

E D G A R S

Planning, Design and Access Statement

Location: The Stables, Main Street, Wendlebury, OX25 2PR
Proposal: The change of use and conversion of equestrian stables and storage barn to a create a single residential dwelling.
Prepared for: Mr and Mrs Lewis
Date: March 2024

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Project Ref: 934 / 3822

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Issue: Final

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LPA: Cherwell District Council





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1 Introduction

1.1 This Planning Statement has been prepared by Edgars on behalf of Mr and Mrs Lewis, hereafter known as the 'applicant'. It relates to a planning application for the *'change of use and conversion of equestrian stables and storage barn to a create a single residential dwelling'* at The Stables, Main Street, Wendlebury.

1.2 The document is structured as follows:

- Section 2 introduces the site context (in relation to the constraints and character of the site and its surroundings);
- Section 3 establishes the relevant planning history;
- Section 4 establishes the relevant planning policy;
- Section 5 describes the proposed development (and comprises the design and access element of this statement);
- Section 6 assesses the key planning considerations; and
- Section 7 concludes the statement and demonstrates how the proposal accords with the development plan and national policy.

1.3 The following documents are provided as part of this application:

- Location Plan (Buy A Plan ref: #00886365-0DD1A8)
- 010 Existing site and block plan
- 011 Existing Floor Plan
- 012 Existing roof plan and east elevation
- 013 Existing Elevations
- 021 Proposed Site and block plan
- 022 Proposed Floor plan, roof plan and elevations
- 023 Internal Elevations (ref: LEWIS2024/03)
- Planning, Design and Access Statement – this statement

1.4 Having regard to the above sections, it is considered that the proposed development is in accordance with local and national planning policy.



2 Site and Surrounding Area

- 2.1 The site is located in the village of Wendlebury, situated 4km to the south west of Bicester.
- 2.2 The application site is accessed via Wendlebury Road through the centre of the village, leading onto a private road located to the south of the dwellings: College Farm and The Stables. The site is outlined in red in **Figure 1** below.



Figure 1: Site Location Plan

Settlement Hierarchy

- 2.3 Wendlebury is classified as a 'other village' (Category C) in Cherwell District Council's Local Plan Settlement Hierarchy, where development is supported for infilling and **conversions** (Policy Villages 1).
- 2.4 Wendlebury has services and facilities including a village hall, a public house/restaurant, food delivery service, St Giles Church and a small number of facilities (retail shop, vehicle repair shop and exercise studio).
- 2.5 Wendlebury is served by a daytime bus service (route 24 by Grayline) from The Old Lion public house in the centre of the village which serves Bicester and Oxford via Wendlebury and Weston on the Green. This bus stop is approximately 300m from the site. The village is also served by frequent services from the bus stop situated on the A41, which is linked to the village by a footpath, giving the village access to the S5 and NS5 bus to Oxford or Bicester. This bus stop is approximately 450m from the site. The village is approximately a 20-minute cycle along the Wendlebury Road (national Cycle Route 51) to the centre of Bicester.



- 2.6 The equine stables are located on land immediately behind residential dwellings along Main Street in Wendlebury. The stable building comprises a timber framed quadrangle shaped building with pitched roofs and a central courtyard as shown in **Figure 2** below. The site area is 0.17 hectares.
- 2.7 The building is flanked on the northern elevation by a cellular gravel driveway, and further to the north, outside of the red line boundary of this application, is a wood chipped area, grassed area and driveway associated with access to dwelling known as The Stables.





Figure 2: Site and Surroundings photographs

- 2.8 The site is bound by residential dwellings and gardens to the north and west of the site and equine paddocks and agricultural fields to the east and south of the site.
- 2.9 The site does not contain any land based statutory designations and therefore is not within the Oxford Green Belt or an Area of Outstanding Natural Beauty.
- 2.10 The site is not within a Conservation Area, however a Grade II listed building, The Stables, is situated approximately 40m to the north-west of the stable building, shown in **Figure 3** below.



Figure 3: Historic England Map



2.11 **Flooding:** The site is located in Flood Zone 1 and thus is not at risk of flooding. However, part of the access track and land along Main Street are located within Flood Zones 2 & 3.

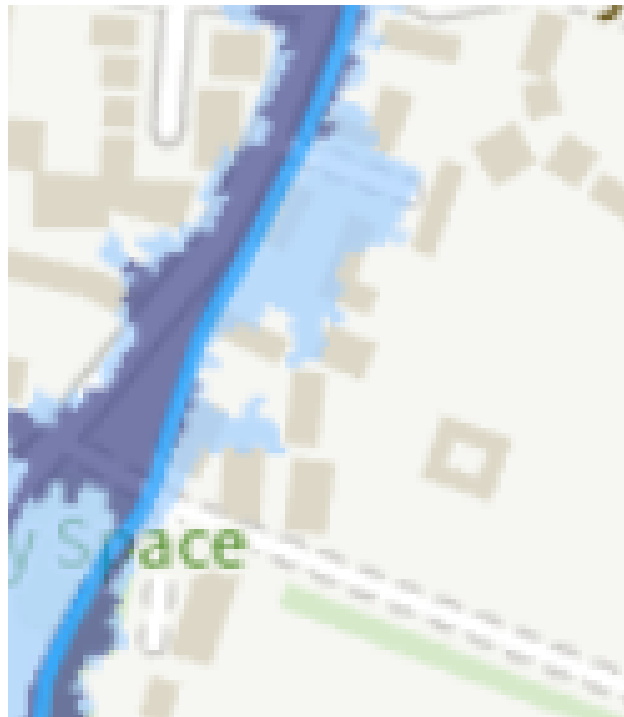


Figure 4: Environment Agency Flood Risk Map



3 Planning History

3.1 The relevant planning history of the site is listed in **Table 1** and **Table 2** below.

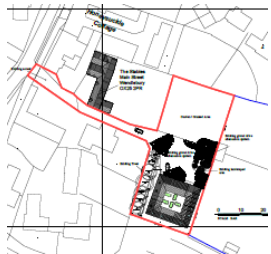
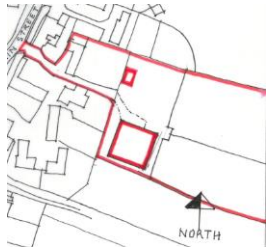
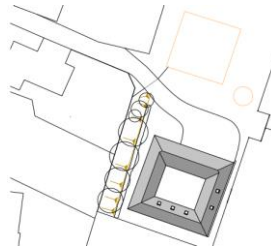
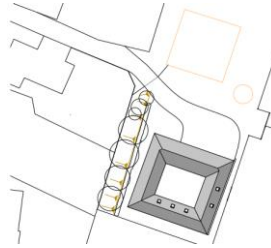


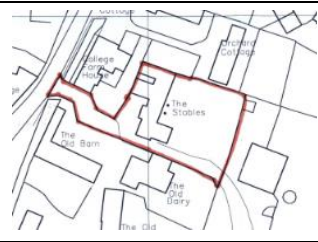
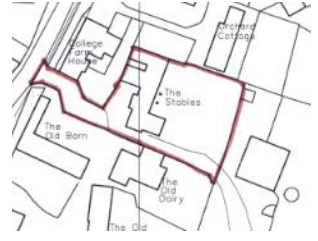
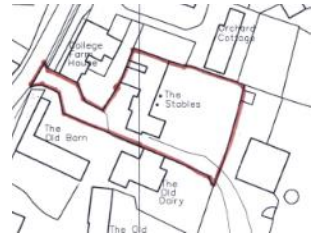

