

<b><u>Consultee</u></b>	<b><u>Date Sent</u></b>	<b><u>Expires</u></b>	<b><u>Reply</u></b>
Steeple Aston Parish Council	09.04.2020	30.04.2020	21.04.2020
Archaeology OCC	09.04.2020	30.04.2020	09.04.2020
Building Control CDC	09.04.2020	30.04.2020	14.04.2020
Conservation CDC	09.04.2020	30.04.2020	
Environmental Health CDC	09.04.2020	30.04.2020	23.04.2020
Minerals and Waste OCC	09.04.2020	30.04.2020	
Oxfordshire County Council Major Planning Applications Team	09.04.2020	30.04.2020	
Planning Policy CDC	09.04.2020	30.04.2020	
Thames Water	09.04.2020	30.04.2020	14.04.2020
Arboriculture CDC	09.04.2020	30.04.2020	24.04.2020
Ecology CDC	09.04.2020	30.04.2020	03.06.2020
Landscape Services CDC	09.04.2020	30.04.2020	26.05.2020
Legal Services CDC	09.04.2020	30.04.2020	
Mid Cherwell Neighbourhood Forum	09.04.2020	30.04.2020	15.05.2020

**From:** Jonathan Emanuel <[jonathan.emanuel@cherwell-dc.gov.uk](mailto:jonathan.emanuel@cherwell-dc.gov.uk)>  
**Sent:** 24 April 2020 10:52  
**To:** Bob Neville <[Bob.Neville@cherwell-dc.gov.uk](mailto:Bob.Neville@cherwell-dc.gov.uk)>  
**Subject:** Planning Consultation for Application Ref 20/00964/OUT

## Planning Consultation for Application Ref 20/00964/OUT


### COVID-19


**Due to the Coronavirus situation, a site visit as part of this assessment has not been possible. Therefore, this application has been assessed on its merits from the information provided for consideration and a desk top analysis.**

As part of a full application, submission of a dedicated, detailed plan showing trees proposed for removal and retention. Further information regarding shading patterns to the development, as well as information to the locating of underground services, so constraints of the trees to the development, and vice versa, can be fully evaluated.

A detailed plan Tree Protection Plan, this can be addressed by planning conditions of the final application. Depending on the footprint of the development in relation to the retained trees the Arboricultural Method Statement will need to be altered to fully address the protection of the trees at specific locations and illustrate the specialist construction methods required to safeguard the trees.

**Jonathan Emanuel**  
Arboricultural Officer (north)  
Environmental Services  
Cherwell District Council

 01295 221514

 01295 221878

<mailto:jonathan.emanuel@cherwell-dc.gov.uk>

Please note work days alternate Wednesdays, Thursday & Friday



[www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk)

[www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)

Follow us on Twitter: @Cherwellcouncil

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

# Consultee Comment for planning application 20/00964/OUT

<b>Application Number</b>	<input type="text" value="20/00964/OUT"/>
<b>Location</b>	<input type="text" value="The Beeches Heyford Road Steeple Aston OX25 4SN"/>
<b>Proposal</b>	<input type="text" value="Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road"/>
<b>Case Officer</b>	<input type="text" value="Bob Neville"/>
<b>Organisation</b>	<input type="text" value="Building Control (CDC)"/>
<b>Name</b>	<input type="text" value=""/>
<b>Address</b>	<input type="text" value="Building Control Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text" value=""/>
<b>Comments</b>	<input type="text" value="Development would require a building regulations application. Facilities and access for fire fighting vehicles to reflect guidance in Approved Document B5. Access and inclusive design to reflect guidance in Approved Document M."/>
<b>Received Date</b>	<input type="text" value="14/04/2020 17:05:56"/>
<b>Attachments</b>	

# Comment for planning application 20/00964/OUT

<b>Application Number</b>	<input type="text" value="20/00964/OUT"/>
<b>Location</b>	<input type="text" value="The Beeches Heyford Road Steeple Aston OX25 4SN"/>
<b>Proposal</b>	<input type="text" value="Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road"/>
<b>Case Officer</b>	<input type="text" value="Bob Neville"/>
<b>Organisation Name</b>	<input type="text" value="CPRE /Pamela Roberts"/>
<b>Address</b>	<input type="text" value="9 - 11 Church Street,Bicester,OX26 6AY"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="URGENT consultation response by CPRE: The Oxfordshire Branch of the Campaign to Protect Rural England (CPRE) promotes the beauty, tranquility and diversity of rural Oxfordshire by encouraging the sustainable use of land and other natural resources in town and country. We wish to object to above application on the following grounds: The site is outside the Residential Settlement Boundary as specified in the Mid-Cherwell Neighbourhood Plan (MCNP). The MCNP states clearly that such a scheme should not be supported. Development of the site would extend the housing area of the village far further to the west adjacent to an area of open fields, thus increasing the footprint of the village into the countryside. The proposed detached houses are substantial and do little to address the need for affordable, sustainable housing to provide for the local community. Steeple Aston has recently had housing applications accepted but these were within the settlement area and thus complied with MCNP and LP policy. The biodiversity gain estimates look very substantial but the actual figures and calculations appear not to be given. The opinion of the Council ecologist would be of value on this matter."/>
<b>Received Date</b>	<input type="text" value="01/06/2020 06:08:57"/>
<b>Attachments</b>	

## Rachel Tibbetts

---

**From:** Bob Neville  
**Sent:** 03 June 2020 10:45  
**To:** DC Support  
**Subject:** FW: Consultation on 20/00964/OUT - The Beeches Heyford Road Steeple Aston

---

**From:** Charlotte Watkins <Charlotte.Watkins@Cherwell-DC.gov.uk>  
**Sent:** 03 June 2020 10:38  
**To:** Bob Neville <Bob.Neville@cherwell-dc.gov.uk>  
**Subject:** RE: Consultation on 20/00964/OUT - The Beeches Heyford Road Steeple Aston

Bob  
Apologies that I did not get to this application in time to inform your decision.  
If it is helpful to pass on the following information then please do.

