



**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING STATEMENT**

**TO ACCOMPANY AN OUTLINE PLANNING APPLICATION FOR:**

**ERECTION OF UP TO 8 DWELLINGS IN THE DOMESTIC  
CURTILAGE OF THE BEECHES**

**AT**

**THE BEECHES, HEYFORD ROAD, STEEPLE ASTON,  
OXFORDSHIRE, OX25 4SN**

**APPLICANT:**

**MR ADRIAN SHOOTER**

**JUNE 2019**

**GM/10100**

## 1.0 INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of Adrian Shooter and supports an outline planning application at The Beeches, Steeple Aston. for:

*“Erection of up to 8 dwellings in the domestic curtilage of The Beeches”*

### Proposals

1.2 The proposal would introduce 8 new detached dwellings on land which is currently the domestic curtilage of The Beeches. It has been agreed with Cherwell District Council, through pre-application discussions, that the site is considered previously developed land in the context of its definition within the NPPF.

1.3 The 8 new dwellings will comprise:

- 2no. 2-bedroom dwellings
- 3no. 3-bedroom dwellings
- 3no 5-bedroom dwellings

1.4 An existing outbuilding is proposed to be replaced by two 2-bed dwellings, with 6no. dwellings located to the west of the existing ‘The Beeches’ dwelling.

1.5 Access is to be taken from Heyford Road.

### Site

1.6 The site currently comprises an existing dwelling know as ‘The Beeches’ and its domestic curtilage.

1.7 The site extends 1.34ha.

1.8 An application was submitted in 2003 (03/00075/F) to change the use of land to the west of The Beeches previously used as a paddock to domestic curtilage and for the construction of a narrow-gauge railway. The proposals were approved by the Local Planning Authority.

- 1.9 The 'narrow gauge railway' currently runs throughout the site in a figure of 8 formation. A number of structures are located within the curtilage of The Beeches which are associated with the operation of the railway track. The associated structures comprise engine and carriage sheds and a station pavilion.
- 1.10 The site also comprises an outbuilding to the north east of the site which is used for the storage of vehicles.
- 1.11 An application for up to 8 dwellings was submitted in March 2019. These proposals sought 6no. 5-bed properties, 1no. 3-bed and 1no. 2-bed. Feedback received on the application, particularly from the Neighbourhood Plan Group, was with regards to the size and mix of the dwellings. It was considered the mix was not consistent enough with the Mid-Cherwell Neighbourhood Plan. As a result, the application was subsequently withdrawn in May 2019.
- 1.12 Following the application's withdrawal, pre-application discussions were undertaken with the LPA with regard to the scheme. It was agreed that the housing mix would be revisited within a revised scheme, this is reflected within this submission.
- 1.13 The application submission comprises the following documents and plans:

### **Documents**

- Archaeological Desk Based Assessment (March 2019)
- Bat Assessment Report (June 2019)
- Design and Access Statement (July 2019)
- Ecological Impact Assessment Rev A (June 2019)
- FRA and Drainage Strategy (June 2019)
- Heritage Assessment (July 2019)
- Landscape and Visual Assessment (July 2019)
- Planning Statement (August 2019)
- Transport Statement (July 2019)
- Tree Report (July 2019)
- Utilities Assessment (July 2019)

## Plans

- Site Location Plan (drawing no. 10100.01)
- Aerial Plan (drawing no. 10100.02)
- Site Survey - Built Development to be removed
- Indicative Site Plan (drawing no. 372A01-101\_C)
- Access Plan (drawing no. 20388-02)

## 2.0 RELEVANT PLANNING POLICY

### Introduction

2.1 The starting point for the determination of any application is the provisions of the Development Plan. Section 38(6) states: -

*“if regard is to be had to the development plan, for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the provision of the plan unless material considerations indicate otherwise”*

2.2 The Development Plan comprises the: -

- Adopted Cherwell Local Plan 2011-2031 (Part 1)
- ‘Saved’ policies from the adopted Local Plan 1996 (November 1996)

### The Development Plan

#### Adopted Cherwell Local Plan 2011-2031 (Part 1)

2.3 The Cherwell Local Plan 2011-2031 Part 1 was adopted in July 2015, and subsequently re-adopted in December 2016 to incorporate amendments to Policy Bicester 13.

2.4 Policy BSC 2 ‘The Effective and Efficient Use of Land - Brownfield Land and Housing Density’ sets out that *“housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations”*.

