



TOWN AND COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

**TO ACCOMPANY A PLANNING APPLICATION
SEEKING PLANNING PERMISSION FOR THE ERECTION OF UP TO
43 NEW HOMES, ACCESS FROM STATION ROAD
AND ASSOCIATED WORKS INCLUDING ATTENUATION POND**

ON LAND AT STATION ROAD, HOOK NORTON

ON BEHALF OF GREYSTOKE LTD

FEBRUARY 2021

PF/10430

1.0 INTRODUCTION

1.1 Outline Planning permission is sought with access not reserved for subsequent approval for a development comprising the erection of up to 43 new homes, access from Station Road and associated works including attenuation pond.

1.2 The formal plans for this application comprise:

- Drawing No. 2147.201 Red line application boundary
- Drawing No. 22263-01 Rev C – Site access detail

1.3 An illustrative site layout plan (Drawing No. 20147.101) has been prepared to show the proposed layout of the site providing a range of house types namely:

- 10 x 2 bed house types
- 27 x 3 bed house types
- 6 x 4 bed house types

1.4 The layout plan also makes provision for open space; surface water attenuation pond (to restrict flows to existing greenfield run off with additional capacity provided to account for anticipated rainfall as a consequence of climate change and structural landscaping) on the boundaries of the site.

1.5 This application is accompanied by the following documents.

- Planning Statement
- Design and Access Statement
- Transport Statement

- Flood Risk and Drainage Strategy
- Landscape and Visual Appraisal
- Preliminary Ecological Appraisal
- Heritage Desk Based Assessment

1.6 Additional plans accompanying the application comprise:

- Site Survey Sheet 1 of 2
- Site survey Sheet 2 of 2

1.7 The purpose of a planning statement is to enable the Local Planning Authority and other interested parties in understanding the approach taken by the Applicant to the submission of the proposals from both a planning policy context and in terms of environmental and technical analysis of the development proposals.

2.0 PLANNING POLICY

2.1 The development plan for the purposes of Section 38(6) comprises the Cherwell Local Plan 2011 – 2031. The Plan was adopted in July 2015. A review of the Local Plan is not likely to be concluded prior to the end of 2023.

2.2 The spatial strategy for all forms of development is to focus growth to Bicester, Banbury and Kidlington. A more limited amount of growth is provided for villages that are able to accommodate some growth. Policy Villages 1 sets out a Village Categorisation which identifies Hook Norton as a Category A Village which is suitable for the following types of development within the 'built up limits of the settlement':

- Minor Development
- Infilling
- Conversions

2.3 Policy Villages 2 Distributes Growth across the Rural Areas and states that 'A total of 750 new homes will be delivered at Category A Villages. These homes are required in addition to the rural wind fall allowance and the sites of 10 or more dwellings with planning permission as at 31st March 2014'.

2.4 Policy Villages 2 envisages that the delivery of 750 new homes may be secured through the determination of applications for planning permission. The Policy identifies a range of criteria for consideration when assessing the suitability of a individual site for the provision of new homes.

2.5 These policies are considered to be dominant policies for the determination of the merits of this proposal. The consideration of the criteria set out to Policy Villages 2 necessarily gives rise to an assessment against other policies in the Local Plan that relate to technical and environmental matters.

2.6 Hook Norton Neighbourhood Plan was made on the 19th October 2015. The Neighbourhood plan contains the following relevant policies:

- Policy HN - CC 1: Protection and enhancement of local landscape and character of Hook Norton
- Policy HN – CC 2: Design
- Policy HN - CC 3: Local distinctiveness, variety, and cohesiveness
- Policy HN - CC 4: Resource efficient design
- Policy HN - CC5 – Lighting

2.7 The Neighbourhood Plan contains no specific policies relating to the application site. The planning policy circumstances set out at paragraph 14 of the Framework are not all engaged.

2.8 The saved policies of the Cherwell District Local Plan 1996 remain part of the development plan.

2.9 National Planning Policy

2.10 National Planning Policy is provided in the National Planning Policy Framework. The policies in the Framework should be given substantial weight in decision taking.

3.0 PLANNING CONSIDERATIONS

3.1 The 2019 Annual Monitoring Report reveals that the District had a 4.4 years supply of deliverable housing land for the period 2020 – 2025. The District Council has since September 2018 derived comfort from the Ministerial Statement (12th September 2018) that of a *‘temporary change to housing land supply to Oxfordshire’*. It is set out that the Oxfordshire Authorities would only need to demonstrate 3 years housing land supply and not 5 so that the Authorities can *‘focus their efforts on the Joint Spatial Plan’*.

3.2 In November 2020 the Oxfordshire Growth Board reported on the latest timetable for the Oxfordshire Spatial Plan. Far from focusing their efforts to produce a Spatial Plan, the report revealed a delay in anticipated adoption of the Plan by over 2 years. Like the inevitability of taxes and death, development plan timetables only go backwards. The adoption of a Spatial Plan by May/June 2023 is considered to be optimistic and not necessarily realistic.

