



ET Planning

Planning statement for the erection of 1 dwelling

Client:

Mr A Bradbury

Land NE of Fringford Study Centre

Adjoining Rectory Lane, Fringford, OX27 8DD

*Proposed erection of a 4 bedroom detached
dwelling with garage and access*

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1. Introduction

- 1.1 This statement is produced to support a planning application for the erection of a 4-bedroom detached dwelling with associated garage and access.
- 1.2 A previous planning application was submitted in regard to the application site under reference 20/01/891/F. This application was refused. An appeal was then submitted under APP/C3105/W/21/3270400 which was dismissed.
- 1.3 We consider that the sole issue of archaeology has now been addressed within this resubmission. An Archaeological Assessment prepared by Abrams Archaeology accompanies this application.
- 1.4 The scheme is identical to that previously considered at appeal, with the only change the submission of additional information relating to archaeology as referred to above.
- 1.5 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.6 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed.
- 1.7 The relevant application fee of £462 will be submitted by the applicant separately.

2. Site Location and Description

- 2.1 The village of Fringford is situated approximately six kilometres to the north of Bicester town centre and is a rural village set adjacent to a tributary of the Little Ouse River and mature and established farmland.
- 2.2 Fringford is an established, mature and attractive village set within an historical and sylvan countryside. The village contains a historic church, village pub, cricket field, village hall, parish C of E Primary School and Nursery. Fringford village provides these facilities and is also within travel distance of Bicester where full shopping facilities, main schools, medical facilities as well as recreational and workplace facilities are located.
- 2.3 Within the village there is a bus stop in main street which is for all local services and access into Bicester for main bus and rail services to towns further afield. A short walk to the main A 4421 provides access to a bus stop on the junction with Stratton Audley Road giving direct access to Bicester and Buckingham.
- 2.4 Therefore, the facilities provided within Fringford alongside the suitable transport links to Bicester ensures that this location is suitable for residential development.
- 2.5 Fringford village has a mixture of architecture with no specific vernacular; although, the majority of the older historic buildings are of a cottage style constructed in local stone with either a plain clay tile roof or natural slate with white timber casement windows. Most buildings within the village are two storeys.
- 2.6 Rectory Lane serves a few properties including two other cul-de-sacs of Farriers Close and Little Paddocks. Farriers Close is a development

of four two storey detached houses, approved under reference 95/00702/OUT.

- 2.7 The site is on the corner of Rectory Lane and Farriers Close and is a small open area of land some 0.06 hectares in area. On the northern boundary with Farriers Close stand a line of mature trees covered by a Tree Preservation Order (TPO) with mature hedging under. These trees are covered by TPO 11/97.
- 2.8 The land is slightly raised above the level of Rectory Lane but is fairly level with a 3-metre-high mixed species hedge fronting the road behind a timber post and rail fence and curving round in front of the old property known as The Study Centre. The site is considered to be a suitable infill site for a well-designed dwelling, which will be in keeping with surrounding properties on Rectory Lane.
- 2.9 The design and materials of the proposal are intended to reflect the design and materials of some of the more traditional properties in Rectory Lane, that provide a more cottagey and rural appearance.
- 2.10 The application site is not located within the Green Belt, a Conservation Area or an Area of Outstanding Natural Beauty.

3. Planning History

3.1 A table is provided below which highlights all of the planning history on site.

Reference	Description	Decision
10/01220/F & APP/C3105/A/10/2140169	1 No. Three bedroom dwelling	Refused 23/09/2010 Appeal dismissed 14/02/2011
20/01891/F & APP/C3105/W/21/3270400 (Discussed in further detail below)	Erection of a 4-bedroom detached dwelling with garage and access	Refused 18/09/2020 Appeal dismissed 17/08/2021

20/01891/F

3.2 The application proposed the erection of a 4-bedroom detached dwelling with garage and access.

3.3 The main change to the previous dismissed scheme was a change in the location of the access, being achieved off Rectory Lane instead of Farriers Close, enabling the retention of a greater number of trees.

3.4 This proposal was refused for 3 reasons which are summarised below:

1. Impact on existing trees, impact on the character (Design, openness, spacing)
2. Requirement for further archaeological evidence
3. Requirement for further ecological evidence

APP/C3105/W/21/3270400

3.5 The subsequent appeal which followed application 20/01891/F was dismissed, however only in relation to refusal reason 2 (Archaeology).