The additional information contains a Biodiversity Impact Calculation however they have not attached the actual calculation or stated the initial habitat biodiversity value so it is difficult to verify whether the large percentages for gain stated are correct. An overall gain of more than 30% with a habitat gain score of +1.34 units would mean the overall initial habitat value in units was only approx. 4.5. On a very quick calculation myself this doesn't appear to work out.

We would need to see the actual calculator to see how it has been calculated should the application be resubmitted.  
Kind regards  
Charlotte

**Dr Charlotte Watkins**  
**Ecology Officer**  
Tel: 01295 227912  
Email: [Charlotte.Watkins@Cherwell-DC.gov.uk](mailto:Charlotte.Watkins@Cherwell-DC.gov.uk)  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

My usual working hours are: Monday and Wednesday mornings.

**Coronavirus (COVID-19):** In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk). For the latest information about how the Planning Service is impacted by COVID-19, please check the website: [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk)

---

**From:** Bob Neville <[Bob.Neville@cherwell-dc.gov.uk](mailto:Bob.Neville@cherwell-dc.gov.uk)>  
**Sent:** 01 June 2020 10:03  
**To:** Charlotte Watkins <[Charlotte.Watkins@Cherwell-DC.gov.uk](mailto:Charlotte.Watkins@Cherwell-DC.gov.uk)>  
**Subject:** Consultation on 20/00964/OUT - The Beeches Heyford Road Steeple Aston

Good Morning Charlotte  
Do you have any comments to make on the above application. The proposals are largely as assessed under the previously refused application 19/01601/OUT; however, they have supplied further ecological info. in terms of looking to demonstrate that the proposals would result in a nett gain in biodiversity.  
I am currently writing up my report and would appreciate any comments you wish to make.  
Thanks

Bob

**Bob Neville** MSc  
**Senior Planning Officer**  
**General Developments Planning Team**  
Cherwell District Council  
Direct Dial 01295 221875 Ext. 1875  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

**Follow us:**

**Facebook** [www.facebook.com/cherwelldistrictcouncil](http://www.facebook.com/cherwelldistrictcouncil)

**Twitter** @Cherwellcouncil

**Coronavirus (COVID-19):** In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk). For the latest information about how the Planning Service is impacted by COVID-19, please check the website: [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk).

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

**From:** Emma Jones <Emma.Jones2@cherwellandsouthnorthants.gov.uk>

**Sent:** 23 April 2020 17:02

**To:** Bob Neville <Bob.Neville@cherwell-dc.gov.uk>

**Cc:** DC Support <DC.Support@cherwell-dc.gov.uk>

**Subject:** 20/02603/PLCON

Good afternoon,

This department has the following response to this application as presented:

**Noise**

Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

**Air**

Measures should be in place to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. Ideally we would like to see an EV charge point to allow for the future uptake of EV's by all residents to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

**Light**

No comments

**Contaminated Land**

As this is a sensitive development i.e. residential, I would like to see evidence that consideration of the risk from land contamination to the development has been taken. Given the scope of the development, I recommend the attached questionnaire is completed and returned before the application is decided. If it isn't, or highlights a potential risk from land contamination, I recommend the full contaminated land conditions are applied.

**Odour**

No comments

Kind regards,

**Emma Jones**  
**Environmental Protection Officer**

**Regulatory Services & Community Safety**  
**Cherwell District Council**



## Sensitive Use Questionnaire

This questionnaire is to be used for all planning applications that involve creation of a use that would be particularly vulnerable to land contamination, such as new residential units. The information requested in this questionnaire is considered to be an appropriate contamination assessment and sufficient to comply with Question 15 of the 1APP form.

Examples of vulnerable end uses and potentially contaminating land uses are contained in Appendix One. Residential developments should only complete this questionnaire if one or more new residential units will be created.

If any part of the development site is known or suspected to be contaminated, a full phase one preliminary risk assessment is likely to be required. The information you provide in this questionnaire will help us make an informed decision as to whether a more formal assessment of land contamination is necessary.

In order to assess whether a proposed development is suitable, the applicant must satisfy the Local Planning Authority that there is no unacceptable risk from contamination. This questionnaire seeks information about the proposed development and the previous uses of the site and will help us assess whether contaminated land is an issue. It is therefore essential that you answer the questions accurately and thoroughly. Failure to provide the required information will result in the questionnaire being rejected and may delay your planning application decision.

This questionnaire is available on the contaminated land pages of the councils' web sites. For more information contact the Environmental Protection Team on:

Vale of the White Horse: 01235 540555  
South Oxfordshire District Council: 01491 823203  
Oxford City Council: 01865 249811  
Cherwell District Council: 01295 221622

### **Obtaining Historical and Environmental Site Data**

Historical mapping from 1843 to the present day is required to complete the questionnaire. This information might be available from the library free of charge and can be purchased from commercial search companies such as, but not limited to, Landmark and Groundsure. Historical mapping can be viewed for free and copies of mapping purchased at <http://www.old-maps.co.uk/index.html>.

Landfill and pollution incident data can be obtained from the Environment Agency website, free of charge on the following link:

<http://www.environment-agency.gov.uk/homeandleisure/37793.aspx>

# Sensitive Use Questionnaire

Please complete in BLOCK LETTERS for written submissions.

## 1. Development Details

i) Site Name	
Site Address	
Post Code	
Planning Reference (if known) Eg. 10/99999/FUL or P10/E1111	

(tick all that apply)	Residential	Agricultural	Commercial	Industrial	Other (specify)
ii) What is the proposed site use?					
iii) What is the existing site use?					
iv) What has the site previously been used for in the past 150 years?					
v) What is the current use of adjacent land?					
vi) What has the adjacent land been used for in the past 150 years?					