3.3 The provisions of the 2018 Ministerial Statement remain in place until the 31st March 2021. The Report to the Growth Board stated:

'In the conversations with MHCLG on extending the timetable for the Plan, they have indicated that an extension to this flexibility [the 3 year housing land supply position] is not likely to be supported'.

3.4 As at the date of determination of this application, it is submitted that the Council will not be able to demonstrate a deliverable 5 year housing land supply and that the Presumption in Favour of Sustainable Development provided by paragraph 11 d) will be engaged (see Framework Footnote 7).

3.5 The accompanying specialist reports establish that there are no policies in the Framework relevant to the environmental issues referred to in Footnote 6 that are engaged by this development. As a policy consequence the decision matrix is as stated below:

'To grant planning permission unless... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

This is so called *'titled planning balance'* in favour of a grant of planning permission.

3.6 It is acknowledged that the site lies adjacent to the built-up framework of Hook Norton, and lies within the open countryside in a planning policy context. The site adjoins a Category A Village which is one of the most sustainable settlements within the rural areas of the District.

3.7 In January 2015 the District Council refused planning permission for 48 houses, access, open space and landscaping on this site (Ref: 14/01738/OUT) (Appendix 1). The application was refused for 3 reasons in summary form:

RfR1 – An absence of housing need and a form of development which failed to respect the traditional settlement pattern and extends beyond existing built-up limits of the village in the open countryside.

RfR2 – The absence of a planning obligation to address the social infrastructure needs arising from the development.

RfR3 – A lack of information regarding the vehicular access to the site and the engineering required to facilitate the access.

3.8 The Applicant responds to these objections as follows:

3.9 **Planning Obligations (RfR2)**

3.10 The Applicant's willingness to enter planning obligations that may be lawfully demanded pursuant to Regulation 122 of the CIL Regulations 2010. The obligations will include a policy compliant provision for affordable housing; a financial contribution towards education facilities; health facilities where justified.

3.11 The Appellants willingness to enter Obligations is not confined to the provision for the facilities identified above. The Applicant invites the Local Planning Authority to identify the facilities that may be considered lawfully to demands arising from the proposed scale of development.

3.12 If the LPA consider other planning obligations are necessary the Applicant will consider such requests in the legal framework provided by Regulation 122. The Applicant is willing to progress preparation of planning obligations with the LPA. As such the reason for refusal 2 (RfR2) is not a sound and clear-cut objection to this development.

3.13 Housing Need (RfR1)

3.14 In contra-distinction to the situation in 2015, the District Council does need to deliver more housing to achieve the minimum deliverable housing land requirement. It is submitted that at the date of determination of this application the balance of probability is that the Council will have to demonstrate a genuinely available land supply of a minimum of 5 years. It should not be overlooked that the inadequacy in the supply of housing effects the daily lives of people who are unable to match housing requirements with their housing needs.

3.15 All too often it is those who have no issue with their own housing provision, that seek to resist further housing delivery. They do not seek to assist people on the housing latter, they wish to 'pull the ladder up' to frustrate others from gaining their new homes, on the alleged basis the proposed development will diminish the amenities they currently enjoy. The planning system is intended to be mutually inclusive and should not deny housing opportunities to those who have demonstrable needs.

3.16 It is submitted that there is a clear housing need established by National Planning Policy which is not being met within Cherwell District. There is a further substantial need for the delivery of affordable homes in the District. The basis of RfR1 on planning application (Ref: 14/01738/OUT) is no longer aspersive to prevailing circumstances as a consequence of the shortfall in housing delivery. RfR1 does not amount to a sound and clear-cut objection to this development.

3.17 Site Layout Objections (RfR3)

3.18 The proposed site layout for this application demonstrates that an entirely different approach has been taken to the form of the layout. Detailed considerations have been given to the formation of the access point off Station Road. The submitted layout and the Design and Access Statement has been prepared by MHP Landscape Architects. Emphasising the landscape led approach to the proposed development.

3.19 The LVIA explains how the layout has evolved and how the form of layout responds to the local context. The features incorporated into the layout are summarised below:

- *The scale and density of proposed development is limited to reflect that of the local settlement. Recent developments at The Sidings and The Grange provide good examples of what is considered appropriate in terms of new development on the edge of the established settlement.*
- *The proposed layout reflects that found within the existing settlement pattern. Extensive areas of open space incorporated within the development proposals reflect similar spaces which contribute to the character of the existing settlement. A notable example of such green open space can be found informing the setting of the settlement between Ironstone Hollow and Hollybush Road. A further example lies off Station Road at the junction with Hollybush Road.*
- *The proposed site access is set within an extensive area of open space which allows space for sensitive engineering and naturalising landscaping to maintain a rural character of Station Road.*

