

Our Ref: PJF/dj/10304  
(Please reply to Banbury office)

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15th May 2020

Mr D Peckford  
Assistant Director – Planning and Development  
Place and Growth Directorate  
Cherwell District Council  
Planning Department  
Bodicote House  
Bodicote  
Banbury

Dear Mr Peckford,

**TOWN AND COUNTRY PLANNING ACT 1990  
FULL PLANNING APPLICATION SUBMISSION FOR AN INTERNAL BOUNDARY WALL AT THE STONE CUTTING YARD,  
HORNTON, ON BEHALF OF FINLAY SCOTT**

**1.0 Introduction**

1.1. I write in respect of the submission for a full planning application for an internal boundary wall to be located on the western boundary of the approved development plot that forms part of the Stone Cutting Yard, Hornton. The extent of the wall and the application Site is edged red on the accompanying Site Location Plan. The 'Site' when referred to further in this letter includes the proposed wall and the contiguous approved development plot to the east. This letter forms the Planning Statement in support of the planning application.

**2.0 The Site and Surrounding**

2.1. The Site formed part of the former Wroxton Field Quarry. Extraction has ceased at the quarry and in 2014 and 2016 planning permission was granted for a change of use to Class B2 use.

2.2. The Site is located approximately 1km from the village of Hornton and is accessed from the A422 Stratford Road. The Site is mainly flat and has hedgerows to the north and southern boundaries, and landscape

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bunding to the north (part) east. This natural screening limits views into the Site. There is a PRoW (255/5/10) located c300m to the south of the site, that runs in an easterly direction to Hornton.

- 2.3. The nearest Conservation Area is located c1km to the east. The nearest Listed Building is the Hornton Grounds Farmhouse Grade II listed, 350m to the south.
- 2.4. Reserved Matters application was submitted in 2017 (OCC Planning Ref: MW.01067/17 and CDC Planning Ref: 17/02553/CM and OCC Planning Ref: MW.0105/17 and CDC Planning Ref: 17/02552/CM) for the land subject of this planning application, that included a steel framed building and landscape bunding to the east and northern boundaries. A Landscape bund has been planted and construction of the building has commenced. Adjacent to the Site is a Stone Cutting Yard.
- 2.5. As a consequence of the previous planning history, the Site is an employment site and the proposed boundary wall should be considered in the context of the approved building which has been implemented and is under construction.

### **3.0 The Proposal**

- 3.1. This planning application seeks part retrospective planning permission for the construction of a wall on the western boundary of the proposed development plot. The wall has been partially erected in order to assess its suitability and will be constructed of concrete panels, is 2.35m in height and will extend across the whole of this boundary as shown on Dwg no: 1840 BW01 Boundary Wall. The wall is required to protect the Site from dust and noise generated by the neighbouring Stone Cutting Yard operations.
- 3.2. The Applicant has a farming operation and because of reduction in stock numbers the concrete panels are left over from a silage clamp that was recently taken down to make way for a new farm building at Alkerton. The reuse of these reinforced concrete panels to create a wall is good estate management and environmentally responsible.

### **4.0 Planning Policy**

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the Cherwell Local Plan (adopted 1996) and the Cherwell Local Plan 2011-2031 (adopted July 2015). Other material considerations include the National Planning Policy Framework.

4.2. The following Development Plan policies are most relevant to this application.

Cherwell Local Plan 2011-2031 (adopted July 2015)

- Policy PSD1: Presumption in Favour of Sustainable Development;
- Policy ESD 13: Local Landscape Protection and Enhancement; and
- Policy ESD 15: Conservation Areas.

Cherwell Local Plan (adopted 1996)

- Policy CS 28: Layout, design, and external appearance of new development; and
- Policy ENV: Development likely to cause detrimental levels of pollution.

4.3. National Planning Policy Framework

4.4. A further material consideration that guides planning policy is contained within the National Planning Policy Framework (the Framework). The Framework sets out the Government's planning policies for England and how they should be applied.

4.5. The Framework reaffirms the purpose of the planning system which is to contribute to the achievement of sustainable development; and, includes three interdependent and overarching objectives, where net gains should be secured to achieve sustainable development, these are; a social objective; an economic objective and an environmental objective.

4.6. Paragraph 83 specifically refers to the rural economy and required planning policies to enable sustainable growth and the expansion of all types of businesses in rural areas. Paragraph 83 further states that in these circumstances, it will be important to ensure that development is sensitive to its surroundings and does not have an unacceptable impact on local roads and exploits any opportunities to make the location more sustainable.