3.6 Firstly, ecological evidence was submitted to the Council and refusal reason 3 was withdrawn by the Council.

3.7 In regard to refusal reason 1, the Inspector confirmed in paragraph 5 that:

"the plot is sufficiently spacious so that the dwelling would not overdevelop the site. Indeed, the proposed house would appear comparable with some of the other dwellings in terms of plot size and spaciousness. Furthermore, within what is a residential area of the village, the proposed house would not appear at odds with its context, with the design approach suitable for this rural village setting."

3.8 In addition, the Inspector that confirms in paragraph 6 that:

"the site would remain verdant, and the development would not have a significant effect in eroding the openness and general spaciousness of the area. The dwelling would not appear incongruous in this setting as it would suitably integrate into this residential area. I would not regard this proposal as an inappropriate or unacceptable form of infilling."

3.9 In addition, the Inspector confirms in paragraphs 7-10 that the proposed dwelling will only result in one class C sycamore tree being removed and the retention of the other 6 trees. He confirms that the proposal, with the mitigation measures that are proposed, will have no adverse impact on the trees to be retained.

3.10 The inspector confirms in paragraph 11 that:

"This is an undeveloped gap of land, but its contribution to the character of this loose-knit settlement structure is primarily its verdant appearance and

the significant trees in this prominent location. The introduction of a dwelling into the gap would have some change to the site character, but with the retention of all but one of the significant trees on site and further landscaping it would remain of a positive spacious and verdant character within this setting."

3.11 The Inspector then confirms in paragraphs 13 and 14 that:

"For these reasons the proposed dwelling would neither be harmful to the character and appearance of the area or the trees at the site which are set to remain. The proposal is therefore in accordance with policies ESD15 and Villages 1 of the Cherwell Local Plan 2011 – 2031 Part 1, and 'Saved Policies' C28, C30 and C33 of the Cherwell Local Plan 1996" and "The proposed development is also in general accordance with the National Planning Policy Framework (the Framework) on issues such as design and local character, for example."

3.12 Therefore, the Inspector did not uphold refusal reasons 1 and 3, but the appeal was dismissed based on the archaeological desk-based assessment not being sufficient in evidencing that there was no high significant archaeology on site or that suitable mitigation measures could be provide prior, during or post construction.

3.13 The design of the scheme is identical to that which was considered in this appeal, which did not lead to any principle or character concerns.

3.14 The purpose of this application is to overcome this one outstanding reason for refusal related to archaeology.

4. Development Proposals

- 4.1 The National Design Guide (2019) identifies that “well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them. They meet the needs of a diverse range of users, taking into account factors such as the ageing population and cultural differences. They are adequate in size, fit for purpose and are adaptable to the changing needs of their occupants over time” (para 120-121).
- 4.2 Regarding the requirements of NPPG Paragraph: 029 Reference ID: 14-029-20140306 in respect of Design and Access Statements, the proposal is described as follows:
- 4.3 **Use and Amount:** The proposed use is for the erection of one dwelling on site with associated parking and access.
- 4.4 The proposed use has been considered acceptable in regard to local and national planning policy and the amount of development is considered sympathetic to the size of the plot and the surrounding built form, as concluded by the previous Inspector.
- 4.5 **Layout and Scale:** The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any principle or character concerns.
- 4.6 The proposed dwelling, due to its central location on plot, will benefit from being screened from all angles by the existing vegetation (trees/hedging).
- 4.7 The vegetation and trees in and around the site will be retained, where only 1 C classified tree is proposed to be removed, with the

remaining 6 providing ample screening whilst also retaining a rural feel.

- 4.8 The central location ensuring that suitable garden and amenity space is provided adjacent to the dwelling.
- 4.9 The dwelling would be two-storey with the principal elevation facing Rectory Lane.
- 4.10 **Landscaping:** The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any principle or character concerns.
- 4.11 As mentioned above, 6 trees will be retained on the site whilst only 1 low value tree will be removed.
- 4.12 The construction of new permeable hard surfacing is to be installed in accordance with no-dig principles. Regarding canopy's, a Construction Exclusion Zone (CEZ) will be created with protective fencing around the full extent of the largest nearby third-party tree's canopy.
- 4.13 An arboricultural assessment is provided by Mark Welby Arboricultural Consultants, and accompanies this submission.
- 4.14 **Appearance:** The design and materials of the proposal are intended to reflect the design and materials of some of the more traditional properties in Rectory Lane, that provide a more cottagey and rural appearance, which was found to be acceptable by the previous appeal Inspector.
- 4.15 **Access & Parking:** The proposed driveway will extend from Rectory Lane with suitable visibility provided. This will match similar long driveways which extend of Rectory Lane. The driveway will extend naturally from Rectory Lane.

