwell Local Plan 1996**

- 6.11 The Local Plan (1996) would in due course be replaced by the Cherwell Local Plan Part 2, which is being prepared and is still at a consultation stage in its preparation. The Local Plan (1996) has three policies which are relevant to these particular proposals. The first of these policies ‘Policy C28’ relating to quality of design and states the following:

*“Control will be exercised over all new development, including conversions and extensions, and ensure that the standards of layout, design and external appearance, including the choice of external finished materials, are sympathetic to the urban or rural context of that development. In sensitive areas, such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will not normally be required.”*

- 6.12 The proposal respects the traditional design, appearance, layout, form and massing of the agricultural buildings on the site and being single storey character, will sit into the landscape against the backdrop of trees along the northern boundary.
- 6.13 The other policies (Policies S26 and S28) refer to the acceptability of small scale retail outlets that are ancillary to existing acceptable land uses (Policy S26), such as a farm shop, which helps diversification of rural economy. The characteristically small scale and accommodated in single storey buildings, set into the landscape.

### **Other material considerations**

#### **National Planning Policy Framework (March 2012)**

- 6.14 The National Planning Policy Framework (NPPF) came into immediate effect upon the publication on 27<sup>th</sup> March 2012. The NPPF promotes sustainable development in planning and positive growth. A presumption in favour of sustainable development is the basis for every plan and every decision. The NPPF is a material consideration in planning decisions.

6.15 **Paragraph 7 of the NPPF** advises that there are three dimensions to sustainable development; economic, social and environmental.

6.18 **The three dimensions are as follows:**

1. An economic role – the planning system should contribute to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including provision of infrastructure.
2. A social role – planning should support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality-built environment, with accessible local services that reflect the communities needs and support its health, social and cultural wellbeing; and
3. An environment role – the system should contribute to protecting and enhancing our natural, built and historic environment, including using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.

6.19 **Paragraph 13 states;**

*“National Planning Policy Framework constitutes guidance for local planning authorities and decision takers, both drawing up plans as a material consideration in determining Application.”*

6.20 **Paragraph 28 states;**

*“Planning Policies should support economic growth in rural areas, in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong, rural economy, local and neighbourhood plans, should:*

- *Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- *Promote the development and diversification of agricultural and other land based rural businesses;*
- *Support rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*
- *Promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship”.*

6.21 Paragraph 28 of the NPPF gives the support for sustainable growth and expansion of business and enterprise in rural areas, including development of local shops. Local



authorities are encouraged to help achieve such growth by proactively meeting the needs of business and, therefore, supporting an economy that is fit for the future. The proposed development will support a small, thriving and successful business that is providing local employment and supporting the rural and agricultural economy, and as such, contributes towards sustainable development in accordance with the NPPF.

**Government advice – Farm Shops and Farmers Markets (2013)**

- 6.22 The Government has produced advice on farm shops (Department for Environment, Food and Rural Affairs) that sets out practical guidance on planning, food safety, hygiene and organisations that can assist farmers with their farm diversification schemes.

## 7 PLANNING ASSESSMENT

7.1 The purpose of this section is to provide a justification for the proposed development, within the policy context of the development plan and the material considerations (the NPPF). The key consideration of this Application is:

- The principle of development in this location;
- The sustainability of the proposed development;
- Access;
- Design and appearance

### The Principle of Development

7.2 The proposed farm shop/café and the existing farm are successful rural businesses that are inter-related and also help to support a number of other local rural enterprises and the wider economy in Banbury, and the surrounding area. The Cherwell Local Plan Part 1 (2011-2031) and the earlier Cherwell Local plan (1996) contain supportive planning policies (SLE1 and S26 respectively) that support farm diversification in general and the provision and extension of retail facilities in rural areas that meet a local need and support the rural economy. As such, the development plan is supportive of such proposals, in principle, subject to compliance with detailed criterion such as design.

7.3 These policies are supported by national planning guidance in the NPPF. The proposal accords with paragraph 28 of the NPPF **'Supporting a prosperous rural economy,'** which encourages Councils to support sustainable growth and the expansion of all types of business and enterprise in rural areas, in order to create jobs and prosperity.

7.4 Paragraph 28 of the NPPF also seeks to promote the development and diversification of agricultural and other land-based rural businesses, promoting the development of local services. This proposal will support extend the existing farm shop use and the other businesses on the existing farm unit. It will assist maintain and possibly create new jobs, and lead to further investment in the site and thereby support the local economy. The new farm shop premises are expected to create 2 full-time and 2 part-time jobs.