## 2. Site History, Land and Building Use

i) If the use of the site has changed, please give date of any known change(s)		
From	To	Land Use

ii) List existing buildings and describe how they are currently and have previously been used.	
--	--

iii) Have any fuels or chemicals ever been stored on the site? (Please tick)	Yes	
	No	
iv) Have there been any fuel/chemical spills or leaks on the site? (Please tick)	Yes	
	No	

If your answer to either of the above questions is 'Yes' please state the type of fuel/ chemical stored, location and details of any spillages including the quantity, location and any action taken to clear the spill if this information is known.

v) Have there been any waste disposal activities (including the burning of waste) carried out on site? (Please tick)	Yes	
	No	
vi) Have there been any waste disposal activities carried out within 250 metres of the site? (Please tick)	Yes	
	No	

If the answer is 'Yes' please detail the areas where waste is or has been stored and the type of waste/ quantity present if this information is known.

For information on landfill sites please refer to the Environment Agency website.

vii) Have there been any pollution incidents, either reported or unreported, on or adjacent to the site? (Please tick)	Reported		Unreported	
	Yes	No	Yes	No
Details of reported pollution incidents are available from the Environment Agency's website.				

If the answer is 'Yes' please detail the areas where the pollution incident occurred and give information on the type of pollution, quantity and date of occurrence if this information is known.

### 3. Signs of Land Contamination

Please detail any signs of ground contamination and any evidence of past industrial use. For example ground staining, discoloration, chemical odours, unnatural ground conditions, industrial structures, oil storage.

Please also indicate the distance of any surrounding industrial use including fuel tanks, from the boundary of the development site.

#### 4. Importing Top Soil

Do you intend to import any soil or soil forming materials onto the site for use in garden areas, soft landscaping or for filling or level raising? (Please tick)	Yes	
	No	

**Note:** If the above answer is yes, independent chemical analysis of the soils will be required and the following information needs to be provided to the Local Planning Authority to confirm the soils are suitably free from chemical contamination:

- The source of the soil
- The proposed sampling frequency (minimum of three samples for each source of material are required)
- The proposed analytical suite of contaminants including heavy metals, total petroleum hydrocarbons (TPH), speciated polyaromatic hydrocarbons (PAH's) and other contaminants deemed necessary
- The assessment criteria against which analytical results will be compared to assess the suitability for use.

#### 5. Previous Land Contamination Reports

If you are in possession of or have access to any previous land contamination reports relating to the site, please provide this information in support of the application, along with an interpretation of the risks to the proposed development.		
Report(s) and interpretation enclosed? (Please tick)	Yes	
	No	
Please provide a brief description of enclosed reports		

#### 6. Declaration

Based on your knowledge of the development site and the information you have provided in this questionnaire, please state whether land contamination is suspected, may be present or may be a risk to all or part of the proposed development? (Please tick)	
Land contamination is suspected, may be present or may be a risk to the proposed development	
Land contamination is not suspected and there is no information to suggest that land contamination may be present or may pose a risk to the development	

**Please sign below to confirm that all the information given on this questionnaire is correct to the best of your knowledge.**

<b>Name</b>	
<b>Date</b>	
<b>Sign</b>	

## Appendix One – Examples of Vulnerable End Uses and Potentially Contaminating Land Uses

A. This is a list of vulnerable end uses that are particularly sensitive to land contamination. If you are in any doubt about the vulnerability of a proposed use please speak to the council's Contaminated Land Officer:

- All residential developments (houses, flats, nursing homes)
- Allotments
- Schools
- Nurseries and crèches
- Children's playing areas and playing fields
- Mixed use developments including any of the above uses

B. This is a list of potentially contaminating land uses, which is derived from Annex Two of Planning Policy Statement 23: Planning and Pollution Control (2004). Further details are available in the Department of the Environment Industry Profiles, which are available to download free of charge from the Environment Agency website.

- Smelters, foundries, steel works, metal processing & finishing works
- Coal & mineral mining & processing, both deep mines and opencast
- Heavy engineering & engineering works, e.g. car manufacture, shipbuilding
- Military/defence related activities
- Electrical & electronic equipment manufacture & repair
- Gasworks, coal carbonisation plants, power stations
- Oil refineries, petroleum storage & distribution sites
- Manufacture & use of asbestos, cement, lime & gypsum
- Manufacture of organic & inorganic chemicals, including pesticides, acids/alkalis, pharmaceuticals, solvents, paints, detergents and cosmetics
- Rubber industry, including tyre manufacture
- Munitions & explosives production, testing & storage sites
- Glass making & ceramics manufacture
- Textile industry, including tanning & dyestuffs
- Paper & pulp manufacture, printing works & photographic processing
- Timber treatment
- Food processing industry & catering establishments
- Railway depots, dockyards (including filled dock basins), garages, road haulage depots, airports
- Landfill, storage & incineration of waste
- Sewage works, farms, stables & kennels
- Abattoirs, animal waste processing & burial of diseased livestock
- Scrap yards
- Dry cleaning premises
- All types of laboratories

Other uses and types of land that might be contaminated include:

- Radioactive substances used in industrial activities not mentioned above e.g. gas mantle
- production, luminising works
- Burial sites & graveyards
- Agriculture excessive use or spills of pesticides, herbicides, fungicides, fuel, sewage sludge & farm/ other waste disposal. Agricultural/ other vehicle maintenance.
- Motor vehicle maintenance
- Fuel storage including domestic heating oil tanks
- Naturally occurring radioactivity, including radon
- Naturally occurring elevated concentrations of metals and other substances
- Methane & carbon dioxide production & emissions in coal mining areas, wetlands, peat moors or former wetlands

Sensitive Use Questionnaire

## Rachel Tibbetts

---

**From:** Bob Neville  
**Sent:** 01 June 2020 11:50  
**To:** DC Support  
**Subject:** FW: Consultation on 20/00964/OUT - The Beeches Heyford Road Steeple Aston