- *The proposed access is located west of the existing Station Road access to The Sidings and The Grange residential streets. This maintains the current gateway to the settlement from Station Road. Existing settlement and access to The Sidings maintains the current eastern most extent of the settlement which would be unchanged by the proposal contained in the illustrative layout.*
- *Existing hedgerow would be retained and restored along Station Road to maintain the rural character of the road*
- *An extensive buffer of new green infrastructure has been incorporated along the eastern margin of the study site. This provides space to establish a new native structure of trees and hedgerow to screen views into the study site from elevated viewpoints on Council Hill. The new buffer planting is linked to existing green infrastructure to enhance connectivity of potential habitats and to anchor the proposed landscape framework into the existing green infrastructure.*
- *The proposed green infrastructure is kept accessible for maintenance during establishment and long-term management. Access points to the buffer planting areas have been incorporated at the north west corner, south east corner and centrally along the eastern margin to allow long term maintenance and management.*
- *The illustrative layout includes an extension of new green infrastructure along the northern site margin to both contain development from the open countryside and conserve the rural character of the public footpath in this location.*
- *The illustrative layout incorporates a green corridor through the middle of the study site to maintain a village scale to the proposed development. The green corridor creates two smaller parcels of settlement within the site assisting with reducing the perceived massing and potential visual effects when viewed from Council Hill.*

- *The central green corridor also provides an extensive area for further native tree planting and integration of SuDS into public accessible open space. This provides an opportunity to create a strong rural character to this edge of settlement location.*
- *A broad central open space is proposed along the western margin of the site to conserve the visual amenity of walkers using the adjoining footpath and establish a setting of strong natural appearance to the development. The open space is aligned with the proposed site access to maintain rural views when seen from Station Road. This extensive open space has potential to establish new wildlife habitat in association with an integrated SuDS scheme and new native planting’.*

3.20 The Landscape Architects conclude:

‘When the above are taken as a whole, the illustrative layout provides a strong sense of place which reflects the semi rural edge of settlement location. The visual amenity of footpath users and road users is addressed through natural mitigation measures which also conserve the rural edge of settlement landscape character. It is also significant that changes to the landscape and visual baseline occurring since 2014 have had an identifiable effect on the setting of the study site. A previous proposal for 48 dwellings on the study site was found to give rise to development that failed to respect the traditional settlement pattern and would extend into the open countryside resulting in incongruous and visually intrusive development. Since 2014, new residential development at The Sidings and The Grange have extended the village to the east along Station Road. This new development lies immediately south of the study site and extends further east than the eastern most part of the site. The access to these new development is located further east on Station Road than the proposed site access to the study site.

When considered in the context of the study site, the existing settlement now extends along both the western and southern boundaries and is seen in views from Council Hill. The study site remains an edge of settlement location but it is not isolated and has a direct relationship with the existing settlement. Development on the study site would now form an integrated, balanced and meaningful extension to the settlement in keeping with the pattern of recent settlement’.

- 3.21 A greenfield site can not be developed with any form of built development without significantly affecting the character and appearance of the site. The site is generally visually well contained.

‘The site is well contained by strong boundary vegetation, surrounding built form and elevated landform to the south, west and east with a mature hedgerow to the north creating a vegetated back drop surrounding the proposals on these boundaries. The sites eastern boundary is open to the site field and the falling landform to the north east of the study site imparts a sense of openness to an otherwise enclosed location’.

The proposal is considered consistent with Hook Norton Neighbourhood Plan Policy CC1. The proposal does not amount to the introduction of a development to an ‘isolated site in the open countryside’.

- 3.22 The Landscape Architects consider the site has an overall medium landscape sensitivity and medium/high visual sensitivity to change. It is concluded:

‘There is capacity for small scale, sensitive residential development on the study site where the appearance of the development is informed by local characteristics. Mitigation

measures would be required to establish a robust eastern edge to address visual sensitivity and conserve the wide rural landscape character. These measures also provide an opportunity to enhance the gateway to the village on station road and introduce new and additional habitat to the study site that will create a distinct sense of place in keeping with the wider characteristics of the settlement’.

3.23 In so far as the proposal involves the loss of greenfield land and will have some inevitable impact upon the character and appearance of the area, these impacts are to be placed in the planning balance of paragraph 11 d).

4.0 CONCLUSION

4.1 The provision of market housing should be given **substantial weight** in the planning balance. The provision of affordable housing should be given substantial weight. The contributions of the development to the economic objective of sustainable development both during the constructions process and following occupation of the new homes, should be given **moderate weight** especially in the circumstances of the economic emergency and rising unemployment.

4.2 The impact of the development on landscape character and visual amenity may be given **moderate weight** in the planning balance.

4.3 It is submitted that the landscape and visual impacts are of limited magnitude by reason of the form and design of the development proposed in the application. These impacts do not ‘significantly and demonstrably outweigh the benefits from granting planning permission’.

4.4 As such planning permission should be granted accordingly. This site will fully deliver up to 43 new homes within the five years so fully contributing to both the national and local need for more housing.