7.5 Paragraph 70 **'Promoting healthy communities'** of the NPPF also encourages Councils to plan positively for the provision of local services to enhance the sustainability of communities. The consumer market is continuing to want locally-sourced, fresh and organic food that is not supplied currently by the major supermarket chains. There is a growing interest in quality local food and how it is produced, in freshness and in traceability. Fruit and vegetables produced from the farm will be a focus for sales and will also be used extensively in the café, and actively promoted to customers.

### Sustainability

7.6 Given that the site is close to the built-up edge of Banbury, and other villages nearby, it will provide a sustainable location for the proposal. By combining the two farm shops into one location it will reduce the number of road miles, carbon emissions and supports local

services and the rural economy. The popularity of the farm shops has been reported in the national press (see article from Telegraph in Appendix 1 of this statement).

- 7.7 Both farm shops have a loyal customer base and it is important for both businesses to remain local to the area.

#### **Access**

- 7.8 The existing access services the current farm shop and the occasional car boot sales. It is hard surfaced for most of its length to the farm buildings and farmhouse.
- 7.9 The Broughton Road at this point has a 50-mph limit and the access enjoys a 4.5metre by 160 metre visibility splays and an ability for vehicles to pass each other at the entrance.
- 7.10 A Transport Statement has been produced by Royal HaskoningDHV which has reviewed the site and proposals. It confirms that the trips generated by the proposed development will have an indiscernible impact upon highway transport capacity.

#### **Design and appearance**

- 7.11 The siting of the proposed farm shop/café is close to the existing tree and hedge established along the north-east boundary. It will be seen against a backdrop of the sloping land and tree/hedge boundary and not as a prominent feature in the landscape.
- 7.12 The building is of a typical steel frame portal construction with traditional timber cladding for the walls. The roof material will be profiled sheeting. The intention is for the building to have the appearance of other similar agricultural buildings in the area. The existing farm shop on site doesn't meet the current food hygiene and Safety Regulations and the applicants wish the business to continue on a professional basis. Rather than upgrade the existing building, which is not fit for purpose, the intention is to establish a new facility with separate areas for bulk purchase and retail sales. The café would be a new facility for the business. Whilst there will be a slight increase in the floor area of the farm shop and the new café, it is unlikely to result in a significant increase in the number of vehicles attending the site.
- 7.13 The car park will be sited between the main road and the proposed building and constructed of hogging and shingle.

## **8 PLANNING BALANCE AND CONCLUSION**

- 8.1 This Application seeks to erect a new farm shop and café with associated car parking at Saltway Farm (formerly Banbury Self Pick). The farm already has a farm shop and the intention is to separate the use from the existing agricultural buildings and relocate it in a new facility, closer to the main road.
- 8.2 In policy terms, the NPPF places substantial weight on supporting a prosperous rural economy and advises that a positive approach should be taken with regard to sustainable new development; including the promotion of development and diversification of agricultural and other land based rural businesses. Whilst the proposals result in new floor space being created for the farm shop and the addition of a supplementary café, the proposals would not change the use of the site and the retail floor space created would not be significant. The proposals would support the continued operation of an existing rural business and the principle of development should be considered acceptable in general sustainability terms and complies with saved Policy S26 of the 1996 Local Plan and the NPPF.
- 8.3 The design of the proposals is intended to match in with other agricultural buildings in the locality and the materials to be used would complement the existing built form. The building has been sensitively sited in order to ensure that it is not prominent in the landscape. The saved Policy C28 of the CLP 1996 indicates control will be exercised over all new development to ensure that stone layout covers design and the external appearance are sympathetic to the character of the context of that development. Given the situation of the site, we believe that the proposed farm shop/ café meets the criteria of this policy.
- 8.4 The proposed development will deliver clear benefits including the following:
- The development proposal would constitute a sustainable development;
  - It would combine two existing farm shops in the area and establish a facility which would be fit for purpose and meet the needs of its existing customers;
  - The proposal is in accordance with the principles set out in the NPPF and the policies in the Council's adopted Local Plans;
  - The development has been sited so that it would not detract from the character of the surrounding countryside;
  - It occupies a logical location on the edge of Banbury and would be a high-quality facility for the area.
- 8.5 Paragraph 14 of the NPPF requires this proposal to be approved, unless significant and adverse impacts exist to outweigh the benefits of the proposal. We believe that no such impacts exist with respect to these proposals and therefore consider the proposal

represents sustainable development and as such, should be approved without delay, in accordance with Paragraph 14 of the NPPF.