

# Planning, Design and Access Statement

for:

Outline Application for the erection of one dwelling with means of access, layout, scale and appearance to be considered (with landscaping reserved for future consideration)

at:

Land at Farriers Close  
Fringford  
Bicester  
OX27 8DD

June 2020

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## 1.0 Introduction

- 1.1 This Statement accompanies an outline planning application proposing the erection of one dwelling with landscaping to be considered as a reserved matter.
- 1.2 There is recent planning history associated with the plot of land.
  - i. 98/01784/F – Proposed erection of one detached dwelling and garage, involving the removal of a Sycamore and Crab Apple tree which are the subject of Tree Preservation Order 11/97, and creation of access to Farriers Close – Refused 18<sup>th</sup> December 1998 – Appeal dismissed 8<sup>th</sup> June 1999
  - ii. 10/01220/F – 1 No. three bedroom dwelling – Refused 23<sup>rd</sup> September 2010 – Appeal dismissed 14<sup>th</sup> February 2011.
- 1.3 In the appeal for application 10/01220/F the Inspector considered that the effect of the proposal on the character and appearance of Rectory Lane as a result of the development of the site and the loss of protected trees were the main issues in determining if the appeal should be allowed or dismissed. This scheme has been designed to address those issues and will be examined in within section 4 of this planning statement.

## 2.0 Site and Surroundings

- 2.1 The application is located in the western part of the village, fronting Rectory Lane, wrapping around Farriers Close which is a more modern residential development of four detached dwellings. The latter development was granted on the appeal of application 95/00702/OUT.

- 2.2 The site is triangular in shape and is approximately 0.06 hectares. It comprises a copse, which is interspersed with a mixture of mature/semi mature trees along the Farriers Close frontage. These trees are covered by TPO 11/97. The northern and western boundaries of the site, as well as the eastern, are bound by a post and rail fence with a hedge behind, whilst the southern boundary is boarded by a close boarded fence. The boundary treatments give the site a residential appearance within its setting.
- 2.3 The site is relatively flat, although slightly raised above road level on Rectory Lane.
- 2.4 Rectory Lane is lined with dwellings of a variety of sizes and designs, whilst Farriers Close is a more modern development of four large two storey dwellings.
- 2.5 Some of the dwellings along Rectory Lane are of considerable age with the general arrangement being quite informal. Some of the dwellings are located very close to or directly abutting the road, while others are set further back.
- 2.6 Further to the south of the application site is The Green, an area of open space/village green, criss-crossed by village roads and bordered by a mix of development land and fields.
- 2.7 Much of the residential development extends out and towards the north east of the village centre that contains the village primary school, village hall and local playing fields and cricket pitch. The Butchers Arms Public House is located on the southern tip of the village when travelling north from Bicester.
- 2.8 The application site is not located within the Green Belt, a Conservation Area or an Area of Outstanding Natural Beauty.

## 3.0 Proposed Development

- 3.1 This application proposes the erection of one dwelling with associated parking.
- 3.2 The application is being submitted as an outline application, with only landscaping being reserved.
- 3.3 The appearance, scale, access and layout have all been considered as part of this proposal.
- 3.4 The access to the dwelling is to be from Rectory Lane. Both a pedestrian and vehicular access are proposed with a single garage being attached to the dwellinghouse.
- 3.5 Parking provision is provided on-site, with 2 parking spaces which includes the garage space.
- 3.6 The 4 bedroom property would have its front entrance and elevation facing onto Rectory Lane.
- 3.7 The design and intended materials of the dwelling reflects the design and materials of some of the more traditional properties in Rectory Lane, that provide a more cottagey and rural appearance.
- 3.8 The dwelling, due to it being centrally located within the plot, will benefit from having substantial external amenity provisions as well as a south western facing garden. Together with the internal amenities it will provide a high standard of living for all future users.

## 4.0 Planning Analysis

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012, with revisions in July 2018 and more recently February 2019. The NPPF provides the Government's framework for delivering sustainable development and facilitating economic growth through the planning process. Planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
- 4.2 Paragraph 8 states that there are 3 dimensions to sustainable development: economic, social and environmental. Development which helps to build a strong, responsive and competitive economy whilst supporting vibrant and healthy communities, providing housing to meet current and future requirements is to be achieved in a manner which protects the natural, built and historic environment.
- 4.3 The NPPF states at Paragraph 11 that at the heart of the document is a presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with the development plan without delay and local planning authorities should positively seek opportunities to meet the development needs of the area. The presumption in favour of sustainable development is reiterated at Paragraph 49.
- 4.4 Section 12 of the NPPF highlights the need for achieving well designed places where in paragraph 124 the creation of high quality buildings and places is seen as being fundamental to what the planning and development process should achieve. 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.