---

**From:** Tim Screen <Tim.Screen@Cherwell-DC.gov.uk>  
**Sent:** 26 May 2020 12:19  
**To:** Bob Neville <Bob.Neville@cherwell-dc.gov.uk>  
**Subject:** RE: Consultation on 20/00964/OUT - The Beeches Heyford Road Steeple Aston

Hi Bob

Aspect's Landscape Planning's photomontage at year 10 is a reasonable projection of the height of structural vegetation for the benefit of visual receptors on the PRoW to the west on the site. I note from the indicative layout that an ecological 3 m wide buffer protected by fencing is to be installed to the western and northern boundaries. This should be included along to southern boundary to ensure protection for structural screening vegetation and the wildlife corridor. As mentioned previously by me the residents by be encouraged to cut down this structural vegetation for more light to reach their gardens. This will open up harmful views of the development for the aforementioned visual receptors.

I look forward to the submission of hard and soft landscape proposals, with tree pit details. The 'protected' landscape structure to the boundaries should be indicated on landscape proposals and housing layout plans. I would hope that a restrictive covenant on the sale of the homes would protect the landscape structure/ecological buffer to the boundaries.

Regards

Tim

**Tim Screen CMLI**  
Landscape Architect  
Environmental Services  
Cherwell District Council

 Direct Dial 01295 221862 Mobile 07854 219751

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

**Follow us:**

**Facebook:** [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)

**Twitter:** @Cherwellcouncil



This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

## Bob Neville

---

**From:** Matthew Barrett  
**Sent:** 30 April 2020 15:25  
**To:** Nathanael Stock  
**Cc:** Bob Neville  
**Subject:** RE: Beeches Steeple Aston

Hi Nat, Bob

Something to chew on (See below)

Bottom line here is that I am entirely satisfied that Bob's report is sound in law and approached in a procedurally correct way and that any criticism of it and how the decision was reached would not stand a second's scrutiny in the Courts.

That doesn't, of course, mean that if we refuse again and they appeal that there would be no chance of that appeal being allowed. The site clearly has a few points going for it but that's the balancing exercise you carry out routinely and which a planning inspector will do in determining any appeal.

Frankly, the whole thing looks like straw grabbing.

**Matthew Barrett** LL.B Solicitor  
**Planning Solicitor - Planning & Litigation**  
Law and Governance  
Cherwell District Council

DDI: 01295 753798  
Mobile: 07939 118871

**P** Please consider the environment before printing this email

---

**From:** Nathanael Stock <Nathanael.Stock@Cherwell-DC.gov.uk>  
**Sent:** 16 April 2020 22:47  
**To:** Matthew Barrett <Matthew.Barrett@cherwell-dc.gov.uk>  
**Cc:** Bob Neville <Bob.Neville@cherwell-dc.gov.uk>  
**Subject:** RE: Beeches Steeple Aston

Hi Matthew,

I was looking to set up a 8x8 video call with you me and Bob but technology has not permitted. I have logged a call with IT for it to be fixed. In the meantime, thoughts on Peter Goatley's advice note as follows:

6 and 7 – Peter Goatley has either misunderstood or not properly thought this through. The Mid Cherwell NP allows for some development at Steeple Aston, but had to be in conformity with the strategic policies of the Local Plan including ESD1. Policy Villages 1 allows for minor development within the built form of the village. The site is not within the built form of the village. Policy Villages 2 allows for development of 10 or more houses at (which includes land outside of but adjacent to) Cat A villages. The proposal is not for 10 or more houses. The proposal conflicts with PV1 and PV2. These two policies set out the parameters within which new development outside of the urban areas will be acceptable. The proposal conflicts with both policies, ergo it is in an unsustainable location for new



residential development. **[MJB]** This is an attempt at salami slicing the policy context. Your analysis is clearly the correct one. This sort of thing has recently been through the Courts and PG's approach is just plainly wrong.

13 – The NP doesn't require that ability to be devolved. It is entirely reasonable and appropriate for the NP to define a settlement boundary. Where a NP has been adopted, it has taken over the role of detailed plan making, i.e. plan making below the strategic level. **[MJB]** Only if an NP seeks to actually change a policy (e.g. we say an area is in the Green Belt, the NP tries to exclude it; or vice versa) would there be an issue and that is covered in detail in the regulations governing the making of NPs. Like you, I see no justification in law for this stance. The NP is part of the development plan and is to be followed unless material considerations indicate otherwise. The local plan could designate a site that was excluded from a NP but that raises a number of procedural issues and simply isn't the case here.

17 – As above, it IS permissible for the NP to set settlement boundaries. Peter Goatley seems to misunderstand the purposes of NPs! It is not a case of there being "nothing to preclude the assessment being made that pursuant to the local plan: that the site falls within the built-up area of the settlement". (A) That is the role of the NP as the 'Part 2 Plan' for the area and (B) it is a judgment to be made by the local planning authority having regard to the development plan. **[MJB]** Agreed, in spades!

18 – There is no "purporting" about it. The officer DID assess the proposal against the relevant criteria. **[MJB]** Unfortunate use of language!

19 – With respect, the site's physical relationship to the village is not irrelevant. **[MJB]** Whether something is 'immediately adjacent' is always going to be a planning judgment. In reaching that judgment the decision maker will look at a number of factors and features on the ground will often influence that judgment. I agree that when looking at it as a whole the assessment of the site being 'divorced' from the pattern of the village is valid and to say it is 'irrelevant' is wrong in law.

20 – Suffice to say that a site's status as PDL doesn't automatically mean one grants PP. **[MJB]** Yes; Goatley is guilty of doing exactly what he accuses Bob of doing!!