2.5 Executive Summary Section xxiii of the adopted Local Plan states:

*“Policy Villages 2 provides for a further 750 homes to be provided at the Category A villages. This will principally involve the identification of sites of 10 or more dwellings within or outside the built-up limits of those villages. This is in addition to sites already approved across the rural areas as shown in the Housing Trajectory. Sites will be identified... through the determination of applications for planning permission”*.

- 2.6 Policy Villages 1 ‘Village Categorisation’ confirms Steeple Aston is Category A village (Service Village).
- 2.7 Policy Villages 2 allocates 750 dwellings across service villages during the plan period, but does not state how such houses will be distributed across the various settlements.
- 2.8 Policy Villages 2 allows for development outside the built-up limits of settlements where certain criteria are met. Policy Villages 2 ‘Distributing Growth across the Rural Areas’ states:

*“A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site ‘windfalls’ and planning permissions for 10 or more dwellings as at 31 March 2014.*

*Sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission.*

*In identifying and considering sites, particular regard will be given to the following criteria:*

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

## Mid Cherwell Neighbourhood Plan 2018-2031

2.9 The Mid-Cherwell Neighbourhood Plan (MCNP) was formally adopted by Cherwell District Council's Executive on 14<sup>th</sup> May 2019.

2.10 The MCNP identifies a settlement area around Steeple Aston (**Appendix 1**). The settlement area of Steeple Aston does not include the Beeches; however, it is immediately adjacent the site to the north.

2.11 Policy PD1 of the MCNP 'Development at Category A Villages', states:

*"Residential development proposals at Fritwell, Kirtlington and Steeple Aston in the form of infilling, conversions and minor development will be supported in principle within the settlement areas established and defined in Policy Map Figs. 9, 10 and 11 respectively.*

*Any residential development proposal which is outside the settlement areas of these three villages must have particular regard to all the following criteria:*

- a) The site should be immediately adjacent to the settlement area*
- b) The site should not be the best and most versatile agricultural land and the use of previously developed land is particularly likely to be acceptable.*
- c) The development should conserve and, where possible, enhance the landscape.*
- d) The development should conserve and, where possible, enhance the special interest, character and appearance of the conservation areas and the significance of other heritage assets (see Appendix K: Heritage and Character Assessment).*
- e) The development should not give rise to coalescence with any other nearby settlement. This particularly applies to Steeple Aston and Middle Aston.*

*The total indicative number of additional dwellings permitted during the Plan period either within the settlement areas of these villages, or adjacent to them, shall be approximately 25 for Fritwell, 17 for Kirtlington, and 20 for Steeple Aston (as detailed on p.29)."*

*\*underlining our emphasis*

2.12 Policy PH1 'Open Market Housing Schemes', states:

*"Where other policies permit such development, any new market housing should favour homes with a smaller number of bedrooms. The mix of housing will be determined having regard to the evidence of housing need in the Oxfordshire Strategic Housing Market Assessment, or more up to date published evidence, and the characteristics of the location and site. On the basis of the 2014 SHMA, in developments of 10 dwellings or more the indicative mix should be: 30% 1 or two bedrooms, 46% 3 bedrooms and no more than 24% with 4 bedrooms or more. Smaller schemes should aim for a similar mix where possible."*

*\*underlining our emphasis*

### **Other Material Considerations**

#### **National Planning Policy Framework 'The Framework'**

2.13 Annex 2 of the NPPF (revised February 2019) defines previously developed land as:

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

2.14 The site is considered previously developed land within this context, as it is outside the built up area of the settlement.

2.15 Paragraph 117 of the NPPF states:

*"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring*



*safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."*

*\*underlining our emphasis*

### 3.0 PLANNING ASSESSMENT

- 3.1 As set out in section 2, the site is considered previously developed land in the context of its definition within the NPPF.
- 3.2 Policy BSC 2 sets out that *“housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations”*.
- 3.3 The site is also confirmed to sit outside the built-up area of Steeple Aston, as established in the Neighbourhood Plan (adopted on 14th May 2019).
- 3.4 Policy Villages 2 allocates 750 dwellings across service villages during the plan period, but does not state how such houses will be distributed across the various settlements
- 3.5 Policy Villages 2 allows for development outside the built-up limits of settlements where certain criteria are met. It is therefore necessary to assess these proposals against the criteria of Policy Villages 2; these are addressed below:

#### **Whether the land has been previously developed land or is of lesser environmental value**

- 3.6 It has been agreed with Cherwell District Council, through pre-application discussions, that the site is considered previously developed land in the context of its definition within the NPPF. Therefore, the proposal responds to Policy BSC2 ‘Effective and Efficient Use of Land’ which seeks to encourage the re-use of previously developed land.