- 4.5 Paragraph 127 points to the fact that development should be visually attractive as a result of good architecture and layout; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 4.6 The Cherwell District Council Local Plan was adopted in July 2015 and replaced many of the policies within the original 1996 Local Plan. The policies within the 1996 Local Plan there were considered to still carry weight were saved in September 2007.
- 4.7 It is considered that policies PSD 1, BSC 3, BSC 4, ESD 15 and Villages 1 are relevant from the 2015 adopted Local Plan and that policies H5, H12, H13, C14, C27, C28, C30 and C33 are relevant from the 1996 Local Plan in the assessment of this application.
- 4.8 Policy PSD 1 takes into account the NPPF's key thread of their being presumption in favour of sustainable development. It advises that the Council will always work proactively with applicants to jointly find solutions which means that proposals can be approved wherever possible.
- 4.9 It also states that planning applications that accord with the policies of the Local Plan will be approved without delay and that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise. The decision making process would take into account any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
- 4.10 Affordable Housing is referred to in Policy H5 of the 1996 Local Plan and states that where there is a demonstrable lack of affordable housing to meet local needs, the district council will negotiate with developers to secure an element of affordable housing in substantial new residential development schemes. With the 2015 Local Plan Policy BSC 3 confirms the criteria required for affordable housing to be provided within developments is for 11 or more dwellings.

- 4.11 Housing Mix is covered within Policy BSC 4 and looks at the provisions of the different number of bed types required throughout a development to meet current and future requirements.
- 4.12 Design is addressed in Policy ESD15 where it states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. It continues by explaining that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.
- 4.13 The Policy also requires new development to support efficient use of land and contribute positively to the area's character. The development should also respect traditional pattern of plots, enclosures and the form, scale and massing of buildings. Developments should be designed to integrate with existing streets and buildings configured to create clearly defined active public frontages.
- 4.14 This is also covered within Policy C28 which seeks to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development.
- 4.15 Policy C30 continues this further by stating that new housing development should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity. And furthermore, that new housing development provides standards of amenity and privacy acceptable to the local planning authority.
- 4.16 From a materials and design perspective, the development should respect elevational detailing and surfacing materials. Any new development should also take into account amenity of both existing and future development as well as privacy and outlook.

- 4.17 Policy H12 within the 1996 Local Plan looks at new housing in rural areas of the district and that it would only be permitted in existing settlements in accordance with respective policies. Fringford falls within a Category 1 settlement within the 1996 Local Plan where infilling would be acceptable.
- 4.18 Within the 2015 Local Plan Fringford is classified as being a Category A Service Village under Policy Village 1. Proposals for residential development within the built-up limits of these villages will be considered to be suitable for minor development in addition to infilling and conversions.
- 4.19 They are essentially the same policy giving weight to the acceptability of development within the settlement of Fringford where it is compliant with other policies and is in the form of the infilling of a small gap in an otherwise continuous built-up frontage suitable for one or two dwellings.
- 4.20 There is a need for Cherwell's villages to sustainably contribute towards meeting the housing requirements identified in Policy BSC 1. Policy Villages 1 allows for the most sustainable villages to accommodate 'minor development' and all villages to accommodate infilling or conversions.
- 4.21 It is acknowledged that there are protected trees within the site and as such Policy C14 of the 1996 Local Plan is relevant to this application. It seeks to manage the protection of all important trees, woodland and hedgerows and ensures that they are retained. The ecological value of the site should not be reduced, and new trees can be planted.
- 4.22 Development proposals in villages should also respect the historic settlement pattern of the village and this is covered in Policy C27.
- 4.23 Policy C33 will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.

4.24 Proposals that would close or interrupt an important view of a historic building such as a church or other structure of historical significance, will be resisted under this policy. Whilst it also states that proposals that would close or interrupt an important vista across open countryside will also be discouraged, as will the loss of trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape.

4.25 In addition to this, the parking standards for the development would need to be assessed against the criteria of the Oxfordshire County Council standards for new residential development.