21 – Regardless of it being PDL, it has a rural character that relates more to the countryside than to the village. We need to be appraised of the judgement to which Mr Goatley refers. Is it relevant? **[MJB]** I'll dig out Stroud, but Goatley makes a fundamental error here. I don't think this area is within the Beeches curtilage. It may be part of the same parcel of land, it may be the same planning unit, but 'curtilage' and 'planning unit' are not synonymous. That row of trees probably is the best definition of the curtilage (Again, a planning judgment, but it's sort of an easy one to make) so Bob's assessment of the site being more akin to a rural landscape is one he would be entitled to make. I'd add here that interpretation of policy is a matter for the decision maker and the Courts will only intervene if that interpretation is irrational

23 – A difference of opinion, between a chartered landscape professional and a QC, on landscape matters. **[MJB]** Yes, all lawyers who practice in this field are guilty of stepping over that line from time to time. When all else fails, try looking at the evidence! I get the distinct impression that the applicants were/are saying 'Don't worry about the landscape/visual impact, we'll hide it behind some landscaping'. Oh to have £10 for every time I've seen this. It does work at times; the M40 Oxford Services are an excellent example, but that's because one was dealing with a development that had to go somewhere and the containment in the landscape as opposed to the competition carried the day. If we were miles short of a 5YHLS then I could see the force in this. As it is, I think it's a cheep argument that rarely works.

26 – It is not clear on what basis Mr Goatley makes this statement. **[MJB]** It's not a 'plus' for the development, just a neutral, which they are trying to turn into a positive. It'll never carry much weight.

27 – The point is that the Chair of Planning Committee declined the request for it to be called in. **[MJB]** This is a 'So what?' point. Couldn't think of a faster way to get an inspector to 'glaze over'.

31 – It was the reasonable conclusion of the Chair of Planning Committee that in this instance Members could not reasonably form a different view to that of the officers. **[MJB]** I think as I've advised before delegated powers are

there to be exercised, not thrown back at the least sign of anything controversial. I have worked at authorities where any one Member had an absolutely right to 'call-in' an application and have therefore sat through many a debate along the lines of 'I have no idea why we've got this' and a 20 v 1 decision to approve. If Goatley's logic were applied universally we'd be back to committee meetings with 20-30 items that tie up all your resources and go on past midnight.

We would be very interested in your thoughts, in particular your view of the high court judgement, relevance thereof.

If technology allows, would it be convenient to speak tomorrow Friday? Alternatively next Monday or Tuesday?

Kind regards,  
Nat

**Nathanael Stock MRTPI**  
**Team Leader – General Developments Planning Team**  
Development Management  
Place and Growth Directorate  
Cherwell District Council  
Direct Line: 01295 221886  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Details of applications are available to view through the Council's Online Planning Service at <http://www.publicaccess.cherwell.gov.uk/online-applications>  
Instructions on how to use the Public Access service to **view, comment on and keep track of applications** can be found at <http://www.cherwell.gov.uk/viewplanningapp>

Follow us:  
Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)  
Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 09:15 hrs to 17:15 hrs.

**Coronavirus (COVID-19):** In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk). For the latest information about how the Planning Service is impacted by COVID-19, please check the website: [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk).

---

**From:** Matthew Barrett <[Matthew.Barrett@cherwell-dc.gov.uk](mailto:Matthew.Barrett@cherwell-dc.gov.uk)>  
**Sent:** 16 April 2020 15:35  
**To:** Nathanael Stock <[Nathanael.Stock@Cherwell-DC.gov.uk](mailto:Nathanael.Stock@Cherwell-DC.gov.uk)>  
**Subject:** RE: Beeches Steeple Aston

At your convenience, nothing in the diary for tomorrow or any time up to 6.30 today

**Matthew Barrett** LL.B Solicitor  
**Planning Solicitor - Planning & Litigation**  
Law and Governance  
Cherwell District Council

DDI: 01295 753798  
Mobile: 07939 118871

**P** Please consider the environment before printing this email

Reference: 013683 / 00304455

---

**From:** Nathanael Stock <[Nathanael.Stock@Cherwell-DC.gov.uk](mailto:Nathanael.Stock@Cherwell-DC.gov.uk)>  
**Sent:** 16 April 2020 15:33  
**To:** Matthew Barrett <[Matthew.Barrett@cherwell-dc.gov.uk](mailto:Matthew.Barrett@cherwell-dc.gov.uk)>  
**Cc:** Bob Neville <[Bob.Neville@cherwell-dc.gov.uk](mailto:Bob.Neville@cherwell-dc.gov.uk)>  
**Subject:** RE: Beeches Steeple Aston

Hi Matt,

Thanks for your email – very prompt...albeit that I am having a 1:1 with Bob right at the mo... Shall we set up a meeting for later on this afternoon or tomorrow – Bob how are you fixed?

Kind regards,  
Nat

**Nathanael Stock MRTPI**  
**Team Leader – General Developments Planning Team**  
Development Management  
Place and Growth Directorate  
Cherwell District Council  
Direct Line: 01295 221886  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Details of applications are available to view through the Council's Online Planning Service at <http://www.publicaccess.cherwell.gov.uk/online-applications>  
Instructions on how to use the Public Access service to **view, comment on and keep track of applications** can be found at <http://www.cherwell.gov.uk/viewplanningapp>

Follow us:  
Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)  
Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 09:15 hrs to 17:15 hrs.

**Coronavirus (COVID-19):** In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk). For the latest information about how the Planning Service is impacted by COVID-19, please check the website: [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk).