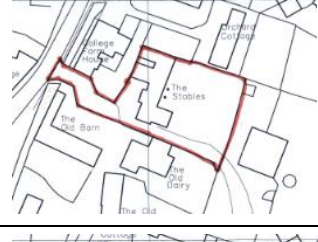


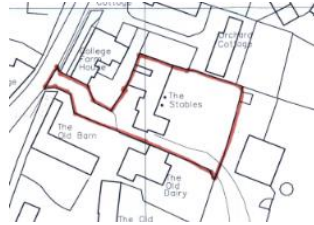
Table 1: Planning History of The Stables			
Reference	Local Plan	Description of the development	Decision
22/03033/F		The conversion and infill extension of equestrian stables to create a single residential dwelling.	Withdrawn in January 2023
21/02231/F		Proposed conversion of existing barn and stable block, to form new family house.	Withdrawn in September 2021
14/00411/DISC		Discharge of conditions 3, 9 and 12 of 14/00426/F.	Approved in December 2014
14/00426/F		Demolition of existing barn/stables and silo and erection of stable and storage building.	Approved in March 2014
99/02105/F		Change of use from farm workshop and paddock to DIY livery stabling and grazing	Approved in January 2000



Table 2: Planning History of the area adjacent to The Stables			
Reference	Site Location	Description of the development	Decision
15/01697/F 15/01698/LB		Single storey infill extension to rear.	Approved in November 2015
11/00230/DISC		Discharge of Condition 5 of 10/01125/LB	Approved in September 2011
11/00143/DISC		Clearance of condition no's 3 and 4 of 11/00431/LB	Approved in June 2011
11/00431/LB		Replacement of the Stonesfield slate roof on the East elevation	Approved in May 2011
11/00184/F 11/00185/LB		Construction of basement	Approved in April 2011
11/00043/DISC		Partial Discharge of Condition 5 of 10/01125/LB	Approved in April 2011
11/00042/DISC		Discharge of Conditions 3 and 4 of 10/01124/F	Approved in April 2011



10/00353/DISC		Discharge of Conditions 5 & 6 of 10/01124/F	Approved in November 2010
10/01124/F 10/01125/LB		Two storey side extension, conversion of outbuilding, conservatory to rear and partial raising of roof.	Approved in October 2010

14/00426/F

- 3.2 Planning permission was granted for the demolition of existing barns / stables and the erection of a stable and storage building in June 2014.
- 3.3 During the assessment of the application, the Council’s planning officer considered that the proposed building would not adversely impact upon the character and appearance of the surrounding rural area, and that the removal of existing (dilapidated farm buildings) would improve the site.
- 3.4 Furthermore, under the assessment of the impact on the development to nearby listed heritage assets, the officer stated that the demolition and erection of the stable represented the opportunity to enhance and better reveal the significance of the heritage asset.
- 3.5 Any adverse impact to neighbouring amenity was discounted by the planning officer based on the separation distance between the stable and nearby dwellings and the personal (non-commercial) use of the stable.
- 3.6 This permission included conditions as followed:
 - 6. *Prior to the first use of the development hereby approved, the hard standing areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the hard standing area shall be retained in accordance with this condition. a condition stipulating that the stables be retained for private use only with no commercial function.*
 - 7. *The stables and land hereby permitted shall be used for private use only and no commercial use including riding lessons, tuition, livery or competitions shall take place at any time.*
- 3.7 The inclusion of Condition 6 identifies that the proposed development of the stable building and associated landscaping was acceptable in respect of drainage and flood risk, subject to porous materials being employed and subsequently infiltration was achieved within the site area.
- 3.8 The development has been implemented in accordance with this condition.

**21/02231/F**

- 3.1 This planning application submitted in July 2021 and withdrawn in September 2021. The proposal involved the conversion and two-storey extension of the existing stables.
- 3.2 Comments made by the Case Officer when recommending the withdrawal of the application related to; the principle of development within a Category C village, and that it could not be considered as 'limited infilling and conversions'; and that the development cannot be considered a conversion due to the level of change proposed.

22/03033/F

- 3.3 This planning application had been submitted in October 2022 and was withdrawn in January 2023. The proposal included the conversion and infill extension of the existing stables.
- 3.4 This application was withdrawn following correspondence with the planning officer. At that time, the Officer considered that this location was not suitable for residential development, and further that this modern equestrian building was not suitable for conversion. The council also expressed concern that the proposals would result in the building having a 'very domestic appearance' and would include land currently in equestrian use to create a residential curtilage, which would extend a residential area into the open countryside.
- 3.5 Consultee comments received against the application included:
- Objection from Wendlebury Parish Council; the proposal is contrary to Policy Villages 1 as the development would fall outside of the established building line, and would represent back land development which is not in keeping with the village. Furthermore, flooding was regarded as an issue for the village and such restricts the villages ability to tolerate development.
 - Objection from the Council's Conservation Officer; the proposals were considered to have a detrimental impact on the wider setting of College Farmhouse and the listed stable block.
 - No Objection from OCC Highways; the proposals were considered unlikely to have an adverse impact on the local highway network.
- 3.6 Rebuttal points made during this application in response to these and public comments are incorporated into this submission.



Wendlebury Planning Applications

3.7 Other relevant planning history within the village:

Table 3: Surrounding Planning History			
Reference	Description	Site Address	Decision
22/01772/PIP	Residential development of 2-3 dwellings	Land to rear of Bridge House, Main Street, Wendlebury, OX25 2PW	Refused on 26/07/2022
21/01664/F	New four bedroom house	Land at Dairy Cottage, Main Street, Wendlebury	Approved on 18/08/2021
20/00961/F	Alterations to and conversion of the existing agricultural building to form 1 no dwelling	The Finishing House, College Farm Main Street, Wendlebury, OX25 2PR	Approved on 08/04/2020

3.8 Application 22/01772/PIP was dismissed at appeal in July 2023. The Inspector considered that the proposal was not ‘infilling’ because it sat behind existing houses rather than infilling a gap between existing built form. The Inspector elaborated on this further by noting:

I note that the built-up limits of Wendlebury are not defined by a settlement boundary. Also, that houses on Farrier’s Mead extend further back from Wendlebury Road than the rear boundary of the appeal site. Nevertheless, the appeal site currently has the appearance of undeveloped, grassed land. Rather than being contained by built development at the rear of the site, it adjoins a field containing only a stable building.

3.9 A site plan is included below in **Figure 5** for context.



Figure 5: 22/01772/PIP Site Plan

- 3.10 This applications' proposed development is materially different to that of 22/01772/PIP as it is a conversion of an existing building and does not have the undeveloped nature as expressed by the Inspector during that appeal.
- 3.11 Application 21/01664/F (illustrated in Figure 6) for the creation of a dwelling at Dairy Cottage, demonstrates the acceptability of the creation of a new dwelling, where earlier permissions has secured the principle on the fringe of the village. This site shares similar characteristics as the application site by being bound by open paddock land / countryside.