4.26 The application is to be assessed with the following plans:

2550-02 – Proposed Floor Plans

2550-03 – Proposed Elevations

2550-04 – Site Plan

2550-05 – Block Plan

2550-06 – Street Scenes

4.27 The proposed scheme seeks to infill a plot of land located at the junction of Rectory Lane and Farriers Close. The land is located within the settlement of Fringford, which is classified as a Category 1 settlement under Policy H12 of the 1996 Local Plan or a Category A Service Village under Policy Village 1 of the 2015 Local Plan. Both policies confirm that the village is suitable for minor and infill development in principle within the built-up limits of the village.

4.28 The application site is located within the built-up limits of the village. The policies confirm that where the development is in the form of the infilling of a small gap in an otherwise continuous built up frontage it would be suitable for one or two dwellings. Consequently, this application proposes a minor development in the form of an infill between the neighbouring plots.

- 4.29 There is also a need for villages within Cherwell to sustainably contribute towards meeting housing requirements as outlined in Policy BSC 1, and it is therefore considered that this proposal through being an infill development would be compliant with Policy H12, Policy Village 1 and Policy BSC 1.
- 4.30 The application is in outline format, but it is only the landscaping that will be considered at Reserved Matters stage. As such, the application is submitted with supporting plans showing the elevations, floor plans and layout of the scheme within the plot.
- 4.31 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.
- 4.32 With respect to affordable housing and complying with policies BSC 3 and H5, the development is for just one dwelling house. The development would therefore not trigger the need for affordable housing on the site.
- 4.33 The site does not fall within Flood Risk Zones 2 or 3 and is not a major development and would therefore not require the submission of a flood risk assessment to support the application.

#### **Design and Layout**

- 4.34 The dwelling picks up on the design features of the existing nearby properties. The dwelling would be constructed in similar materials to the existing dwellings, such as stone.
- 4.35 An accompanying design and access statement addresses the key design principles of the development.

- 4.36 Many of the existing properties have varying ridge heights which is mainly due to projecting gable features that were either part of the original design or have been constructed as extensions. Some dwellings have had side extensions that have been done with subservient ridge heights. This has been utilised in the design of the proposed dwelling, with its varying ridge heights and gable features, which provides subservient an out-shot from the main part of the dwelling.
- 4.37 The mass and scaling, and roof form of the proposed property, can therefore be seen as being in keeping with the locality and not being obtrusive or overbearing. The dwelling blends in with the mix of the modern newer dwellings and the more established dwellings.
- 4.38 The layout of the site makes the most efficient use of it, and ensures the retention of the TPO'd trees along the eastern boundary of the site, whilst also allowing for a substantial garden and would not result in an overdevelopment of the site. The setting of the dwelling within the plot would not place any undue pressure on the trees to be cut back or removed as part of the development.
- 4.39 The properties along Rectory Lane are arranged informally along the lane, where some are located very close to or directly abutting the road, while others are set further back. The proposed setting of the dwelling within the plot, with it being set back from Rectory Lane, would therefore not be out of keeping with the historic pattern of the settlement in this specific location.
- 4.40 Both the external and internal amenities provide a high level of accommodation for a family dwelling.
- 4.41 In terms of its appearance, the dwelling is in keeping with the street scene. Its scale and massing are in accordance with the surrounding properties and does not appear overbearing. Therefore, the development is considered to be respectful to the character of the area and would be compliant with policies ESD15, C27, C28 and C30.