---

**From:** Matthew Barrett <[Matthew.Barrett@cherwell-dc.gov.uk](mailto:Matthew.Barrett@cherwell-dc.gov.uk)>  
**Sent:** 16 April 2020 15:30  
**To:** Nathanael Stock <[Nathanael.Stock@Cherwell-DC.gov.uk](mailto:Nathanael.Stock@Cherwell-DC.gov.uk)>  
**Subject:** RE: Beeches Steeple Aston

I'm sat in my office, cup of tea at hand and if it helps we can talk one to one on the 8x8 now

**Matthew Barrett** LL.B Solicitor  
**Planning Solicitor - Planning & Litigation**  
Law and Governance  
Cherwell District Council

DDI: 01295 753798  
Mobile: 07939 118871

**P** Please consider the environment before printing this email

Reference: 013683 / 00304452

---

**From:** Nathanael Stock <[Nathanael.Stock@Cherwell-DC.gov.uk](mailto:Nathanael.Stock@Cherwell-DC.gov.uk)>  
**Sent:** 16 April 2020 14:58  
**To:** Matthew Barrett <[Matthew.Barrett@cherwell-dc.gov.uk](mailto:Matthew.Barrett@cherwell-dc.gov.uk)>  
**Cc:** Bob Neville <[Bob.Neville@cherwell-dc.gov.uk](mailto:Bob.Neville@cherwell-dc.gov.uk)>  
**Subject:** Beeches Steeple Aston

Hi Matt,

I understand that Bob has consulted you on the above. Please can we discuss over the phone before you 'put pen to paper'?

Kind regards,  
Nat

**Nathanael Stock MRTPI**  
**Team Leader – General Developments Planning Team**  
Development Management  
Place and Growth Directorate  
Cherwell District Council  
Direct Line: 01295 221886  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Details of applications are available to view through the Council's Online Planning Service at <http://www.publicaccess.cherwell.gov.uk/online-applications>  
Instructions on how to use the Public Access service to **view, comment on and keep track of applications** can be found at <http://www.cherwell.gov.uk/viewplanningapp>

Follow us:  
Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)  
Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 09:15 hrs to 17:15 hrs.

**Coronavirus (COVID-19):** In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk). For the latest information about how the Planning Service is impacted by COVID-19, please check the website: [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk).

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

TO: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)

15<sup>th</sup> May 2020

## RESPONSE TO PLANNING APPLICATION 20/00964/OUT

### ERECTION OF UP TO 8 DWELLINGS: THE BEECHES, HEYFORD ROAD, STEEPLE ASTON

Thank you for consulting MCNP Forum on the resubmission of this application, together with Counsel's opinion, which makes a number of references to the Mid-Cherwell Neighbourhood Plan. We have the following comments:

An important question is whether MCNP's policy PD1 – Development at Category A Villages applies to this application, in particular in relation to the location of the site and the approved settlement area for Steeple Aston. Counsel's opinion (para 17) states that CLP Policy Villages 1 is a strategic policy (referring to it as one of the "hierarchical superior" policies in the Local Plan). Because of this, Counsel takes the view that MCNP policy PD1 is of no effect. We have, however, looked at the report of the Independent Examiner of the MCNP, dated December 2018, from which the following quote is taken (para.43):

*"In several instances, CDC has identified differences between the policies of the CLP and the MCNP and I have had to consider whether these mean that these policies do not meet the "basic conformity" test. In some cases, it has been necessary to recommend modifications. In others, notably the approach in Policy PD1 to the definition of the settlement area in Category A villages and to development outside it, I have been satisfied that the distinct approach here does not undermine the intentions of the strategic policy. Taking the Plan as a whole, and subject to the modifications I have recommended, I am satisfied that it is in general conformity with the policies of the CLP."*

CDC did not disagree with that finding of the Examiner, and the MCNP was subsequently "made" and became a formal part of the Cherwell Development Plan in May 2019. As a result, the MCNP is the most recent part of the development plan and, as there is no conflict (para. 30 of the NPPF), **MCNP policy PD1 therefore takes precedence over Policies Villages 1 and Villages 2.**

This finding is supported by CDC officers in their report to Committee on another recent application in Steeple Aston (19/02948/F), which stated:

*"In assessing new residential development on the edge of Category A villages regard must be had to the provisions of Policy PD1 as set out above. Policy PD1 is considered to be in conformity with Policy Villages 2 of the CLP 2031 and largely reflects its provisions and aims. However, given that Policy PD1 is a more recently adopted policy, specific (in this instance) to Steeple Aston, officers consider that greater weight should be given to this policy in consideration of the principle of development in this instance."*

The effect of all this is that The Beeches is outside the settlement area (ie the built-up area) of the village, which is contrary to Counsel's misguided opinion.

The important point about this - as stated in MCNP's letter of objection to the previous application - is that the omission of The Beeches and its entire garden from the settlement area was deliberate, as it was a prime example of the type of large site on the edge of the village on which the MCNP did not wish to encourage development - an intent that is the whole purpose of having a settlement area policy. This discouragement of development on the site in question was effectively endorsed by both the Examiner and by CDC in their agreement to the outline of the settlement area for Steeple Aston, and it is therefore an important and material planning policy reason for considering refusal of the application, subject to criteria.

As regards the criteria for PD1, we argued in our earlier objection that the former paddock land is not "immediately adjacent" to the settlement area (criterion a), and that new housing on the site would significantly change the shape of the settlement area, allowing it to encroach on open countryside behind the linear frontage of Heyford Road housing, and would fail to conserve or enhance the landscape (criterion c).

We therefore considered that the proposed development did not succeed in complying with the required criteria for approval under policy PD1 - a significant reason for refusal. We make the same objection to the resubmitted application.

**CONCLUSION: Mid-Cherwell Neighbourhood Plan Forum objects to this application on the grounds that it does not meet all the key criteria of MCNP Policy PD1, which has greater weight than Local Plan policies Villages 1 and 2.**

**Mid-Cherwell Neighbourhood Plan Forum, May 2020**

**From:** Archaeologydc - E&E <Archaeologydc@Oxfordshire.gov.uk>  
**Sent:** 09 April 2020 12:48  
**To:** Planning <Planning@Cherwell-DC.gov.uk>  
**Subject:** RE: Planning notification for application reference: 20/00964/OUT

Dear Sir or Madam

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Regards

*Richard*

Richard Oram  
Planning Archaeologist

Archaeology  
County Hall  
New Road  
Oxford  
OX1 1ND

 Save money and paper - do you really need to print this email?