- 4.16 Internally, disabled access and circulation requirements are designed to achieve Building Regulations Part M standards, including entrance doors to be a minimum of 800mm, electrical fittings and service controls at suitable heights for disabled persons use, and all bathrooms and WC facilities designed for disabled access.
- 4.17 Parking is provided on-site, with 2 parking spaces proposed. This has previously been considered to be acceptable.
- 4.18 **Ecology:** An ecological walkover survey of the site concluded that no further surveys were considered necessary and that the proposal would not have any unacceptable impact on protected species.
- 4.19 A PEA was carried out by Windrush Ecology, and is submitted alongside this planning submission.
- 4.20 **Archaeology:** An archaeology statement was provided by Abrams Archaeology which addresses the concerns raised within the previous submissions. Please refer to the accompanying report for further details.

5. Policy Assessment

- 5.1 **National Guidance:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application.
- 5.2 The purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 38 of the NPPF states that “Local planning authorities should approach decision on proposed development in a positive and creative way” and “at every level should seek to approve applications for sustainable development where possible”. Paragraph 119 of the NPPF comments that planning should “make effective use of land” in “meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions”.
- 5.3 Paragraph 60 confirms the Government’s objective to boost the supply of housing, and paragraph 8 identifies the three objectives of sustainable development, as economic, environmental, and social.
- 5.4 Paragraph 126 identifies that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”, whilst paragraph 134 states that significant weight should be given to “outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”
- 5.5 The National Design Guide builds on the above and clarifies that “well-designed neighbourhoods need to include an integrated mix of tenures and housing types that reflect local housing need and market

demand. They are designed to be inclusive and to meet the changing needs of people of different ages and abilities. New development reinforces existing places by enhancing local transport, facilities and community services, and maximising their potential use” (para 111).

- 5.6 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.7 The principle of residential development in Fringford is assessed against Policy Villages 1 in the Cherwell Local (2031). Fringford is recognised as a Category A village in the CLP 2031.
- 5.8 Category A villages are recognised as the most sustainable rural settlement in the district which can accommodate infill development. In addition, the council projects within Policy BSC1 that most of the council’s targeted windfall provision of housing is to be located outside of Bicester and Banbury as these settlements are currently at capacity. Therefore, to meet these targets housing must be provided in Category A villages as the subsequent and most suitable locations.

Policy BSC 1: District Wide Housing Distribution

Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031. Housing will be delivered in accordance with the requirements set out below:

	Bicester	Banbury	Rest of District	Totals
Completions	365	213	528	1,106
Permissions (10+)	1,934	2,346	1,760	6,040
Allocations	7,726	4,344	2,350	14,420
Windfalls (<10)	104	416	754	1,274
Totals	10,129	7,319	5,392	22,840

- 5.9 To reduce the spread of Category A villages and to ensure that the openness of the countryside is retained, the council does not support development on the edge of these settlements.
- 5.10 The application site is suitable as it is not located on the edge of the settlement and is within a Category A village. As stated above in chapter 3 of this statement Policy C.264 supports this approach whilst also stating that “*many spaces in villages’ streets are important”, “such gaps may afford views out to the landscape or help to impact a spacious rural atmosphere” (emphasis added).”. The Inspector previously confirmed that as the verdant character of the site is retained (through retaining trees, hedging and specific orientation and design).*
- 5.11 In summary, the principle of development is acceptable as set out by the previous Inspector. The scheme is identical to that previously considered at appeal, with the only change the submission of additional information relating to archaeology.
- 5.12 **Character and Appearance of the Area:** As confirmed within the previous appeal, the Inspector confirmed that the design, orientation, materials and retention of surrounding trees ensured that the verdant character of the site was retained (See Chapter 3 of this Statement).
- 5.13 The surrounding development is characterised predominantly by residential development, with large detached dwellings prominent in the locality. The development as a whole is largely reflective of the design, scale and built form. The use of similar design and materials will ensure that the proposed dwelling will have no impact on the character of the area.
- 5.14 The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any concerns regarding the

impact on character. The same conclusions should be applied to this application.

5.15 **Residential Amenity:** The space standards are shown below:

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

5.16

5.17 The proposed 4-bedroom dwelling would meet the minimum space standards for a dwelling in terms of floor space as outlined in the Nationally Described Space Standards. All habitable rooms with each dwelling would benefit from natural light and ventilation.