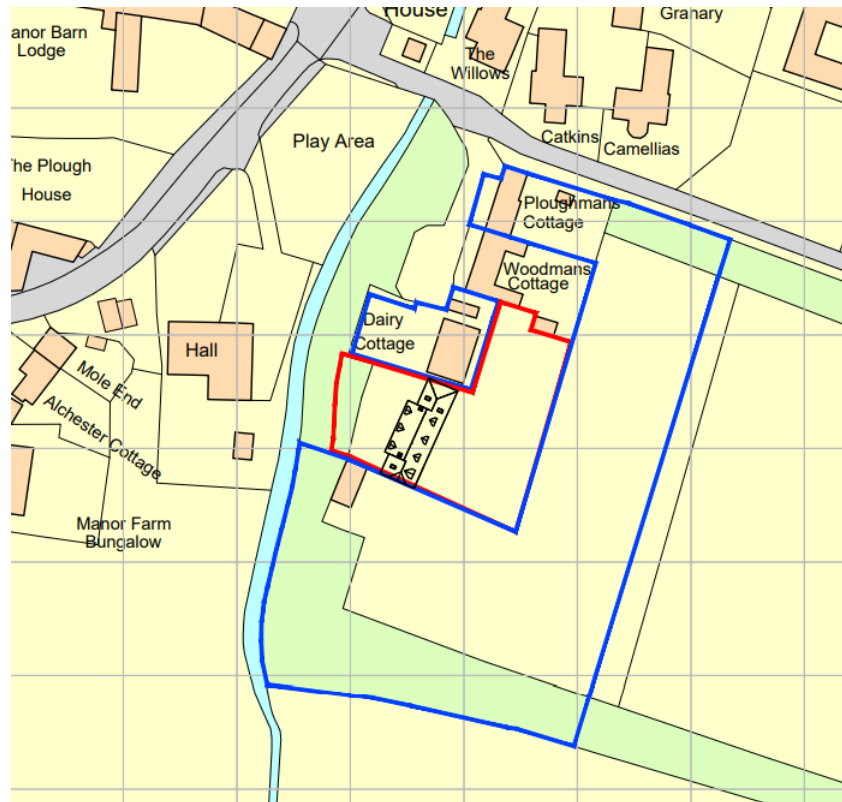


Figure 6: 21/01664/F Site Location Plan

3.12 Application 20/00961/F at College Farm sought permission for the conversion of an agricultural building at College Farm to a residential dwelling. Officers during this application noted that due to the separation of the building from the built form of the village, the principle of development would be assessed by saved local plan H19 (conversion of buildings in the countryside) over Policy Villages 1.

3.13 In assessment of the application against H19, the office notes:

The supporting text of Saved Policy H19 does state that the policy ‘should encourage the conversion not of buildings of modern construction but of traditional farm buildings’. The application building is not a traditional farm building. However, this policy dates from 1996, well preceding both the NPPF and the introduction of Class Q in the GPDO. In addition, recent appeal decisions have given less weight to the policy’s requirement that it relates only to ‘traditional farm buildings’.



4 Planning Policy

- 4.1 Section 38 (5A) states that for the purposes of any area in England, subsections (5B) and (5C) apply if, for the purposes of any determination to be made under the planning Acts, regard is to be had to the development plan, and any national development management policies. Subject to subsections (5B) and (5C), the determination must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. If to any extent the development plan conflicts with a national development management policy, the conflict must be resolved in favour of the national development management policy."
- 4.2 The National Planning Policy Framework (NPPF), published in July 2021, is itself a material consideration to this application.
- 4.3 The development plan comprises the Cherwell Local Plan 2011 - 2031 (adopted in July 2015) and saved policies from Local Plan 1996 (saved in September 2007).
- 4.4 The Council is also preparing an emerging Local Plan – Cherwell Local Plan Review 2040. A consultation on draft Plan (Regulation 18) was held from September to October 2023 and it is expected that a Regulation 19 consultation will take place in 2024. At this time the emerging Local Plan does not carry any weight.
- 4.5 Also of relevance is the Cherwell Residential Design Guide SPD (2018).

National Planning Policy Framework

- 4.6 The relevant chapters and paragraph numbers are listed in the **Table 4** below. **Appendix 1** contains the full wording of the policies.

Table 4: NPPF policies	
Chapter	Paragraph Numbers
2. Achieving sustainable development	8, 10, 11
4. Decision-making	38
5. Delivering a sufficient supply of homes	69(c), 79
9. Promoting sustainable transport	110, 111
11. Making effective use of land	119, 120
12. Achieving well-designed places	130
15. Conserving and enhancing the natural environment	174, 179
16. Conserving and enhancing the historic environment	194, 197, 202

Cherwell Local Plan 2011 - 2031

- 4.7 The Local Plan policies relevant to this application are listed in the table below. Appendix 1 contains the full wording of the policies.



Table 5: Cherwell Local Plan 2011 – 2031	
Policy Number	Policy Title
PSD1	Presumption in favour of sustainable development
BSC 2	Effective Use of Land and Housing Density
ESD 1	Mitigating and Adapting to Climate Change
ESD 3	Sustainable Construction
ESD 6	Sustainable Flood Risk Management
ESD 7	Sustainable Drainage Systems
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment
ESD 13	Local Landscape Protection and Enhancement
ESD 15	The Character of the Built and Historic Environment
Villages 1	Village Categorisation

- 4.8 The key policies concerning the principle of development are outlined below. A full copy of the policy wording can be found in **Appendix 1**.
- 4.9 **Policy BSC 2:** states that development should make effective and efficient use of land and the Council encourages the re-use of previously developed land in sustainable locations.
- 4.10 **Policy ESD 1:** echoes the principle of BSC 2 through efficient resource use, and acknowledges how and where development are most suitable in line with strategic policies. This policy also outlines other factors which will mitigate for climate change including prioritising sustainable transport modes, and the design of buildings.
- 4.11 **Policy Villages 1:** Village Categorisation states that proposals for residential development within the built-up limits of the villages will be considered having regard to the categorisation. Wendlebury is regarded as a 'Category C' village, the development types suitable in this location are **infilling and conversions**.
- 4.12 Supporting text C.261 states: 'the appropriate form of development will vary depending on the character of the village and development in the immediate locality'.
- 4.13 **Policy ESD 15:** The Character of the Built and Historic Environment notes the considerations new development have to have regard to, to ensure the character of the District's built environment and countryside is preserved and enhanced.
- 4.14 Development proposals should be accompanied by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale.
- 4.15 Further policies are relevant in respect of design and technical considerations:
- Policy ESD 6: Sustainable Flood Risk Management
 - Policy ESD 7: Sustainable Drainage Systems (SuDS)
 - Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment



Cherwell Local Plan 1996 saved policies

Table 6: Cherwell Local Plan 1996 saved policies	
Policy Number	Policy Title
H19	Conversion of buildings in the countryside
H21	Conversion of buildings within settlements
C28	Layout and design of new development
C31	Development compatible with residential development

- 4.16 Cherwell's saved local plan 1996 policies predate the NPPF, and while they form part of the development plan, they are considered outdated.
- 4.17 **Policy H19:** Conversion of buildings in the countryside states that the conversion of rural buildings whose form, bulk and general design is in keeping with its surroundings would be acceptable providing that conversion could be achieved without major alteration or extension which would effect its form and character, it would not harm the character of its location or building of architectural and historic significance.
- 4.18 **Policy H21:** Conversion of Buildings Within Settlements states that within settlements the conversion of suitable buildings to dwellings will be favourably considered unless conversion to a residential use would be detrimental to the special character and interest of a building of architectural and historic significance.
- 4.19 **Policy C28:** Layout, design and external appearance of new development states that control will be exercised over all new development, including conversions and extensions, 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.
- 4.20 **Policy C31:** states that development will not be permitted if it would have an unacceptable level of nuisance or visual intrusion to existing or proposed residential areas.