**From:** CDC Development Management <[planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)>  
**Sent:** 09 April 2020 11:33  
**To:** Archaeologydc - E&E <[Archaeologydc@Oxfordshire.gov.uk](mailto:Archaeologydc@Oxfordshire.gov.uk)>  
**Subject:** Planning notification for application reference: 20/00964/OUT

Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk) [www.cherwell.gov.uk](http://www.cherwell.gov.uk) Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil) Follow us on Twitter @Cherwellcouncil

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..



This email, including attachments, may contain confidential information. If you have received it in error, please notify the sender by reply and delete it immediately. Views expressed by the sender may not be those of Oxfordshire County Council. Council emails are subject to the Freedom of Information Act 2000. [email disclaimer](#). For information about how Oxfordshire County Council manages your personal information please see our [Privacy Notice](#).

## **Consultation from Cherwell District Council**

### **Application no: 20/00964/OUT**

**Proposal:** Erection of up to 8 No dwellings with all matters reserved except the means of access onto Heyford Road.

**Location:** The Beeches Heyford Road Steeple Aston Bicester OX25 4SN.

## **Oxfordshire County Council – Response as Mineral Planning Authority**

### **Key issues:**

The application site is partly within an area underlain by deposits of soft sand, which extend across the adjoining land to the west. These mineral resources are of long-term strategic importance for mineral supply in Oxfordshire and are safeguarded under policy M8 of the Minerals and Waste Local Plan: Part 1 – Core Strategy, adopted September 2017. The application should be considered against this policy.

The application site itself is in residential use and is not available for possible mineral working; and there are existing constraints on possible future mineral working within the area of agricultural land to the west of the application site. In view of these factors, any additional indirect sterilisation that would result from the proposed housing development is likely to be small and not significant enough to justify an objection to this development on mineral safeguarding policy grounds.

### **Detailed comments:**

Published BGS mapping shows the application site to be on the eastern edge of an area underlain by deposits of sand of the Middle Jurassic Horsehay Sand Formation. These deposits underlie the agricultural land extending to the west of the site and only the westernmost part of the site itself may be underlain by these deposits. These deposits occur within a relatively limited area in this part of northern Oxfordshire and are currently quarried at Duns Tew.

The Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy, adopted September 2017 (Core Strategy) identifies strategic resource areas as principal locations for mineral extraction (policy M3). For soft sand, these areas include 'The Duns Tew area'. Most of the application site lies within this strategic resource area, as also does the adjoining land to the west. 'The Duns Tew area' strategic resource area is also identified in the Core Strategy as a Mineral Safeguarding Area for soft sand (as shown on the Policies Map), to which policy M8 of the Core Strategy on safeguarding mineral resources applies. These sand deposits are of long-term strategic importance for aggregate mineral supply in Oxfordshire.

The application should be considered against policy M8 of the Core Strategy, which forms part of the development plan.

Policy M8 states:

“Mineral resources in the Mineral Safeguarding Areas shown on the Policies Map are safeguarded for possible future use. Development that would prevent

or otherwise hinder the possible future working of the mineral will not be permitted unless it can be shown that:

- The site has been allocated for development in an adopted local plan or neighbourhood plan; or
- The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or
- The mineral will be extracted prior to the development taking place.”

The first and third bullets do not apply in this case but the second bullet should be addressed in the application and in its determination.

The planning application does not appear to address mineral safeguarding; and the Planning Statement does not refer to the Minerals and Waste Local Plan and does not mention mineral safeguarding policy or the impact of the proposed development on mineral resources.

The County Council has previously objected to this proposal. I note that in a response on 8<sup>th</sup> May 2019 the County Council responded to say that following further information from the applicant, the County Council officer at that time had withdrawn his initial objection. I am surprised at this as the response starts by saying that the response received had not met the policy concerns. In addition I do not concur with the assessment of the effect on mineral sterilisation. On a further point, a later response sent on 3<sup>rd</sup> September 2019 to application 19/01601/OUT did raise an objection.

The application site itself is a dwelling and associated residential curtilage, currently occupied by a narrow-gauge railway and associated structures, and is therefore previously developed land. It is therefore unlikely that the application site itself would be available for mineral working. Consequently, the sterilisation of any mineral resource within the application site is not a significant issue.

The proposed housing development would be likely to prevent or otherwise hinder working and thereby effectively to sterilise mineral deposits within adjoining land to the west, due to the need there would be for unworked margins (a buffer zone) between any future mineral working and the dwellings in order to protect the amenity of the occupants. Paragraph 6.25 of the supporting text to policy C5 of the OMWCS states that standard buffer zones are not specified, and that in line with National Planning Practice Guidance on the minerals the extent of any buffer zone should be decided on a case by case basis.

The site is an existing residential curtilage and already imposes some constraint on possible mineral working within the adjoining land to the west, but the extension of residential premises to the west would have a greater effect on the requirement to provide a buffer between the mineral working and the sensitive receptor, and lead to sterilisation of the mineral resource. The existing housing on the south west edge of Steeple Aston village, including The Crescent, Lawrence Fields, Harrisville, Jubilee Close and houses to the west of that road, would restrict the area of any possible future mineral working within the area of agricultural land to the south west of Steeple Aston, but the proposed development would increase that area of sterilisation.

In the absence of any justification that the need for the development outweighs the economic and sustainability considerations relating to the mineral resource, the proposed development is contrary to policy M8 of the Oxfordshire Minerals and Waste Local Plan Part 1 - Core Strategy. If such a justification is provided, I would be happy to reconsider the development against policy M8.