#### **Whether significant adverse impact on heritage or wildlife assets could be avoided**

##### Heritage

- 3.7 The proposed site, known as The Beeches, is located on the west boundary of Rousham Conservation Area, but is not within the conservation area and is therefore within its setting. There are no heritage assets within The Beeches site and the site is not close enough to any listed buildings, parks or gardens to have an effect on their setting.

3.8 The Heritage Assessment confirms the site itself, while within the landscape around Rousham, was not a designed part of the landscape and has no particular association with Rousham House or gardens. The Heritage Assessment concludes that the proposed development will not negatively affect the setting, and therefore the character and appearance of Rousham Conservation Area.

#### Wildlife

3.9 The Ecological Impact Assessment (EIA) undertook a Phase 1 Habitat survey as well as assessing the site for protected and priority species. The woodland and hedgerows are likely to be indirectly impacted through increased noise and light disturbance, however a number of recommendations have been made in the EIA which will ensure that the development avoids impacts to protected species and off-sets biodiversity loss. All other habitats on Site were either considered to have negligible value to ecology or were not due to be impacted by the proposed development.

#### **Whether development would contribute in enhancing the built environment**

3.10 As established the site currently comprises 'The Beeches' and its domestic curtilage. A 'narrow gauge railway' currently runs throughout the site in a figure of eight formation. A number of structures are located within the curtilage of The Beeches which are associated with the operation of the railway track. The associated structures comprise engine and carriage sheds and a station pavilion.

3.11 The proposal will be for 8 high quality designed dwellings by Malcolm Payne Associates who are a well-respected architectural and design practice who have strong track record of high-quality design. The Beeches and neighbouring Orchard House are large forms of development. The dwellings proposed on this site would seek to follow the established forms of development in the locality and are at an appropriate scale for the site. When complete the proposals would constitute development at a density of 5.9 dwellings per hectare.

#### **Whether best and most versatile agricultural land could be avoided**

3.12 The site is considered previously developed land in the context of its definition within the NPPF and will therefore not impact best and most versatile agricultural land.

### **Whether significant adverse landscape and impacts could be avoided**

- 3.13 The LVIA confirms that the proposed buildings and domestic curtilage can be visually contained and the sensitive landscape treatment of the greater part of the site will protect the character of the rural setting. The proposed dwellings have been set back towards the northern and southern boundary, this is to retain views from the Public Right of Way (PRoW) to the west of the site into the site and beyond.
- 3.14 The LVIA concludes that the proposed development will have a low visual impact and no features of landscape sensitivity will be lost.

### **Whether satisfactory vehicular and pedestrian access/egress could be provided**

- 3.15 The Transport Statement accompanying this application demonstrates that access, both vehicular and pedestrian, can be provided at this site. The Access Plan (drawing no. 20388-02) demonstrates vehicular access can be satisfactorily be delivered. The development will be served from an existing improved access road into the site.
- 3.16 The Transport Statement also demonstrates that a footpath connection can be provided to join up with the formal footpath which currently exists along Heyford Road. This will provide a formal footpath link to the village. It is proposed that two crossings will be provided, one close to the entrance of the site and a second which crosses back over Heyford Road to join the formal footpath.
- 3.17 The Transport Statement concludes that the development impact is minimal and will have no material adverse impact on the local highway network.

### **Whether the site is well located to services and facilities**

- 3.18 As established, the site is located outside the defined settlement area of Steeple Aston. However, the site abuts the settlement area to the north. Steeple Aston is defined as a Category A village (Service Village). Category A villages are considered the most sustainable villages based on population size; access to, and range of, facilities; accessibility and employment opportunities.

**Whether necessary infrastructure could be provided**

- 3.19 The submission material accompanying this application demonstrates that the necessary information to deliver such a scheme can be provided. The submission material addresses and confirms that drainage, utilities and access can all be provided to the proposed development, all of which are necessary to deliver the proposal.

**Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period**

- 3.20 The site is not considered for allocation; however, the site is available now and suitable. There is a willing landowner in place. The site is not considered as 'major development' and therefore there is a reasonable prospect it can be developed within the plan period.