Cherwell Residential Design Guide (2018)

- 4.21 The purpose of the Design Guide is to encourage a high standard of design; protect and enhance the special character of the District; respond to the site and it's setting; establish spatial principles; and details the building proportions and materials. The Guide sets out the characteristics which make Cherwell unique and can be used to influence new design that reflects and enhances local character.

Housing land supply position

- 4.22 In a recent appeal dated 12th December 2023 - Appeal Ref: APP/C3105/W/23/3325113 Land to the rear of No 12 and South of Dismantled Railway Heath Close, Milcombe OX15 4RZ the Inspector concluded that the Council could demonstrate a 4.82 year supply of housing.



5 Proposed Development

5.1 This application seeks planning permission for the 'change of use and conversion of equestrian stables and storage barn to a create a single residential dwelling' at The Stables, Main Street, Wendlebury. This section describes the design and access of the proposal.

Use and Amount

5.2 This proposal seeks to provide 1no. 4-bed dwelling. The existing equine stables are to be converted to provide the dwelling with no further extension or significant alteration of the building.

5.3 The dwelling will have approximately 280sqm floorspace, including the integrated garage.

Layout

5.4 This proposal is for the conversion of the existing equine stables building to a dwelling.

5.5 The proposed design retains the existing quadrangle layout with an open central courtyard. The dwelling's accommodation is therefore arranged around the outside of the building, allowing for internal circulation around the courtyard which benefits from glazing overlooking the courtyard garden.

5.6 There is also the introduction of a garage on the north elevation – this is an infill of the existing car port in this location.

5.7 The existing vehicular access and gravelled parking and turning areas will be utilised to the north of the building.

Scale

5.8 The proposed dwelling utilises and maintains the scale and height of the existing stables building and as such will create a single storey dwelling.

5.9 The existing and proposed elevations of the current proposal are shown below and illustrates how limited alterations are required to facilitate the conversion of the stables to a dwelling. As is later discussed, this also seeks to retain the building's current character and appearance.

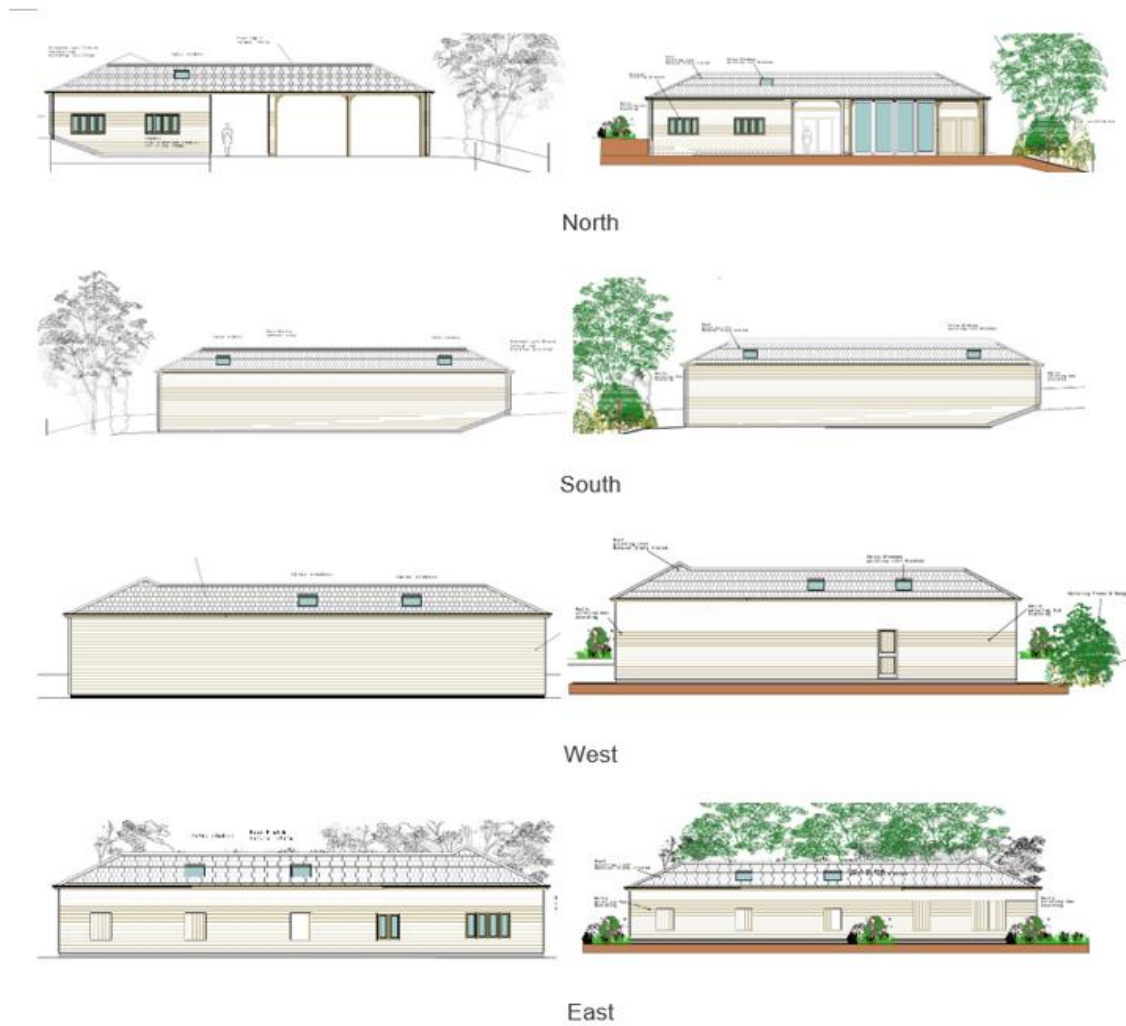


Figure 7: comparison of existing (left) and proposed (right) elevations

Table 7: Proposed Changes		
Elevations	Existing	Proposed
North	2 x windows 1 x rooflight 2 bay open car port	2 x windows 1 x rooflight Infill glazed carport Timber infill garage
East	3 x timber shuttered openings 2 x windows 2 x rooflights	3 x timber shuttered openings 2 x timber shuttered windows 2 x rooflights
South	2 x rooflights	2 x rooflights
West	2 x rooflights	2 x rooflights 1 x closed boarded timber door
Internal	Open bays, timber doors, gravelled internal courtyard	Glazed walls, glazed doors, timber panelled walls and landscaped courtyard garden



5.10 The proposed alterations to the external elevations are therefore limited to infilling of the existing open carport with glazing and timber panelling to form the garage, and insertion of a closed timber boarded door in the west elevation. Internally, the east and west elevations of the courtyard will be glazed to provide circulation space and windows will be inserted in the north and south internal elevations to provide natural light into the one bedroom, the lounge and open plan kitchen / living room.

Character and Appearance

5.11 As can be seen from **Figure 7** above, the proposed dwelling has been designed to maintain the agricultural/equestrian appearance of the original stables. In broad terms, the design solution ensures the conversion is utilitarian and functional and re-uses the existing openings, making the proposal non-domesticated. In the centre of the quadrangle, glazing is proposed to bring daylight and sunlight into the internal spaces and provide private garden space for the dwelling – this area will be obscured from view due to the form of the building and such would not alter the character and appearance of the building in the landscape.

5.12 Table 7 provides a summary of the proposed changes to external elevations of the building. the north elevation the existing windows are retained, and the part of the open cart shed is existing in-filled with full height glazing. The remaining bay is infilled with timber to form an integrated garage.