**Response:**

The County Council **objects** to this application on the grounds that it is contrary to policy M8 of the Oxfordshire Minerals and Waste Local Plan Part 1 - Core Strategy.

Kevin Broughton

Principal Minerals & Waste Policy Officer

01/05/2020

**CHERWELL DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION - PLANNING APPLICATION**

Case officer : Bob Neville    Date : 21/04/20

**Application No: 20/00964/OUT**  
**Applicant's Name: Adrian Shooter**

**Proposal: Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road**

**Location:**  
**The Beeches, Heyford Road**  
**Parish: Steeple Aston**

**Expected Decision**  
**Level:**

---

Please complete ONE of the following sections and return to Head of Planning and Development Services at Bodicote House within **21 days** of date of consultation letter :

I. The Parish Council wishes to raise no objections to the application and has no further observations.

Signed: Cathy Fleet , Steeple Aston Parish Clerk

Date:21/04/20

On behalf of .....STEEPLE ASTON.....(Parish Council):

## Bob Neville

---

**From:** Carmichael Ian <Ian.Carmichael@thamesvalley.pnn.police.uk>  
**Sent:** 01 May 2020 14:54  
**To:** Bob Neville  
**Cc:** Planning  
**Subject:** Planning ref: 20/00964/OUT. The Beeches Heyford Rd Steeple Aston OX25 4SN.

**FAO: Bob Neville**

Dear Bob

**Planning ref: 20/00964/OUT. The Beeches Heyford Rd Steeple Aston OX25 4SN.**

During a regular review of planning lists I noticed the application above and felt it would benefit from police advice, so I have reviewed the submitted documents.

Although I have no objections to the proposals, I do have some concerns in relation to community safety/crime prevention design. If these are not addressed I feel that the development may not meet the requirements of;

- The National Planning Policy Framework 2018, Section 12 'Achieving well-designed places', point 127 (part f), which states that; 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. And;
- HMCLG's Planning Practice Guidance on 'Design', which states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.'

In addition, it appears that the Design and Access Statement (DAS) does not adequately address crime and disorder as required by CABE's 'Design & Access Statements- How to write, read and use them'. This states that DAS' should; 'Demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime'.

Therefore, to address these concerns and ensure that the opportunity to design out crime is not missed, I request that the following (or a similarly worded) condition be placed upon any approval for this application;

Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.

With the above in mind, I offer the following advice in the hope that it will assist the authority and applicants in creating a safer and more sustainable development, should approval be granted and the scheme move to a reserved matters application:

- There is 'undercroft' parking proposed for Plots 1 and 2. These type of features make vehicles, residents and the rear of properties vulnerable. I recommend that garages are provided instead, as they are for the rest of the plots.
- The applicants should ensure that properties have windows of active rooms overlooking their parking where this is located beside or in between dwellings. This would enhance ownership and natural surveillance. Active rooms include living rooms, kitchens and hall ways. Studies, bedrooms, bathrooms/toilets etc. are not considered active.

Looking forward, any reserved matters application relating to this development would also need to consider and incorporate;

- o Appropriate and sustainable natural surveillance to/from the dwellings and across the site.
  - o Adequate lighting to police recommended standards.
  - o Provision of defensible space where any private dwelling building fabric adjoins public or semi-public space.
  - o Installation of appropriate boundary treatments for private gardens with toppings that help to prevent climbing.
  - o A holistic approach to landscape and lighting provision to ensure neither are compromised during the lifetime of the development.
  - o Utility meters installed where access can be gained without entering private spaces or provision of meters that can be read remotely.
  - o Provision of secure cycle storage to SBD standards.
- Finally, I would also like to remind the applicants that Building Regulations Part Q will require them to install doors and windows that 'Resist unauthorised access to... new dwellings'. Advice on how to achieve this can be found in Building Regulations Approved Document Q and in SBD's New Homes Guide. Details can be found at; <https://www.securedbydesign.com/guidance/design-guides>

The comments above are made on behalf of Thames Valley Police and relate to crime prevention design only. I hope that you find them of assistance in determining the application and if you or the applicants have any queries relating to crime prevention design in the meantime, please do not hesitate to contact me.

Regards

**Ian Carmichael**

Crime Prevention Design Advisor | Oxfordshire | Local Policing | Thames Valley Police

Mobile: 07967 055125

Email: [ian.carmichael@thamesvalley.pnn.police.uk](mailto:ian.carmichael@thamesvalley.pnn.police.uk)

Thame Police Base, Wenman Rd, Thame, Oxon, OX9 3RT.

\*\*\*\*\*

Thames Valley Police currently use the Microsoft Office 2013 suite of applications. Please be aware of this if you intend to include an attachment with your email. This communication contains information which is confidential and may also be privileged. Any views or opinions expressed are those of the originator and not necessarily those of Thames Valley Police. It is for the exclusive use of the addressee(s). If you are not the intended recipient(s) please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to: [informationsecurity@thamesvalley.pnn.police.uk](mailto:informationsecurity@thamesvalley.pnn.police.uk) and to the sender. Please then delete the e-mail and destroy any copies of it. Thank you.

\*\*\*\*\*

From: [BCTAdmin@thameswater.co.uk](mailto:BCTAdmin@thameswater.co.uk)  
Sent: 14 April 2020 12:01  
To: Planning <[Planning@Cherwell-DC.gov.uk](mailto:Planning@Cherwell-DC.gov.uk)>  
Subject: 3rd Party Planning Application - 20/00964/OUT

Cherwell District Council  
Planning & Development Services  
Bodicote House  
Bodicote, Banbury  
Oxon  
OX15 4AA

Our DTS Ref: 60649  
Your Ref: 20/00964/OUT

14 April 2020

Dear Sir/Madam

Re: THE BEECHES, HEYFORD ROAD, STEEPLE ASTON, BICESTER, OXFORDSHIRE , OX25 4SN

#### Waste Comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments



If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