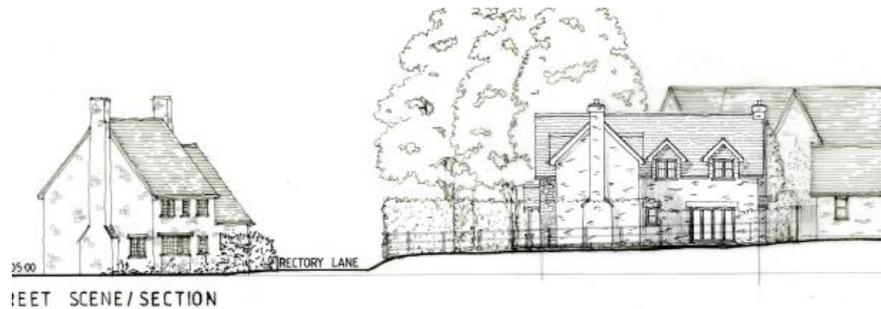
### **Tree Preservation Order**

- 4.42 In the 2010 application 5 of the 7 protected trees were proposed to be removed to accommodate the scheme. The Inspector acknowledged that the trees to be felled had structural defects and were suitable for retention. Four new trees were proposed, and the Inspector confirmed that there would be no conflict between the trees and the new dwelling.
- 4.43 The Inspector was of the opinion, however, that the trees would be able to remain at the site for some time if the development did not happen. Thus, their retention would still add to the character of the area.
- 4.44 This information was considered as being important in forming a layout for the site that would enable the retention of the protected trees on the Farriers Close boundary. Therefore, it is proposed to bring the access in from Rectory Lane, so that the protected trees on this boundary can be retained.
- 4.45 The trees, as referred to by the Inspector, assist in adding to the character of the area. However, it has been possible to retain them, and in fact they can be retained for some time, with the proposed development.
- 4.46 Although it is proposed to remove one of the protected trees located within the site, the accompanying tree report confirms that its removal would be acceptable and not impact on the grouping of the other protected trees.
- 4.47 The tree report also states that through the siting of the proposed dwelling in the plot, there will be no future pressure to prune the trees for access to light or impact on the structure of the dwelling.
- 4.48 Policy C14 seeks to manage the protection of all important trees, and through an arboricultural led approach, this has been achievable at the application and as such would comply with this Policy and also Policies C28 and C30.

### **Suitable for development**

- 4.49 In the appeal of application 10/01220/F, the Inspector raised the effect of the proposal on the character and appearance of Rectory Lane as a result of the development of the site as being a main issue. The Inspector considered that the appeal site was an undeveloped gap of land where under Policy C33 it plays an important role in preserving the character of a loose-knit settlement structure.
- 4.50 The Inspector was also concerned about the impact the dwelling, through the loss of trees and that the site was elevated and would alter the character and
- 4.51 appearance of the plot and that of the street scene to a significantly harmful degree, particularly when viewed from Rectory Lane.
- 4.52 The site, for a number of years, has been enclosed with a residential style boundary treatment on the Rectory Lane frontage, whilst the Protected Trees, fence and vegetation along the boundary of Farriers Close provide a natural screening and enclosure on the eastern frontage also giving it a residential appearance.
- 4.53 The site is not an open piece of land, it is not useable by the public and cannot be considered in the same light as the open spaces located within the centre of Fringford, known as The Green.
- 4.54 This plot is not remarkable in its appearance and due to its boundary treatment, it already has a residential appearance and feel to it. As the site is not open, it is considered that its residential appearance does not offer a sense of space or openness for the public.
- 4.55 The proposal would not close or interrupt important views or vistas of the open countryside, and as previously referred to, through an arboricultural led design important protected trees are retained.
- 4.56 This part of the village is not loose-knit in its pattern as there are no obvious open gaps between dwellings.

4.57 The impact on the street scene is negligible and would not harm the appearance of the area when viewed from either Farriers Close or Rectory Lane as demonstrated in the accompany street scene drawing 2550-06. A snapshot of this is shown below.



4.58 The development can therefore be seen as being a positive addition to the settlement, due to its appearance, siting within the plot, height and mass. It would completement the surrounding properties and add character to the street scene.

4.59 As such this application would not conflict with the wording of Policy C33.

## 5.0 Conclusion

- 5.1 The proposed outline application for one dwelling would comply with the Policies of the Local Plans and in particular policies ESD15, C14, C27, C28, C29 and C30 as the development provides a well designed dwelling, with a good sized garden and appropriate parking provision.
- 5.2 The application will not impact on the neighbouring properties or be harmful to the character of the wider area, whilst also making efficient use of the land.
- 5.3 Moreover, the application has addressed the main issues raised by the Inspector within appeal for application 10/01220/F.
- 5.4 Detailed landscaping plans can be addressed at the Reserved Matters stage, but it is clear that there is ability to introduce new landscaping to the site, that will seek to enhance the development further.
- 5.5 In addition to meeting the Local Planning Authority's policy guidance, the proposal is in full compliance with the National Planning Policy Framework. The scheme also draws upon the wording of paragraph 11 of the NPPF which highlights the presumption in favour of sustainable development for plan making and decision taking. This is a theme that is at the heart of the Framework.
- 5.6 Taking the above into account, this application should be granted permission.