5.13 Overall, the proposed conversion respects the architectural language of the existing building by way of retaining its quadrangle form, and maintaining the materials of the existing building. The proposed design maintains the rural aesthetic and appearance of the existing stable building with no significant extension or alteration of the building.

5.14 This is demonstrated in **Figure 8** which show how the proposed conversion reflects the character and appearance of the existing stables.

5.15 The proposed development also employs a contemporary and locally appropriate materials palette and the specific material types/samples can be secured by condition. The selected materials are indicated on the proposed elevations and include:

- External wall finish natural oak boarding (existing)
- Roof finish natural slate (as existing)
- Grey aluminium windows set in oak frame (to match existing windows)
- Timber-stained garage door

Landscaping

5.16 The existing mature hedges and trees along the southern and western boundary are to be retained. There is also an existing landscaped area within the gravelled driveway which will be retained.

5.17 Private garden space for the dwelling is provided within the courtyard of the building, as such there are no external changes over the existing conditions of the site required under this proposal.



Access

- 5.18 The dwelling will be accessed via Wendlebury Road and the existing private road located to the south of the dwellings: College Farm and The Stables. No changes are proposed to this access.



6 Planning Considerations

6.1 Having regard to the established planning context and nature of the proposed development, the following key planning matters are of relevance to the consideration of the development:

- Principle of Development
- Design
- Historic Environment
- Flood Risk and Drainage
- Other matters; transport, ecology and trees

6.2 These matters are considered in turn below.

Principle of Development

6.3 The spatial strategy of Cherwell's Local Plan policies is to direct new housing development to sustainable locations within the district. As noted earlier, Wendlebury is categorised as a Category C village, and Local Plan policy 'Villages 1' identifies that acceptable development in these settlements includes 'infilling and **conversions**' {emphasis added}.

6.4 There are several elements to the principle of development which are discussed in turn below:

- Principle of Sustainable Development
- Settlement Envelope
- Principle of conversion

Principle of Sustainable Development

6.5 The central tenet of planning policy is to achieve sustainable development. This fundamental objective of the planning system guides strategic plan making and local decision taking, and is recognised in the spatial strategy for the District under the Cherwell Local Plan 2011-2031.

6.6 Wendlebury has services and facilities including a village hall, a public house/restaurant, food delivery service, St Giles Church and a small number of facilities (retail shop, vehicle repair shop and pilates studio). Furthermore, Wendlebury is served by the 24, S5 and N5 services which are all within a 500m walk of the site, and Bicester is within a 20-minute cycle along National Cycle Route 51.

6.7 It is therefore considered that Wendlebury is a sustainable location for some types of development, as acknowledged in Local Plan policy Villages 1 which allows for infilling and conversion. Furthermore, the re-use of redundant or disused buildings and making efficient use of previously developed land is also supported by national policy under paragraph 80, 119 and 120.

6.8 Local Plan policy BS2 also stipulates that housing development in the district should make effective and efficient use of land and encourage the re-use of previously developed land in sustainable



locations. As an equine use, the existing stables is considered to be previously developed land, and the existing building is capable of conversion without significant alterations or resources being expended.

- 6.9 The applicant does not now keep any animals at the stables, and their remaining horse is stabled at Alchester Stables, a farm on the outskirts of the village. This location is preferred from a welfare perspective for a single horse, and offers better access to exercise facilities, especially off-road exercise and bridleways that are now limited from the site with the conversion of the rail line to a high-speed route, which removed local bridleway crossings. The conditions associated with the permission for the stables in 2014 (ref: 14/000426/F) required that the stables be used only for private use and not for commercial operation, therefore there is not the opportunity to re-use the stables for commercial purposes without the grant of planning permission for an alternate use. Therefore, the stable buildings permitted use is redundant and the building is significantly underutilised.
- 6.10 In summary, Wendlebury provides access to public transport, national cycle routes and amenities which leads to the categorisation in the Local Plan as a sustainable location for a modest level of development.

Settlement Envelope

- 6.11 The Local Plan does not define the built-up limits of the village, and this is considered on a case-by case basis depending on the character of the settlement.
- 6.12 The evolution of the village over time has seen the character and settlement envelope develop to what it is today. Although Wendlebury is a largely linear village, there are developments such as Farriers Mead, St Giles Close and Rectory Close which extend the settlement envelope beyond the built-up frontage of Main Street. Indeed, Farriers Mead which immediately adjoins the site to the north extend the built-up part of the settlement much further east than the proposal site.



Figure 8: Settlement boundary - Farriers Mead outlined in blue, and the site circled in red. At the southern end of the village illustrated in the yellow hatched line is the further extension of the settlement approved under 21/01664/F.

6.13 The site was once associated with College Farm (now converted agricultural buildings known as The Stables, The Old Barn, The Old Granary and The Old Dairy) as **Figure 9** demonstrates. This image also illustrates the longstanding relationship the farm has with the village, and that it forms a large part of development along Main Street at the southern end of the village. To this degree, the site forms part of an established area of clustered development within the village.



Figure 9: Historic aerial photo of College Farm (approximate site location circled)



- 6.14 The existing stables' position within this group of converted agricultural building, served by a communal access behind the frontage of Main Street, is therefore a longstanding characteristic of the village and such is not inconsistent with the pattern of development. To distil this further - this is an existing building on the site of a previous agricultural building. As a conversion the proposal will be utilising existing built form with this village and will not be extending the building line because no new buildings are being proposed. Moreover, there is no gap of open land between the residential gardens of properties along Main Street and the stable, and between Farriers Mead and the stable.
- 6.15 Due to the site's longstanding establishment and relationship to existing built form in the village, it is considered that the existing stables are located within the built-up limits of the village. As such the applicability of a conversion under Policy Villages 1 can be assessed.

Principle of Conversion

- 6.16 To be a conversion, it is considered that proposals should not involve significant rebuilding, extension or alteration as to retain the existing structures form and character. The proposed development achieves this in the following ways:
- The proposals do not include any extension of the building;
 - Being a modern building, the existing structure is capable of conversion without structural alterations;
 - The proposals for new internal glazing are located where they do not significantly alter the appearance of the building, and such the building maintains its functional rural aesthetic; and
 - The proposed curtilage is tight to the building, and there are no external changes within the buildings curtilage that will alter the appearance of the building over the existing conditions of the site.
- 6.17 Officers concerns during the last application (ref: 22/03033/F) over the domestic appearance of the dwelling have been addressed through this proposal by internalising private garden space to within the courtyard of the building, removing the infill extension, rationalising and removing window openings from the external elevations and further reducing the residential curtilage of the building to the existing gravelled access drive. The proposed development therefore maintains the functional rural aesthetic of the existing stable building which is acceptable with its position bordering paddock land and countryside to the south and east.
- 6.18 The principle of converting buildings within settlements is also covered by saved Local Plan policy H21, where conversion will be favourable considered unless the proposal would be detrimental to the special character and interest of a building with architectural and historical significance. As is later discussed, the proposed conversion would not have any harm to designated heritage assets and such would comply with this policy.
- 6.19 In summary, the proposed development therefore complies with Policy Villages 1 and H21 as the development is categorised as a conversion, and as noted previously is within the built up limits of the settlement.