**Whether land the subject of an application for planning permission could be delivered within the next five years**

- 3.21 There is a willing landowner in place. The site is available now and suitable. The site is not considered as 'major development' and therefore achievable within the next 5 years.

**Whether the development would have an adverse impact on flood risk.**

- 3.22 The Flood Risk Assessment confirms the site is located wholly within Flood Zone 1 (low risk of fluvial and tidal flooding) and is at low risk of flooding from all other sources. The FRA confirms the proposed would not have an adverse impact on flood risk. Whilst this application is for up to 8 dwellings, the FRA and Drainage Strategy demonstrates that this site can drain acceptably drain with 9 dwellings.

- 3.23 It is considered that the proposals satisfy the criteria set out at Policy Villages 2.

- 3.24 Moreover, the recently adopted MCNP requires residential development outside of the settlement area to meet the criteria set out at Policy PD1. These criteria are considered below:

**The site should be immediately adjacent to the settlement area**

- 3.25 This site is immediately adjacent to the settlement area of Steeple Aston, as identified in the MCNP.

**The site should not be the best and most versatile agricultural land and the use of previously developed land is particularly likely to be acceptable.**

- 3.26 The site is considered previously developed land in the context of its definition within the NPPF and will therefore not impact best and most versatile agricultural land.

**The development should conserve and, where possible, enhance the landscape.**

- 3.27 The LVIA confirms that the proposed buildings and domestic curtilage can be visually contained and the sensitive landscape treatment of the greater part of the site will protect the character of the rural setting. The proposed dwellings have been set back towards the northern and southern boundary, this is to retain views from the Public Right of Way (PRoW) to the west of the site into the site and beyond.
- 3.28 The LVIA concludes that the proposed development will have a low visual impact and no features of landscape sensitivity will be lost.

**The development should conserve and, where possible, enhance the special interest, character and appearance of the conservation areas and the significance of other heritage assets (see Appendix K: Heritage and Character Assessment).**

- 3.29 The proposed site, known as The Beeches, is located on the west boundary of Rousham Conservation Area, but is not within the conservation area. However, it is within its setting. There are no heritage assets within The Beeches site and the site is not close enough to any listed buildings, parks or gardens to have an effect on their setting.
- 3.30 The Heritage Assessment confirms the site itself, while within the landscape around Rousham, was not a designed part of the landscape and has no particular association with Rousham House or gardens. The Heritage Assessment concludes that the proposed development will

not negatively affect the setting, and therefore the character and appearance of Rousham Conservation Area.

**The development should not give rise to coalescence with any other nearby settlement. This particularly applies to Steeple Aston and Middle Aston.**

3.31 The development of this site for residential use will not give rise to any coalescence with nearby settlements.

3.32 Policy PH1 'Open Market Housing Schemes' requires developments of 10 dwellings or more to provide the housing mix set out in the below table. It also requires smaller schemes should aim for a similar mix where possible. As this proposal is for 8 dwellings it is not a policy requirement to provide the mix identified in Policy PH1. However, the Applicant have made every effort to meet this housing mix. The table below also provides a summary of the proposed housing mix.

MCNP Housing Mix (10 or more dwellings)	Dwellings Proposed	Proposed Housing Mix
30% 1 or 2 bedrooms	2	25%
46% 3 bedrooms	3	37.5%
24% (no more than) 4 bedrooms or more	3	37.5%

3.33 The proposals seek the re-use of previously developed land to provide up to 8 dwellings. This is supported by the NPPF, which supports the effective use of land in meeting the need for homes and to make as much use as possible of previously-developed or 'brownfield' land.

## 4.0 CONCLUSIONS

- 4.1 The proposal would introduce 8 new dwellings on land which is currently the domestic curtilage of The Beeches. It has been agreed with Cherwell District Council, through pre-application discussions, that the site is considered previously developed land in the context of its definition within the NPPF.
- 4.2 Policy BSC2 confirms that *“housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations”*.
- 4.3 The proposed development is in accordance with the criteria set out in Policy Villages 2 of the adopted Cherwell Local Plan 2011-2031 and the criteria of Policy PD1 of the adopted Mid-Cherwell Neighbourhood Plan.
- 4.4 There are no material considerations which give rise to any issues that would provide any reasonable justification to depart from the approved Development Plan.
- 4.5 For these reasons it is requested that planning permission should be granted for this development, without delay.