5.18 The technical requirements of the MHCLG state that

5.19 A single bedroom must be 7.5m² and at least 2.15 metres wide whilst a double (or twin bedroom) must have a floor area of at least 11.5m². one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

5.20 The dwelling will benefit from appropriate provision of private outdoor amenity space to the rear, providing adequate provision for future

occupants to make full use of the space, and allow for the hanging/drying of clothes etc.

- 5.21 The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any concerns regarding neighbour impact. The same conclusions should be applied to this application.
- 5.22 **Trees and Landscaping:** An Arboricultural report is provided by Mark Welby Consultants, which was submitted during the previous appeal. These reports state that there will be no impact on trees during construction and into the future from the proposed dwelling.
- 5.23 Six out of the seven trees will be retained on site to ensure that the visual appearance of the site within the street scene is retained. The tree to be removed is a low-grade (Cat C) tree and its removal would have no adverse impact.
- 5.24 Protective fencing will be utilised during construction whilst a no dig driveway will be utilised to minimise impacts.
- 5.25 Policy ESD.10 seeks to manage the protection of all important trees, and through a arboricultural led approach, this has been achievable at the application and as such would comply with this Policy and also Polices ESD 13.
- 5.26 The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any concerns regarding arboricultural impact. The same conclusions should be applied to this application.
- 5.27 **Transport and Parking:** In terms of parking provision, the scheme meets the requirements as stated within the Oxfordshire County Council guidance on maximum parking standards. The scheme provides 2 spaces for the dwelling.

- 5.28 The access would extend southwest off Rectory Lane. A small area of hardstanding is proposed to provide turning space as well as an additional parking space.
- 5.29 The design of the scheme is identical to that which was considered in the previous appeal, which did not lead to any concerns regarding highways impact. The same conclusions should be applied to this application.
- 5.30 **Archaeology:** The previous appeal was dismissed based on the archaeological desk-based assessment not being sufficient in evidencing that there was no high significant archaeology on site or that suitable mitigation measures could be provide prior, during or post construction.
- 5.31 The purpose of this application is to overcome this one outstanding reason for refusal related to archaeology.
- 5.32 An updated Archaeological Assessment (AA) is therefore provided by Abrams Archaeology. In order to build upon the previous desktop appraisal, the updated AA includes the results of two excavation trenches being dug to further assess the archaeological potential of the Site.
- 5.33 The AA confirms that:
- "The results of this evaluation are clear. The remains found to the south and east, which are described in various reports (most notably Blinkhorn, P, Bloor, C and Thomason, D. 2000. Excavations at The Paddock, Rectory Lane, Fringford 1997) do not continue into the evaluation area."*
- 5.34 The archaeology finds on site were limited and are of local/regional significance rather than of national significance, and therefore in accordance with the NPPF and Local Plan policies, the relevant tests

are considered to have been met in terms of granting planning permission for this proposed development.

- 5.35 **Ecology:** As discussed above, ecological evidence was provided prior to the assessment of the previous appeal. The Council accepted that the mitigation measures proposed were sufficient to ensure an acceptable ecological impact.
- 5.36 The same ecology report by Windrush Ecology has been submitted alongside this application with the same mitigation measures proposed. The report describes and evaluates the habitats present within the site and assesses the potential for the site to support protected and notable species. Given the findings of the report, no further surveys are recommended and it is considered that the proposals are in accordance with Policy ESD10 of the CLP.
- 5.37 **Community Infrastructure Levy:** CIL is not currently in place in Cherwell. Contributions are instead sought through S106. Given the size of the development, comprising a net addition of one dwelling, it is considered that no further contributions will be required as confirmed by the previous appeal Inspector.

6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land. This application has addressed the concerns raised in relation to the previous submissions on site. The proposal is now acceptable in accordance with local and national policy.
- 6.2 It is considered the proposed development would contribute an appropriate windfall site to the Borough's housing supply without adverse effect on the character of the area or the amenity of neighbouring residents.
- 6.3 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

Sam Peacock BA (Hons) MSc

Senior Planner | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

sam@etplanning.co.uk 01344 508048



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Contact

Address

200 Dukes Ride RG45 6DS
One St Aldates OX1 1DE
32 London Road GU1 2AB
14 The Square SY1 1LH

Phone

01344 508048
01865 507265
01483 363950
01743 612043

Web & Mail

Email: office@etplanning.co.uk
ET Planning Ltd | 10646740
Web: www.etplanning.co.uk