- 6.20 Notwithstanding this position, we note that officers took an alternate position during the earlier application (ref: 22/03033/F), and regarded the site as being outside of the built up limits of the settlement. In that event the principle of development would be viewed under saved local plan policy H19. In reviewing the proposals against the criteria of this policy, we note that the proposed conversion would satisfy the policy as it would not require major rebuilding, extension or inappropriate alteration to its form and character. As discussed in 6.16 above, the proposals would maintain the buildings character and appearance and such would not harm the character of the countryside, nor the immediate setting of any other building, and as is later discussed, would not cause any harm to any heritage assets.
- 6.21 The presumption that H19 encourages the conversion of traditional buildings over modern buildings has become out of date with the establishment of the NPPF, and has been given less weight in recent decision taking as was noted in application 20/00961/F, as detailed in Section 3.
- 6.22 On a similar vein, the officer during the previous application for this site (22/03033/F) asserted that the stable building was only acceptable in 2014 (under application 14/0042/F) because it replaced old and unattractive buildings and the equestrian use justified the location in a rural area. In reviewing the Delegated Report for 14/0042/F we note at paragraph 5.9 the design solution is deemed acceptable and it's commented that it would not adversely impact upon the character and appearance of the rural area. It is then separately noted that the removal of the existing buildings would arguably improve the appearance of the site. The assertion made by the officer that the conversion of the building was inappropriate because the building detracted from the character of the area does not give credence to the comments made when the stable building was permitted in 2014.
- 6.23 In conclusion, it has been demonstrated that Wendlebury is a sustainable location for small scale development, and in this case the conversion of the existing stable building accords with the principles of sustainable development under the NPPF and Local Plan. The proposed development represents a conversion within the built-up limits of the settlement and would accord with Policy Villages 1 and saved Local Plan policy H21. It has also been demonstrated that should the decision maker take an alternative approach to the settlement boundary, that the proposals remain compliant with Local Plan policy under saved policy H19. The supply of housing, even a single dwelling, attracts greater weight for districts who unable to demonstrate a 5-year housing land supply.

Design

- 6.24 Policy ESD 15 expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development is to be required to meet high design standards and the policy outlines the criteria that development is expected to meet. This policy is supported by policies ESD 1, ESD 3 and ESD7 concerning mitigation to, and adaptation of climate change to ensure that developments do not contribute to climate change.
- 6.25 Saved Policy C28 requires the design of development (in terms of layout, scale and appearance) to be sympathetic to the character of its context, and saved Policy C30 requires that new housing be compatible with the appearance, character, layout, scale and density of existing dwellings.



6.26 With respect to the proposal, this involves the conversion of existing stables to a dwelling. The proposals relate to only the conversion of existing built form, and does not involve any significant alteration or extension of the building.



Figure 10: Existing Elevations (left) and Proposed Elevations (right) comparison

6.27 As is illustrated above, the proposal is not materially different from the existing building and such it maintains the character and appearance of the existing stable building. The external changes proposed are limited to:

- timber door on the western elevation; and
- Infill of the existing car port with glazing and timber garage doors on the north elevation.

6.28 The infill of the car existing port with vertical glazing in oak timber frames is an appropriate design response to infilling this large opening in a manner concurrent with barn conversions. The proposals utilise the internal courtyard to provide glazing to the circulation and principal rooms of the dwellings and will provide a pleasant outlook from the dwelling into the courtyard garden.

6.29 As the proposed site plan indicates, the private residential garden will be provided in the centre of the courtyard and the residential curtilage of the dwelling has been reduced to only that of the existing



gravelled driveway. This again ensures that the building maintains its existing character and appearance and it would not lead to a more domestic appearance, or the expansion of domestic curtilage into areas to the north, east or south of the building.

- 6.30 As outlined in 7.18, the further revised design of the proposals ensures that the conversion of the building maintains the existing character and appearance of the stable building and would not materially alter the contribution the site makes to the edge of the settlement.
- 6.31 The proposals represent an efficient use of resources through the re-use of the existing building with limited invention. The presence of the courtyard garden will not only create a pleasant outlook from the dwelling, but also through the landscaping of a garden create a cooling environment and opportunity for passive cooling. This coupled with the limitation of windows on the southern elevation, and ability for airflow through the rooflights across the building, limits the risk of overheating and ensures that the building can adapt to a warming climate. Externally as has been illustrated previously, the existing gravelled driveway is SUDs compliant, and such does not represent any change of the existing drainage conditions of the site.
- 6.32 The proposals therefore accord with the principles of Local Plan policy ESD1, ESD3 and ESD7 and of Cherwell Design Guide by incorporating sustainable design and construction techniques.
- 6.33 Collectively, the proposal complements and enhances the character and appearance of the existing built form, the immediate setting of the site and the wider area. Accordingly, the proposed development is compatible with its context and is of a suitably high standard. The proposed dwelling promotes a high-quality design approach and as such is appropriate for the rural location and respects the character of the area in accordance with Policy ESD15, Saved Policies C28 and C30 and NPPF section 12.

Natural Environment

- 6.34 Policy ESD13 requires development to respect and enhance local landscape character, securing appropriate mitigation as necessary. The policy supports the landscape restoration, management or enhancement that conserves and enhances the local landscape character.
- 6.35 The site is located to the rear of the dwellings along Main Street and accessed from the shared private access of these dwellings, and such is not visible from the main thoroughfare of the village. Moreover, there are no footpaths within close proximity to the site. However, the site may be seen from a distance across the fields to the east from users of this land. As such, the predominant receptors of the site and its landscape setting are from the surrounding residential dwellings, with some potential for views from the open countryside to the east.
- 6.36 On the basis that the conversion of the stables will maintain the buildings functional character and appearance, without significant changes to the outward facing elevations, it is considered that the proposals impact on the surrounding landscape will be negligible.
- 6.37 Externally, the residential garden land and curtilage of the building has been kept to a minimum, providing an internal courtyard garden, and utilising the existing gravelled parking.



- 6.38 Having regard to the above, the proposal provides the opportunity to achieve an overall biodiversity enhancement through the new planting in the courtyard and maintains the landscape setting of the building as currently experienced, according with Policy ESD13 and NPPF section 15.

Neighbouring Amenity

- 6.39 Policy ESD 15 also requires all proposals to consider the amenity of both existing and future development and saved Policy C30 seeks acceptable standards of amenity and privacy.
- 6.40 This proposal concerns the conversion of an existing building from an equine stable to a residential dwelling. It is not considered that this change of use will materially alter the amenity of neighbouring dwellings.
- 6.41 The existing building has a back-to-back separation distance of 24m from The Old Dairy, 35m from the Old Granary and an oblique separation of 37m from The Old Stables. The site also benefits from existing mature trees and hedging on its western boundary between it and The Old Dairy and The Old Granary which limits overlooking between the buildings.
- 6.42 The building will remain single storey and there are no windows proposed for the western facing elevation. The proposals include the provision of timber close boarded door from the utility, but this is not considered to significantly alter the relationship the existing building has with its neighbours, increase overlooking or effect their residential amenity. The introduction of glazing on the northern elevation of the building would not impact the amenity of the nearby residences The Old Stables or properties at Farriers Mead due to the separation distance, and otherwise as the site is bound by the woodchipped area and paddocks which would not be impacted.
- 6.43 The proposed garden for the dwelling would be internalised into the buildings courtyard and such not create any undue impact on amenity for the neighbouring residences as well. The existing driveway and access will remain unchanged and as such the change of use of this is not considered to pose any harm to neighbouring amenity. It is not considered that the change of use from an equine stable, with the ability to house up to four horses, would have a different and more impactful character of use compared with a single private residence in respect of the number and type of vehicles accessing the site on a daily basis.
- 6.44 Accordingly, the conversion of the building will maintain adequate levels of outlook, natural lighting and privacy of neighbouring dwellings. As such, it is considered that the proposed development would adequately safeguard the residential amenity of the neighbouring properties in accordance with Policy ESD15, Saved Policy C30 and NPPF section 12.