4.7. Section 16 of the Framework cover policy pertaining to conserving and enhancing the historic environment. Paragraph 184, at the outset, acknowledged that heritage assets range from sites and building of local historic value to those of highest significance, such as World Heritage Sites. Paragraphs 193 states that, when considering the impact of a proposed development on heritage asset '*great weight should be given to the assets conservation*'. Paragraphs 194-196 considers the level of harm and the weight given in the decision-making process.

## 5.0 Planning Assessment

5.1. The planning issues associated with the planning application are listed below;

- Impact on the Landscape;
- Impact on heritage assets; and
- Impact on the amenity of existing occupiers of the Site and neighbouring occupiers.

5.2. In respect of the assessment of the impact of the Proposed Development, it should be noted that if the wall was 2m in height, it would benefit from permitted development rights. The assessment therefore considers the impact of the additional 0.35m height.

### *Impact on the Landscape*

5.3. The Site does not lie in any landscape designation. Policy ESD13 requires developments to respect and enhance the local landscape character, and that proposals should not value undue visual intrusion into the open countryside; cause undue harm to important natural features; be inconsistent to the local character; impact on areas judged to have a high level of tranquillity; and, should not harm the setting of settlements, structures or other landmark features.

5.4. The proposed wall located on the western boundary separating the Stone Cutting Yard area and the Site form an 'internal' wall, as such, the wall will not result in any additional encroachment into the countryside. The Site is lower than the existing land form, enclosed by existing hedging to the north and south, the landscape bund to the north and east and the building and yard to the west.

5.5. This low lying land form and natural and physical screening limits views into the Site. Further, the height of the wall at 2.35m is significantly lower than the existing building on the Stone Yard and the steel framed storage building currently being constructed.

5.6. It is considered that the additional minor increase of 0.35m of the wall above that which would be benefit from permitted development is inconsequential in terms of the impact on the wider landscape.

### *Impact on Heritage Assets*

5.7. Section 66(1) of the Planning (Listed Building and Conservation Area) Act 1990 sets out the statutory duty of the decision maker, where development may affect a listed building, its setting or a Conservation Area. The Act requires that 'special regard' must be taken to the preservation or enhancement of heritage assets in decision making.

- 5.8. The closest Listed Building is Hornton Grounds Farmhouse, located approximately 350m to the south of the Site. The closest Conservation Area is located in Hornton, approximately 1km to the east. The impact of the Stone Cutting Yard area and application Site on the wider area has already been mitigated, as a result of previous planning permissions, with the requirement to retain the existing hedges to the north and south, and the construction of the landscape bund to the north and east.
- 5.9. The proposed boundary wall does not form part of the setting of the listed Hornton Grounds Farmhouse and so does not cause harm to the significance of the building.
- 5.10. The proposed boundary wall will be located within land that is committed for employment. The mitigation measures explained above will continue to preserve the setting of Hornton Grounds Farmhouse and the Hornton Conservation Area.

*Impact on the amenity of existing occupiers of the Site and neighbouring occupiers*

- 5.11. The wall itself will have no impact on the amenity of the nearest neighbours occupying Hornton Grounds Farmhouse; visually it is contained within the developed part of the Stone Cutting Yard area and the Site. The requirement for the boundary wall is twofold; as the result of the impact of the operations undertaken in the adjacent Stone Cutting Yard area; and, to improve the security of the Site.
- 5.12. The work taking place at the Stone Cutting Yard requires cutting and shaping of stone which creates dust and localised noise that drifts into the Site. This dust and noise will have a negative impact on those working on the Site. The proposed wall creates a buffer between the two areas of work that will reduce the level of dust and noise experienced at the Site.
- 5.13. There is not always a physical presence on the Site. The boundary wall will provide additional security measure that will assist in protecting the Site from crime and trespass.

## **6.0 Conclusion**

- 6.1. The proposed boundary wall separates the Stone Cutting Yard area and the Site. If the wall was 2m in height, it would benefit from permitted development rights; therefore, the assessment considers the impact of the additional 0.23m increase in height.
- 6.2. The wall assists in improving the working conditions of the occupiers of the application Site and Site security.
- 6.3. As a result of the low-lying land and the landscape screening to the north south and eastern boundaries, the wider Stone Cutting Yard area and the application Site is visually self-contained, which limits views into the Site. As such, the proposed boundary wall will have no adverse impacts on the wider landscape and the closest heritage assets.

6.4. The Proposed Development complies with both local and national planning policy. The Applicant respectfully requests that the planning application is approved.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Debbie Jones  
**FRAMPTON**