Historic Environment

- 6.45 Policy ESD15 requires development to conserve, sustain and enhance the significance and setting of designated and non-designated heritage assets. Applications are expected to provide a level of information on heritage assets that is sufficient to assess the potential impact of the proposal on their significance and setting. Saved Policy C21 supports the re-use of an unlisted building provided the proposed use is compatible with its character, architectural integrity and setting.
- 6.46 As indicated earlier in this statement, this group of buildings and the surrounding land was associated with College Farm, until the buildings were converted to private dwellings in the latter part of the 20th



century. We therefore include the list descriptions for both nearby listed buildings: College Farmhouse and The Old Stables.

College Farmhouse

Wendlebury Main Street SP51NE (East side) 3/140 College Farmhouse and attached retaining walls and railings GV II Farmhouse. Early C18. Limestone rubble with wooden lintels; Stonesfield-slate roof with brick stacks. L plan. 2 storeys. Right part of 5-window front is a separate build and has a symmetrical 3-window arrangement with a central 4-panel door, flanking 3-light casements, and 2-light casements above; roof has end stacks with paired shafts. 2-window section to left is slightly later and has 2-light casements at first floor and a 3-light casement in the left gable wall. Rear of main range has a projecting gabled stair tower. Lower wing to rear of later section has a large sash window, 6 panes wide, and a gable stack. Interior: large open fireplace with stop-chamfered bressumer, inglenook and bread-oven door; some timber-framed partitions; old plank doors. Butt-purlin roof. Attached rubble retaining wall runs across front, bordering the stream, and is topped by C19 cast-iron railings with fleur-de-lys finials.

The Old Stables:

Stable approx. 30m. to SE of College Farmhouse GV II Stable. C18. Limestone rubble with wooden lintels; Stonesfield-slate roof. Single range. One storey plus loft. Front has 2 stable doors, a window, and the remains of a stone external stair leading to a loft door. Interior not inspected. Included for group value.

- 6.47 It is noted the remaining buildings of College Farm do not have individual listing but may be considered to be curtilage listed, however we note that at least one of these buildings (the Old Barn is not considered to be curtilage listed – reference to comments made during 23/02803/F). The heritage significance of the former farm building is therefore for their evidential value of historic farm practices and aesthetic value as a group of historic farm buildings. The relationship and significance of these buildings has already been altered through their conversion to residential use. Any modern farm buildings associated with College Farm, as indicated in Figure 10, do not contribute to the heritage significance of the listed buildings as they depict modern farm practices which does not contribute to this value.
- 6.48 The existing stable building, when it was granted permission under 14/00426/F, was not found to harm the heritage significance of the nearby assets. The planning officer stated that the proposed stable building, given its height, design, form and siting would not adversely affect the setting of the listed buildings. The officer also considered that the proposal represented an opportunity to enhance and better reveal the significance of the heritage asset ‘The Stables’ [the Old Stables] through the removal of older and more unattractive buildings. It was therefore considered that the change of use from agricultural land and buildings to an equestrian use would not be harmful.
- 6.49 The proposed conversion of the stables to a residential dwelling does not therefore alter this earlier conclusion. The change of use of the building and its immediate curtilage does not degrade any sense of evidential or aesthetic value deriving from the clustered buildings, being that this site did not contain any historic buildings to begin with. Further, The Old Stables, The Old Barn, The Old Granary and The Old Dairy associated with College Farm have now all been converted to residential



dwellings and such the land and buildings between the site and College Farm are now solely residential.

- 6.50 In conclusion, the proposed conversion of the stable to a residential dwelling is not considered to harm the significance of nearby heritage assets, and such the proposal conserves and enhances the historic environment in accordance with Policy ESD15, Saved Policies C18, C21 and C23 and NPPF section 16.

Flood Risk and Drainage

- 6.51 The management of flood risk is outlined in Paragraph 167 and in Local Plan policy ESD6 and ESD7. The objective of these policies is to ensure that new development is not at risk of flooding, and that new development would not increase flood risk elsewhere. In respect of surface water management, Local Plan policy ESD7 requires the use of Sustainable Drainage Systems (SuDS) for the management of surface water runoff.
- 6.52 As is identified in **Figure 4** the existing stable building is located in Flood Zone 1 and is at low risk of flooding. The existing access to this building and the other dwellings in the location crosses areas of high flood risk where it joins the Wendlebury Road. No alterations are proposed to this access such to alter or increase flood risk.
- 6.53 The existing building and hardstanding already employ sustainable methods of drainage, which were implemented through the consent for the building under 14/00426/F. There are no alterations under this proposal which alters the existing drainage conditions of the site as deemed to be unacceptable to Local Plan policies ESD6 and ESD7.

Other Matters: Transport, Ecology, Trees and External Lighting

- 6.54 Policy ESD15 states that development should be designed to deliver high quality safe places to live and work in; this includes in respect of highway safety. Policy SLE4 requires all development, where reasonable, to facilitate the use of sustainable modes of transport. Development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported. These policies broadly echo NPPF section 9 which requires development to promote sustainable transport, provide safe and suitable access and have an acceptable impact upon the highway network.
- 6.55 In terms of sustainable transport, all the services and facilities of Wendlebury are within a walkable distance of the site (approximately 100-500m) including bus stops being served by 3 bus services. Additionally, Bicester is within a cyclable distance of the site (approximately 3.3 miles - 20 minutes) along a national cycle route.
- 6.56 The proposed building contains a secured garage and such provide adequate space for the storage of bicycles, and the existing gravelled driveway provide adequate parking for up to three cars.
- 6.57 In terms of access, the site already benefits from safe and suitable access via Wendlebury Road onto a private driveway which would serve this dwelling.



- 6.58 In terms of impact to the highway network, this proposal is for the change of use and such existing traffic patterns are to be replaced by those associated with a dwelling which is considered to be an improvement on the existing pattern of movement associated with the stable.
- 6.59 Having regard to the above, it is considered that the proposals support sustainable movement to a reasonable degree, provide safe and suitable access and have an acceptable impact upon the local highway network in accordance with Policies ESD15 and SLE4 and NPPF section 9. We also note that Oxfordshire County Council did not object to the previous planning application.

Ecology

- 6.60 Policy ESD10 seeks the protection and enhancement of biodiversity and the natural environment. This broadly reflects the relevant provisions of NPPF section 15.
- 6.61 As identified at section 2, the site does not form part of, nor is in notable proximity of any statutory ecological designations or other priority habitats. The existing building is modern and well maintained having been constructed in 2014 (see photographs in **Figure 2**) and does not support any protected species. The site includes the existing gravelled access track, gravelled courtyard and areas of planting which are set to be retained, with the exception of the courtyard which will be planted as the dwellings garden and such will introduce vegetation in this area. It is considered that an ecology report is not required as part of this application and the proposed development is in line with policy ESD 10 and NPPF paragraph 179. Ecological enhancement can be achieved through new landscape planting.

Trees

- 6.62 Planning policy generally seeks to protect trees, in particular those specimens of medium and high-quality and/or those that are considered to positively contribute towards the character of the area.
- 6.63 Given the proposal involves the conversion of the existing stable building, and utilising existing gravelled hardstanding, no trees would be impacted. The proposal is to retain all trees and hedges surrounding and on the site. Therefore, we are compliant with NPPF paragraph 174 and policy ESD 10.

External Lighting

- 6.64 it is expected that proposals for any additional external lighting will be subject to a condition requiring provisions of details to the Council for approval.



7 Conclusions

7.1 This Planning Statement is submitted on behalf of Mr James Lewis in support of 'change of use and conversion of equestrian stables and storage barn to a create a single residential dwelling' at The Stables, Main Street, Wendlebury, OX25 2PR.

7.2 This statement demonstrates that:

- Wendlebury is a sustainable settlement providing a selection of local amenities, access to public transport and cycle routes.
- The site has a longstanding relationship with the clustered buildings of College Farm, is within the built-up limits of the settlement, and does not seek to extend the settlement boundary as no new building is being proposed.
- The proposal is for the redevelopment of previously developed land.
- The building is capable of a conversion to a dwelling with minimal intervention or alteration.
- The conversion to a dwelling would retain the buildings functional character and appearance.
- The proposals would not result in the domestication of the site on the boundary of the settlement.
- The design of the conversion utilises sustainable design and construction principles.
- There is no unacceptable level of harm to neighbouring amenity.
- The proposed change of use and conversion of the building would not harm the significance and setting of designated heritage assets.
- There are no changes to the existing drainage conditions of the site and such no risk of increasing the flood risk elsewhere.
- The proposal would not negatively impact the biodiversity of the site and would not remove any trees.
- The proposed development would be acceptable from a highway safety perspective.

7.3 Accordingly, the principle of development is acceptable as the proposed development represents a conversion within the built-up limits of the settlement and would accord with Policy Villages 1 and saved Local Plan policy H21. It has also been demonstrated that should the decision maker take an alternative approach to the settlement boundary, that the proposals remain compliant with Local Plan policy under saved policy H19.

7.4 The proposed dwelling promotes a high-quality design approach and maintains the buildings existing functional character and appearance and as such is appropriate for its location on the boundary of the settlement, in accordance with Policy ESD15, saved policies C28 and C30 and NPPF section 12.



- 7.5 Furthermore, the proposed conversion of the stable to a residential dwelling is not considered to harm the significance of nearby heritage assets, and such the proposal conserves and enhances the historic environment in accordance with Policy ESD15, Saved Policies C18, C21 and C23 and NPPF section 16.
- 7.6 Lastly, the proposals are acceptable under Local Plan policies ESD 1, ESD 3, ESD 6, ESD 7, ESD 10 and ESD 13 concerning climate change, flood risk and drainage, the natural environment, biodiversity and transport.
- 7.7 Overall, it is demonstrated that the proposed development is in accordance with the policies of the Development Plan and has addressed the principles and guidance of the NPPF. Moreover, there are no demonstrable impacts of the proposals which outweigh the benefits of housing delivery when a five-year housing land supply cannot be demonstrated.



Appendices





Appendix 1. Planning Policy Wording

National Planning Policy Framework

Chapter 2 – Achieving Sustainable Development

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 10 - 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 11).

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. 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.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or



- ii. 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.

Chapter 4 – Decision-making

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Chapter 5 – Delivering a sufficient supply of homes

Paragraph 69 – Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

Paragraph 79 – To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Chapter 9 – Promote Sustainable Transport

Paragraph 110 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.



Paragraph 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 11 – Making effective use of land

Paragraph 119 – 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.

Paragraph 120 – Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.

Chapter 12 – Achieving well-designed places

Paragraph 130 – Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) 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);



- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Chapter 15 – Conserving and enhancing the natural environment

Paragraph 174 - Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 179 - To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

Chapter 16 – Conserving and enhancing the historic environment



Paragraph 194 – In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 197 – In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 202 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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Policy PSD1 (Presumption in Favour of Sustainable Development) - When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

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 – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

Policy BSC 2 (Effective Use of Land and Housing Density) – 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. New housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density development.



Policy ESD 1 (Mitigating and Adapting to Climate Change) – Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:

- Distributing growth to the most sustainable locations as defined in this Local Plan
- Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars
- Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)
- Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).

The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- Taking into account the known physical and environmental constraints when identifying locations for development
- Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling
- Minimising the risk of flooding and making use of sustainable drainage methods, and
- Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).

Adaptation through design approaches will be considered in more locally specific detail in the Sustainable Buildings in Cherwell Supplementary Planning Document (SPD).

Policy ESD 3 (Sustainable Construction) – All new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy.

Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day.

All new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.

The strategic site allocations identified in this Local Plan are expected to provide contributions to carbon emissions reductions and to wider sustainability.

All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- Minimising both energy demands and energy loss
- Maximising passive solar lighting and natural ventilation
- Maximising resource efficiency
- Incorporating the use of recycled and energy efficient materials
- Incorporating the use of locally sourced building materials
- Reducing waste and pollution and making adequate provision for the recycling of waste
- Making use of sustainable drainage methods
- Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and



- Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an independent economic viability assessment can be undertaken. Where it is agreed that an economic viability assessment is required, the cost shall be met by the promoter.

Policy ESD 6 (Sustainable Flood Risk Management) – The Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.

Site specific flood risk assessments will be required to accompany development proposals in the following situations:

- All development proposals located in flood zones 2 or 3 Development proposals of 1 hectare or more located in flood zone 1
- Development sites located in an area known to have experienced flooding problems
- Development sites located within 9m of any watercourses.

Policy ESD 7 (Sustainable Drainage Systems) – All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment) – Protection and enhancement of biodiversity and the natural environment will be achieved by the following:

- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources
- The protection of trees will be encouraged, with an aim to increase the number of trees in the District
- The reuse of soils will be sought
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.



- Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated
- Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development proposals will be expected to incorporate features to encourage biodiversity and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity
- Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value
- Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution
- Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably
- A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management.

Policy ESD 13 (Local Landscape Protection and Enhancement) – Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.



Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

Policy ESD 15 (The Character of the Built and Historic Environment) – Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. 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. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette



- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

Policy Villages 1 (Village Categorisation) – Proposals for residential development within the built-up limits of villages (including Kidlington) will be considered having regard to the categorisation below. Only Category A (Service Centres) and Category B (Satellite Villages) will be considered to be suitable for minor development in addition to infilling and conversions.

Wendlebury is a Category C village, which allows for infilling and conversions.



Cherwell Local Plan 1996 saved policies

Policy H19 (Conversion of buildings in the countryside) - Proposals for the conversion of a rural building, whose form, bulk and general design is in keeping with its surroundings to a dwelling in a location beyond the built-up limits of a settlement will be favourably considered provided:

- (i) the building can be converted without major rebuilding or extension and without inappropriate alteration to its form and character;
- (ii) the proposal would not cause significant harm to the character of the countryside or the immediate setting of the building;
- (iii) the proposal would not harm the special character and interest of a building of architectural or historic significance;
- (iv) the proposal meets the requirements of the other policies in the plan.

Policy H21 (Conversion of buildings within settlements) - Within settlements the conversion of suitable buildings to dwellings will be favourably considered unless conversion to a residential use would be detrimental to the special character and interest of a building of architectural and historic significance. In all instances proposals will be subject to the other policies in this plan.

Policy C28 (Layout and design of new development) - Control will be exercised over all new development, including conversions and extensions, 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. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

Policy C31 (Development Compatible with residential development) - In existing and proposed residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted.