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# Planning Statement

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CALA Homes (Chiltern) Ltd

Application for full planning permission for the erection of 34 dwellings with associated access and infrastructure.

Land adjacent to Fewcott Road, Fritwell

August 2016

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## 1. Introduction

- 1.1 This Planning Statement has been prepared by Savills on behalf of CALA Homes (Chiltern) Ltd in support of an application for full planning permission for the erection of 34 houses with associated access and infrastructure.
- 1.2 The site is approximately 1.3 hectares and is located to the south eastern side of Fritwell. The site is currently used for equestrian purposes and contains paddock, a manège and an informal arrangement of outbuildings adjacent to Fewcott Road. The north eastern edge of the site abuts land currently in use as an allotment and access to the site, from Fewcott Road, is gained through an un-made gated vehicular access to the south eastern side of this allotment.
- 1.3 Fritwell is identified as a Category A settlement in the Cherwell Local Plan. In this respect, the village has been deemed by the Council to be a suitable and sustainable location for some new housing development. This Statement demonstrates that the application site also represents a sustainable location in the context of the National Planning Policy Framework (NPPF).
- 1.4 This Statement refers to the housing land supply position in Cherwell District and concludes that the stated 5 year supply is a fragile position which is dependent on unprecedented levels of delivery in the district, and significant delivery from a number of large strategic sites. Furthermore, this statement questions the application of a 5% buffer in the face of persistent under delivery of housing. This Statement highlights the fragility of the land supply position by demonstrating how the application of a 20% buffer would reduce the land supply to below the requisite five years supply, and the future pressure for housing in the District arising from Oxford City's inability to meet its own needs.
- 1.5 The Statement sets out the case for granting planning permission on the basis that the development accords with the policies of development plan, and that therefore, in accordance with the presumption in favour of sustainable development set out in the NPPF, planning permission should be granted without delay. However, mindful of the housing land supply position, and the silence of the Local Plan in relation to the distribution of the 750 dwelling earmarked for Category A villages in Policy Villages 2, this statement also demonstrates that there are no adverse impacts which would significantly or demonstrably outweigh the benefits of granting planning permission for this development.
- 1.6 The benefits of granting planning permission detailed in this planning statement include: the opportunity for a high quality and sustainable residential development to improve housing land supply and meet objectively assessed needs; a boost to the local economy through the creation of jobs and increasing the local workforce; the provision of affordable housing; the opportunity for enhancements to habitats for wildlife; the opportunity to reinforce the landscape edge to Fritwell.

- 1.7 Overall, this proposal is considered to represent a deliverable form of development in a location that is sustainable and would make a valuable contribution towards the continued supply within the District. In light of this, the proposal should be considered favourably by the Local Planning Authority in accordance with the advice within the NPPF.
- 1.8 In developing the proposal, the Applicant has been in pre-application discussions with the Local Planning Authority and Parish Council and has held a local consultation exhibition. The proposals set out in this application have endeavoured to take into account the comments received. In the response the officer raises concerns about the principle of development in this location but offers helpful advice in relation to planning policy; the impact on the countryside and character of the area; residential amenity; highways and parking; biodiversity; refuse; drainage and flood risk; archaeology; contamination, and; Section 106 matters. This Statement, together with the accompanying technical reports, addresses the concerns and matters raised during the pre-application advice process.
- 1.9 The application is accompanied by the following technical reports:
- Design and Access Statement (CALA, August 2016)
  - Transport Statement (Mode Transport, May 2016)
  - Extended Phase 1 Habitat Survey (Lockhart Garratt, October 2015)
  - Flood Risk Assessment (Glanville, August 2016)
  - Landscape and Visual Impact Assessment (Lockhart Garratt, June 2016)
  - Arboricultural Report (Lockhart Garratt, June 2016)
  - Draft Arboricultural Method Statement (Lockhart Garratt, June 2016)
  - Archaeological Desk Based Assessment (CGMS, April 2016)

## 2. The Site and the Surrounding Area

- 2.1 The site is approximately 1.3 hectares and is located to the south eastern side of Fritwell. The site is currently used for equestrian purposes and contains paddock, a manège and an informal arrangement of outbuildings adjacent to Fewcott Road. The north eastern edge of the site abuts land currently in use as an allotment and access to the site, from Fewcott Road, is gained through an un-made gated vehicular access to the south eastern side of this allotment.
- 2.2 The south eastern boundary of the site is defined by established trees and a hedgerow running adjacent to the vehicular access to Lodge Farm Fishing Lakes. A collection of farm buildings associated with Lodge Farm are located to the south west of the site immediately beyond the intervening paddocks. Residential development at Hodgson Close is located beyond the trees and hedgerow forming the north western boundary.
- 2.3 The site is not subject to any landscape or heritage designations and contains no listed buildings. The site falls within Flood Zone 1 and therefore has less than 0.1% annual chance of flooding from rivers or sea.
- 2.4 A full description of the site and analysis of the surrounding area is contained in the accompanying Design and Access Statement.

## 3. Planning History

- 3.1 The application site has not been subject to any previous applications for housing and has no relevant planning history.
- 3.2 The application site has been promoted through previous Local Plan consultation exercises and it has been assessed by the Council in the 2014 Strategic Housing Land Availability Assessment Update as site FR017 (the SHLAA). The adjacent parcel of land, comprising 0.3 hectares fronting Fewcott Road, was assessed at the same time as site FR016.
- 3.3 The SHLAA assessment for the application site concludes that the site could potentially be suitable for residential development if additional green field sites of the edge of the sustainable villages are required to meet housing needs and it if the site is brought forward jointly, and comprehensively, with site FR016. The SHLAA assessment considered the site to be potentially suitable for a development comprising up to 33 dwellings. Concern was raised in the SHLAA assessment that development on the site could appear isolated and poorly related to the existing village if developed in isolation from site FR016. This issue is addressed later in this statement.
- 3.4 In relation to the proposed development of SHLAA sites FR016 and FR017 it is noted that Fritwell Parish Council's minutes of the meeting in January 2015 record that the Parish Council resolved unanimously that it would not object to the development of these sites.

## 4. Proposed Development

- 4.1 The application seeks full planning permission for development of up to 34 high quality new homes on the site, including up to 12 affordable properties. The scheme will comprise a mix of housing types with one, two, three and four bedroom homes to offer a wide spectrum of housing opportunities. These will include 35% affordable homes with a tenure mix of 70% affordable rented and 30% shared ownership.
- 4.3 The proposed development will comprise a mix of the following unit sizes : -
- Private Sale
    - 1 No. 2 Bedroom Bungalow
    - 3 No. 3 Bedroom Houses
    - 18 No. 4 Bedroom Houses
  - Affordable
    - 2 No. 1 Bedroom Maisonettes
    - 5 No. 2 Bedroom Houses
    - 5 No. 3 Bedroom Houses
- 4.4 The accompanying Design and Access Statement provides more information on the details and evolution of the proposed development.
- 4.5 In addition to affordable housing, the applicant is willing to enter into a Section 106 legal agreement to secure the provision of reasonable and necessary contributions towards highways, education, libraries and waste management.
- 4.6 The applicant understand that it is the intention of the County Council to bring forward land to the northeast of the application site for development. The development proposed in this application has been designed to ensure compatibility with the future development of the County Council owned land.

## 5. Planning Policy Framework

5.1 This section sets out the relevant planning policy framework for the site and surrounding area. For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act (2004), the Development Plan comprises the Cherwell Local Plan Part 1 2011-2031 (adopted 20<sup>th</sup> July 2015) and the 'saved' policies of the Cherwell Local Plan 1996.

### **National Planning Policy Framework (NPPF)**

5.2 The National Planning Policy Framework (NPPF) was published by on 27<sup>th</sup> March 2012. The NPPF replaces over a thousand pages of previous Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) and took effect immediately.

5.3 Government expects that existing development plans will need to be revised to take account of the guidance provided by the NPPF. Planning authorities were given 12 months in which to achieve this, during which time they could continue to give full weight to relevant policies adopted before 2004. Where development plans pre-date 2004, only due weight should be given to relevant policies depending on their consistency with the NPPF.

5.4 As stated above the NPPF includes a powerful presumption in favour of sustainable development by way of paragraph 14. Government expects that this presumption should run as a 'golden thread' through all plan making and planning application decisions.

5.5 Of key consideration in the determination of any applications for development are paragraphs 7 and 14 of the NPPF. Paragraph 7 of the NPPF sets out the meaning of sustainable development, identifying that there are three 'dimensions' which include environmental, economic and social elements. Paragraph 14 sets out that there should be a presumption in favour of sustainable development. The NPPF is then split into a series of chapters which outline the general principles which development should comply with. The chapters of relevance are outlined below:

#### *Building a strong and competitive economy*

5.6 This section of the NPPF sets out the Government's commitment to enabling economic growth in order to create jobs and prosperity (Paragraphs 18-19 of the document). Housing developments such as this would provide local jobs within the construction trade and would generate a level of spending in the vicinity which would help to sustain the viability of local facilities.

#### *Promoting sustainable transport*

5.7 The NPPF states the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 requires that a Transport Statement accompanies proposals that generate significant amounts of traffic. Paragraph 34 states that decisions



should ensure developments are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

### *Delivering a wide choice of high quality homes*

5.8 Paragraph 47 of the NPPF sets out five ways in which local planning authorities can “*boost significantly the supply of housing*”, significantly it requires planning authorities to use their evidence base to ensure their Local Plans meet the full objectively assessed needs for housing. Paragraph 47 of the NPPF also contains sets out the requirement for local planning authorities to “*identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements*”. This Statement demonstrates that the application site is deliverable and that the development will contribute to the provision of a wide range of high quality residential accommodation in accordance with this requirement.

5.9 Paragraph 49 goes on further noting that housing applications should be considered in the context of a presumption in favour of sustainable development and that “*policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”.

### *Requiring Good Design*

5.10 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF continues, at Paragraph 60, in stating that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

### *Meeting the challenges of climate change, flooding and coastal change*

5.11 The NPPF states that flood risk needs to be assessed at all stages of the development process and to direct development away from areas of flood risk.

### *Conserving and enhancing the natural environment*

5.12 The NPPF seeks to protect and enhance the natural and local environment. Planning decisions must be based on up to date information about the characteristics of their areas.

### *Using a proportionate evidence base*

5.13 Paragraph 158 of the NPPF requires local planning authorities to ensure that the Local Plan is based on adequate, up to date and relevant evidence. In relation to housing, Paragraph 159 requires local planning authorities to have a clear understanding of housing needs in their area, and to do so they should prepare a Strategic Housing Market Assessment.

- 5.14 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. This Statement demonstrates that the housing policies contained in the adopted Local Plan are not consistent with the NPPF and as such they are out of date.

## **Planning Practice Guidance (NPPG)**

- 5.15 On 6 March 2014 the Department for Communities and Local Government issued its Planning Practice Guidance (PPG) web-based resource. The PPG provides detailed guidance on the implementation of the NPPF and is a material consideration in the determination of planning applications.

## **Local Planning Policy**

### *Cherwell District Local Plan Part 1 (2011-2031)*

- 5.16 The Cherwell District Local Plan Part 1 (2011-2031) was adopted on 20<sup>th</sup> July 2015. The following paragraphs set out the policies that are considered to be most relevant to this proposal.
- 5.17 Policy BSC1 relates to the district wide housing distribution and states that Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031.
- 5.18 The supporting text for Policy BSC1 acknowledges that the National Planning Policy Framework seeks to boost significantly the supply of housing and deliver a wide choice of high quality homes. The supporting text to this policy also highlights that the Council is *“committed to meeting housing needs and accelerating delivery”*.
- 5.19 Policy BSC3 relates to affordable housing and states that, outside Bicester and Banbury, all proposed developments that include 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site. Policy BSC3 goes on to say that all qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes.
- 5.20 Policy ESD13 relates to local landscape protection and enhancement and states that 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.

- 5.21 Policy ESD15 relates to the character of the built and historic environment and states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. 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.
- 5.22 Policy Villages 1 categorises the villages within the District in accordance with their sustainability credentials. Fritwell is included in 'Category A' having been deemed to be one of the more sustainable villages in the District.
- 5.23 Policy Villages 2 states that a total of 750 homes will be delivered at Category A villages, which includes Fritwell. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings at 31 March 2014. The Policy states that this will principally involve the identification of sites of 10 or more dwellings within or outside the built-up limits of those villages.
- 5.24 The following policies are also considered to be relevant to the proposed development.
- Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision
  - Policy BSC 11: Local Standards of Provision - Outdoor Recreation
  - Policy ESD6: Sustainable Flood Risk Management
  - Policy ESD7: Sustainable Drainage Systems
  - Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment

*Saved Policies of the Cherwell District Local Plan 1996*

- 5.25 The strategic policies contained in the Cherwell District Local Plan have largely been replaced by more up to date policy in the new Local Plan Part 1 2011-2031 However several policies which relate to the provision of new housing in the District have been 'saved'. These are highlighted below.
- 5.26 Saved Policy C8 states that sporadic new developments in the countryside will be resisted.
- 5.27 Saved Policy H18 relates to new dwellings in the countryside and states that planning permission will only be granted for the construction of new dwellings beyond the built-up limits in certain limited circumstances for example, where required in connection with agricultural undertakings.

## 6. Housing Requirement and Land Supply Position

- 6.1 The National Planning Policy Framework is considered in Section 6 above. To significantly boost the supply of housing the NPPF, at paragraph 47 requires Local Planning Authorities to ensure that their Local Plan meets the “*full, objectively assessed needs for market and affordable housing in the housing market area*” and to “*identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land*”. The NPPF requires that this buffer be increased to 20% where there is a persistent record of under delivery.
- 6.2 In addition to the above, the Government’s Planning Practice Guidance (PPG, Paragraph 2a-007) notes that: ‘*Local planning authorities should assess their development needs working with the other local authorities in the relevant housing market area or functional economic market area in line with the duty to cooperate*’.
- 6.3 Paragraphs 2a 014 to 029 of the PPG set out a detailed methodology for calculating housing need. These paragraphs set out that the starting point for the production of an objectively assessed need should be the Household Projections published by the Department for Communities and Local Government. The paragraphs highlight that this base data should then be adjusted in relation to demographic evidence, changes in job numbers, market signals and affordable housing requirements, to result in an accurate assessment of the need for the Housing Market Area.
- 6.4 Cherwell District Council’s latest housing land supply position is contained in the Annual Monitoring Report published in December 2015. This document sets out the Council’s position that it is able to demonstrate a deliverable supply of housing land to meet 5.3 years’ requirement for the period 2015-2020 and a 5.6 year housing land supply for the period 2016-2021. This position has been tested at appeal, most recently at a Public Inquiry relating to a proposed development of 75 dwellings in Kirtlington (APP/C3105/W/15/3134944 16<sup>th</sup> May 2016). Here the Inspector confirmed that the Council does have a five year supply, with a 5% buffer, as required by Paragraph 47 of the NPPF.
- 6.5 The Inspector’s decision did however highlight a distinct fragility to the Council’s Housing land supply position noting a supply amounting to only some 17 dwellings in excess of the requirement:

*“I have found that there are sites in the District capable of delivering some 8,654 dwellings over the next 5 years. Given the requirement for 8,637 dwellings (i.e. 1727 per year) I am satisfied that there is a five year supply of housing land within the District” (Paragraph 37)*

- 6.6 In considering the housing land supply the Inspector adopted a cautious approach to delivery rates ascribed to several key strategic sites concluding that delivery would be some 380 units less than that anticipated by the Council for the period 2015-2020. Particular concern was raised in relation to Salt Way and West of Bloxham Road, Banbury, North West Bicester Phase 2, and Graven Hill, Bicester.
- 6.7 The Inspector also raised questions about the continued application of the 5% buffer and although he concluded that the council was not yet facing a situation of 'persistent under delivery' the tipping point (to a 20% buffer) was not in the too distant future.
- 6.8 The consequence of the Kirtlington appeal is an increased focus on the delivery of houses. The Council's housing land supply is theoretical and predicated on ambitious rates of delivery from a number of large strategic sites. The presence of a planning permission for new housing, or an allocation for new housing, is entirely distinct from the delivery of new housing. The emphasis should be on maintaining a supply of housing sites which are deliverable in five years or less.
- 6.9 In relation to the supply of housing in the District it is noted that the housing delivery trajectory shown in the Council's latest AMR (2015) indicates that the 750 dwellings for the Category A villages are expected to be delivered over the next five years to maintain a five year supply. In light of the finely balanced land supply position referenced above it is considered that supply from deliverable sites in Category A villages is crucial to the five year supply.

## 7. Planning Assessment

### *Presumption in Favour of Sustainable Development*

- 7.1 The preceding chapters of this Statement have identified the planning policy framework in relation to the consideration of the application. Regardless of the current position in Cherwell District in relation to housing land supply the NPPF is clear that local planning authorities should strive to boost significantly the supply of housing (Paragraph 47), and Paragraph 49 states that:

*“Housing applications should be considered in the context of the presumption in favour of sustainable development.”*

- 7.2 The presumption in favour of sustainable development is set out in Paragraph 14 of the NPPF which, in respect of decision taking, states:

*“approving development proposals that accord with the development plan without delay”*

- 7.3 The footnote (10) to Paragraph 14 advises that the above applies “unless material considerations indicate otherwise”.

- 7.4 This application is made on the basis that planning permission should be granted because the proposed development fully accords with the provisions of the development plan and that it will make a valuable contribution to the deliverable supply of housing in the District.

- 7.9 Policy Villages 2 makes specific provision for sites to also come forward through applications for planning permission, subject to certain criteria being satisfied. It is also noted that all the housing expected from Policy Villages 2 is shown in trajectory as being expected to come forwards within the next five years.

- 7.10 This application is made on the basis that the proposed development fully accords with the provisions of the development plan. However, mindful of the fragility of the housing land supply position, and the conclusions of the Inspector in the Kirtlington appeal, this Statement also demonstrates that planning permission should be granted because there are no adverse impacts which would significantly or demonstrably outweigh the benefits of granting planning permission.

- 7.11 With reference to the recently adopted Cherwell Local Plan Part 1 2011-2031, and in particular Policy Villages 2, this section of the Planning Statement demonstrates how the development represents a sustainable form of development which accords with the development plan. It further highlights that there are no adverse impacts which would significantly or demonstrably outweigh the benefits of granting planning permission.

7.12 The Rt Hon Greg Clarke in his Ministerial Foreword to the NPPF stated that:

*'The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves doesn't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we all earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to changes that new technologies offer us. Our lives, the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment'.*

7.13 The emphasis and priority the Government places on the delivery of new housing has been highlighted most recently by the Chancellor in his budget speech on the 8<sup>th</sup> July 2015. Here the Chancellor stated:

*"...key to raising the productivity of our country is building more homes and creating a fairer property market"*

7.14 To facilitate the increased building of homes the Chancellor announced a further round of changes to the planning system on Friday 10<sup>th</sup> July in a document entitled "Fixing the Foundations: Creating a More Prosperous Nation" (July 2015). The first sentence under the planning section of this document (Section 9) paints a stark picture:

*"The UK has been incapable of building enough homes to keep up with growing demand. This harms productivity and restricts labour market flexibility, and it frustrates the ambitions of thousands of people who would like to own their own home".*

7.15 The NPPF at Paragraph 6 highlights that the purpose of the planning system is to contribute to the achievement of sustainable development and that the policies contained in Paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

7.16 The policies contained with paragraphs 18 to 219 of the NPPF refer to three dimensions of sustainable development, namely:

Economic – contributing to strong, responsive and competitive economy;

Social – supporting strong, vibrant and healthy communities; and

Environmental – contributing to protecting and enhancing the natural, built and historic environment.



7.17 Cherwell District Local Plan Part 1 post dates the NPPF and in order to consider how the development accords with the three broad dimensions of sustainable development as set out in paragraph 7 of the NPPF, it is first necessary to consider how the development relates to the provisions of the Cherwell Local Plan Part 1, then the 'saved' policies of the Local Plan 2011 and then the policies contained within NPPF paragraphs 18 to 219.

7.18 The following paragraphs of this report will consider the proposed development in this context, providing an assessment of other material considerations and technical matters relevant to the proposal.

### ***Principle of Residential Development in Fritwell***

7.19 The Cherwell Local Plan Part 2011-2031 categorises Fritwell as a Category A settlement (Policy Villages 1), to which a portion of a proposed 750 dwellings are to be constructed (Policy Villages 2). This categorisation is in recognition of the sustainability of Fritwell as a location for new housing development. It is noted that Local Plan states:

*“there is a need for Cherwell’s villages to sustainably contribute towards meeting the housing requirements identified in Policy BSC1.”*

7.20 Policy Villages 2 was also modified during the course of the examination to provide for a total of 750 dwellings. The reason for this proposed modification, suggested by Cherwell District Council, is:

*“To boost housing supply to meet the new objectively assessed need”.*

7.21 Policy Villages 2 indicates that sites for development in the Category A Villages will be identified through the local plan process, through neighbourhood plans, and through the determination of planning applications. As such it is considered that there is policy support for this proposal for new housing in Fritwell. It is also clear from the housing trajectory shown in the AMR 2014 that all the 750 dwellings allocated by Policy Villages 2 are expected to come forward over next five years to help maintain the five year supply.

7.22 In light of the above it is considered that the principle of providing new housing in Fritwell is acceptable and that this application should be considered favourably because of the valuable contribution the delivery of housing from this site will make to the overall supply of housing in the District. The 2014 SHLAA assessment recognises this site as a suitable location for new development.

7.23 'Saved' Local Plan Policies C8 and H18 both apply restrictions to new development in the countryside. These pre-date both the NPPF and New Local Plan Policy Villages 2 which allow for new housing development in sustainable locations, in this case the 'Category A' settlement of Fritwell. It is noted that the Inspector presiding over the Kirtlington Appeal found both these policies to be consistent with the NPPF,



and that they could be afforded significant weight. However, Policy Villages 2 makes specific provision for new housing within or outside the built-up limits of the Category A villages. It is considered that because Policy Villages 2 post-dates policies C8 and C18, in the context of considering this application for new housing, it should carry greater weight.

- 7.24 The maintenance of a five-year supply of housing land should not preclude the granting of planning permission for this development. In respect of application 15/02068/OUT for the erection of 40 dwellings in Milcombe the Committee Report clearly stated that, in line with government guidance, being able to demonstrate a 5 year housing land supply is not itself a reason to refuse planning permission, and that proposals must be considered in the context of the presumption in favour of sustainable development as per paragraph 14 of the NPPF. As such whilst the Council are currently able to demonstrate a five year housing land supply, this is a fragile position and should not preclude the ability to approve the proposed development provided it is consistent with the aims of sustainability and would not conflict relevant provisions of the Development Plan.
- 7.25 The following paragraphs consider the proposed development in the context of Policy Villages 2, referring to the other relevant policies contained in the new Local Plan, and where appropriate the NPPF and the 'saved' policies of the Cherwell Local Plan 1996. Reference is also made to the accompanying technical reports.

### ***Relationship to existing services and facilities***

- 7.26 Fritwell is categorised as a Category A Village in the emerging Local Plan, indicating the sustainability credentials of the village for new residential development. The application site is well located in Fritwell such that the development would be well connected to the existing services and facilities within the village, including access to public transport provision. As discussed elsewhere in this Statement, the principle of development at this location should be considered acceptable given its identification in Category A of the Council's adopted Settlement Hierarchy. Given the location of the site adjacent to existing residential development, it is considered that the infrastructure necessary to support the development (particularly electricity and drainage) can be readily provided.

### ***Ecology and Arboriculture***

- 7.27 The site is not subject to any specific heritage or wildlife designations, and it is considered that the existing use of the site for equestrian purposes reduces the potential ecological value of the site. Nevertheless, the development seeks to retain existing boundary vegetation and trees and the proposed, additional tree planting, public open space and SuDS features present the opportunity for biodiversity enhancements. As such, it is considered that the development would not have any significant adverse impact on heritage or wildlife assets.

- 7.28 An arboricultural report prepared by Lockhart Garratt submitted as part of this application outlines that the proposed layout will require the removal of three trees and one group, and a small section of one hedgerow. It is noted from the technical consultant that two of these trees would be recommended for removal irrespective of design layout, given their poor physiological and structural condition. This supporting study outlines that the remaining trees are of low quality and are not of rare species, and have limited significance in the landscape. It is considered that their loss will have only a limited significance in the landscape. The removal of these trees will have no negative impact on the wider community as they are only visible within the site. Notwithstanding this, in order to mitigate the loss of these trees the proposed scheme provides for a scheme of replacement trees to provide a net gain in canopy cover, wildlife habitat, and general amenity value.
- 7.29 Furthermore, to accompany this application an Extended Phase 1 Habitat Survey has also been carried out, the results of which indicate a net gain can be achieved on site as part of the proposed development. This report sets out that any landscape planting should incorporate native species, including those known to provide foraging opportunities for breeding birds and nectar sources for invertebrates. Enhancements in the form of bird and bat boxes are also recommended. The Phase 1 Habitat Survey also recommends a schedule of work which is sensitive to the main bird breeding season, as well as a habitat manipulation exercise to safeguard any reptiles which may be present on site.
- 7.30 There is one statutory site designated for its nature conservation interest within 2km of the Site, the Ardley Cutting and Quarry SSSI located approximately 0.9km to the south-west. The closest non-statutory designation of wildlife conservation interest is the Upper Heyford Airfield Local Wildlife Site, located 1.7km to the south of the Site. A range of protected mammal, amphibian and bird species were identified within 2km of the Site by the desk study. Nevertheless it is considered that due to the distance between the proposed development and the designated nature conservation sites in the local area, it is highly unlikely that there will be any adverse effects on these sites as a result of the proposed development and associated works.

## ***Heritage and Historic Environment***

- 7.31 In respect of heritage assets relating to the site, a desk-based archaeological assessment (CGMS, April 2016) has established that the proposed development area has only low potential to yield prehistoric, Roman and Medieval period archaeology. This assessment also indicated that there is no potential for the site to yield material associated with the Post medieval and Modern periods. The desk based archaeological assessment has been agreed with the County Archaeologist and concluded that there is at low potential for significant archaeology and no potential for archaeology of national significance which would preclude development. On this basis, the proposed development and the principle of residential development at this location is not considered to harm the existing heritage context, nor constitute harm in the context of the NPPF.

## ***Design and materials***

- 7.32 The application is proposed to deliver a high quality development of 34 dwellings which will enhance the existing built environment. Detailed consideration of the proposed scheme is considered in the submitted Design and Access Statement which accompanies this submission, and should be read in conjunction with this Statement. The proposal is considered to achieve an acceptable balance between housing mix, choice and the requirement for a sympathetic design which responds to the prevailing character and appearance of the local area.
- 7.33 The detailed design of the scheme is a direct response to the various technical inputs received throughout the preparation of this application, including architectural inputs, landscaping, and ecology as discussed throughout this Statement. The comments contained in the SHLAA assessment concerning the relationship of the site to the existing built form are noted, however, it is considered that development on the site would relate well to the existing development in Hodgson Close to the north west.
- 7.34 The proposed development will ensure an enhancement to the immediate street scene whilst taking account of the site's relationship to its wider context, as well as providing more general visual enhancements to this gateway location at the south east of the village. The separation of the site from Fewcott Road provides the opportunity for a landscaping scheme which could enhance the views of the village when approached along Fewcott Road from the south east.
- 7.35 The proposals respond to the prevailing constraints and opportunities that the site has to offer providing a new development that will be in keeping with and further enhance the local area and provide a safe and accessible environment for residents and visitors alike. The scheme is considered to enable the delivery of a high quality, premium residential development which meets the Local Authorities requirements and needs.

## ***Landscape and Visual Impact***

- 7.36 The site does not comprise previously developed land, and although it comprises a Greenfield piece of land it is not subject to any landscape designations. The site is contained to the north by existing residential development, and to the west by agricultural buildings associated with Lodge Farm. The site has been used extensively for the grazing of horses. The site has very limited existing tree cover, with trees and hedgerows generally contained to the peripheries of the site. The concept master plan indicates that the most valuable trees on the site will be retained and that additional tree planting is proposed.
- 7.37 The Landscape and Visual Impact Assessment accompanying this application found that the proposed development is anticipated to have no significant adverse impacts on the local landscape character, but adverse impacts of moderate significance to the presence of semi-improved grassland on the edge of the village, and the overall village form. The report concludes that such effects of development would largely be restricted to its close setting. The same report also concluded that the proposed development will result in a beneficial impact of minor significance arising from the reinforcement of the tall mixed-species hedgerows surrounding the site. The assessment of the application site in the SHLAA suggested that the site would be

suitable for development indicating a preference for it to be brought forward jointly, and comprehensively, with the County Council land to the northeast (SHLAA site FR016). The application site relates well to the existing built form in Fritwell and from the assessment in the Landscape and Visual Impact Assessment it is clear that there will be only a very limited on the landscape. It is considered that would be no adverse impact arising from development on this site coming forward in advance of the County land. For the above reasons it is considered that the site has only a limited environmental value and that the proposed development, through landscape and biodiversity enhancements, offers the opportunity to enhance the environmental value of the site.

- 7.38 The Landscape and Visual Impact Assessment accompanying this application concludes that the only substantial effect anticipated to result from the proposed development is an adverse visual effect of major/moderate significance upon the residents of the existing modern dwellings on Hodgson Close and non-significant impacts upon a number of local Public Rights of Way through the addition of new dwellings into views into the village. This should be weighed in the planning balance against the merits of the development. When weighed accordingly it is considered that the proposed development affords greater benefits than the adverse impacts highlighted, and such issues should therefore not preclude development of this nature in this location.

## **Highways**

- 7.39 The Transport Statement which has been submitted alongside this Statement outlines that the proposed development represents an accessible form of development in respect of satisfactory vehicular and pedestrian access and egress. The site is well connected and accessible to local public transport, and a number of local services and facilities. The proposed means of access to the site from Fewcott Road are included as part of the drawings and plans which accompany this submission, and should be referred to for reference.
- 7.40 The report prepared by Mode Transport Planning outlines that the site conforms to the relevant local and national policies, and that the design of the improved vehicle access to serve the development is appropriate in the context of the appropriate national standards in MfS2. In respect of trip generation, the proposed development is likely to generate a total of 18 and 17 vehicle trips in the AM and PM peak hours respectively. This report considers that such two way movements are acceptable within this part of the village, and are of negligible impact. The traffic impact of the proposed development on the surrounding highway network has been assessed as negligible, and will not create any residual cumulative impacts that are considered severe. Supplementary to this, the report also finds there are no reported accident patterns or causes within the local area which suggest there are existing road safety issues that would require additional highway mitigation works. Therefore in accordance with Government advice and guidance, the proposed development should be treated as acceptable in Transport terms, as articulated in the accompanying Transport Statement. NPPF Paragraph 32 makes clear that development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe. In this case it is considered that there would be no such impact arising, and that the relocation of the 30mph

limit out of the village would improve highway safety within the village.

## **Flood Risk**

7.41 The application site is located in Flood Zone 1, and given the size of the application site the planning application is accompanied by a Flood Risk Assessment. There is a large pond located approximately 200m to the south west of the site. The closest main river, as classified by the Environment agency, is located 3.4km to the west. The Cherwell and West Oxfordshire Level 1 SFRA does not record any historical flood incidence occurring in or around the site. The accompanying Flood Risk Assessment therefore concludes that the site is at the lowest possible risk of flooding and can be developed safely without increasing flood risk elsewhere, and with due consideration to the potential effects of climate change. The development of the site for residential development would have no adverse impacts on flood risk elsewhere.

7.42 A summary of the assessment of the application against the criteria of Policy Villages 2 is provided below:

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

7.43 The site does not comprise previously developed land, and although it comprises a Greenfield piece of land it is not subject to any landscape designations. The site is contained to the north by existing residential development, and to the west by agricultural buildings associated with Lodge Farm. The site has been used extensively for the grazing of horses. The site has very limited existing tree cover, with trees and hedgerows generally contained to the peripheries of the site.

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

7.44 The site is not subject to any specific heritage or wildlife designations, and it is considered that the existing use of the site for equestrian purposes reduces the potential ecological value of the site.

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

7.45 The layout plan accompanying this application shows significant new tree planting and landscaping throughout the development. The application presents the opportunity to secure a high quality development which will enhance the existing built environment.

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

7.46 The site comprises a grass field which has been used extensively for equestrian purposes. The site, which is enclosed by residential development to the north west and the access to Lodge Farm to the south east, is isolated from adjacent agricultural land to such an extent that it is not conducive to effective or efficient agriculture. It is not considered that the development would result in the loss of the best and most versatile agricultural land.

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

7.47 The layout plan shows proposed pedestrian and vehicular access from Fewcott Road and the

accompanying Transport Statement advises that the relocation of the existing 30mph speed limit and gateway features along Fewcott Road, the proposed vehicle access would meet appropriate visibility and sightline requirements.

*Whether site is well located to services and facilities*

- 7.48 The application site is well located in Fritwell such that the development would be well connected to the existing services and facilities.

*Whether necessary infrastructure could be provided*

- 7.49 Given the location of the site adjacent to existing residential development, the infrastructure necessary to support the development (particularly electricity and drainage) can be readily provided.

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

- 7.50 The application site presents the opportunity to secure a high quality, sustainable development which will make a positive contribution to the Council's five year deliverable supply of housing. There are no known constraints on development which would preclude development within five years.

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

- 7.51 The application site is located in Flood Zone 1. The development will not have an adverse impact on flood risk.
- 7.52 Having regard to the above it is considered that the proposed residential development of this site would satisfy all the criteria of emerging Policy Villages 2 and that there should be no objection to the principle of a planning application for the development of this site.

## **Conclusions on Sustainable Development**

- 7.53 Having considered the technical aspects of the proposed development above, it is possible to consider the development in terms of the three strands of the definition of sustainability outlined in the NPPF, namely the economic, social and environmental dimensions of the development.

*The Economic Dimension*

7.54 The scheme will offer economic benefits to the local community through the provision of additional expenditure in local shop and public house associated with the additional population increases. This would further support the viability of existing services. In addition the proposal would provide for additional local populations which may enter the employment market in the locality or the wider District and provide employment opportunities. The benefits include a potential to generate full and part-time jobs during the construction phase, and the addition of 34 new homes bringing with them increased retail spend and general household expenditure to support the local economy. In addition, the provision of increased housing choice in the Village, and the District, provides greater choice for residents who in turn bring, and maintain, a considerable skills and knowledge base.

### *The Social Dimension*

7.55 The development will provide for a mix of open market and affordable housing opportunities. It will enable local residents who are priced out of the market to stay in the areas in which their families are housed. The proposals will deliver new homes to meet identified market and affordable housing need and in turn will support the District's growth aspirations. Without a sufficient supply of new homes the District cannot meet the needs of present or future generations. The site, as demonstrated in the Design and Access Statement and the Transport Statement, is located in an accessible and sustainable location with facilities in nearby settlements readily accessible. During the course of the determination of this application consideration will be given to the level and nature of financial contributions to support local infrastructure.

### *The Environmental Dimension*

7.56 Fritwell is a Category A settlement and the village is served by a regular bus service which provides access to surrounding settlements and employment locations including Banbury. The accompanying Transport Statement indicates that the existing bus service is regular and that it is viable.

7.57 There is no evidence to suggest that any ecology, habitats of nature conservation interest or any protected species will be adversely affected by the application. The application proposals are also acceptable in terms of flood risk and transport. Valuable mature trees and hedgerows will be retained and enhanced as part of the proposals to deliver biodiversity benefits to the area.

7.58 Set against the benefits of granting planning permission, which are outlined above are the limited impacts arising from the development. These would include the loss of a limited area of agricultural land, and limited impacts on the amenities of the occupiers of adjacent residential dwellings arising from development in this location. It is clear however from the above that the proposed development does represent a sustainable form of development and that there are no adverse impacts arising from this development which would come close to significantly or demonstrably outweigh the clear benefits of granting planning permission.



## 8 Conclusions

- 8.1 This Planning Statement has been prepared by Savills on behalf of CALA Homes (Chiltern) Ltd in support of an application for full planning permission for the erection of 34 houses with associated access and infrastructure.
- 8.2 The site is approximately 1.3 hectares and is located to the south eastern side of Fritwell. The site is currently used for equestrian purposes and contains paddock, a manège and an informal arrangement of outbuildings adjacent to Fewcott Road. The north eastern edge of the site abuts land currently in use as an allotment and access to the site, from Fewcott Road, is gained through an un-made gated vehicular access to the south eastern side of this allotment.
- 8.3 This Planning Statement sets out the case for granting planning permission on the basis that the development accords with the policies of development plan, and that therefore, in accordance with the presumption in favour of sustainable development set out in the NPPF, planning permission should be granted without delay. However, mindful of the housing land supply position, and the silence of the Local Plan in relation to the distribution of the 750 dwelling earmarked for Category A villages in Policy Villages 2, this statement also demonstrates that there are no adverse impacts which would significantly or demonstrably outweigh the benefits of granting planning permission for this development.
- 8.4 Fritwell has been identified as a Category A village in the new Local Plan. In this respect, the village is deemed to be a suitable location for new housing development. Indeed, Policy Villages 2 provides for at least 750 dwellings to be provided in the Category A villages. The application site represents a sustainable location in the context of the National Planning Policy Framework (NPPF).
- 8.5 The preceding chapters of this Statement have identified the planning policy framework in relation to the consideration of the application and emphasises that regardless of the current position in Cherwell District in relation to housing land supply, the NPPF is clear that local planning authorities should strive to boost significantly the supply of housing (Paragraph 47) and Paragraph 49 states that:

*“Housing applications should be considered in the context of the presumption in favour of sustainable development.”*

- 8.6 The presumption in favour of sustainable development is set out in Paragraph 14 of the NPPF which, in respect of decision taking, states:

*“approving development proposals that accord with the development plan without delay”*

- 8.7 This application is made on the basis that planning permission should be granted because the proposed development fully accords with the provisions of the development plan. However, the NPPF also states, in Paragraph 14 that where the development plan is silent on a particular issue planning permission should

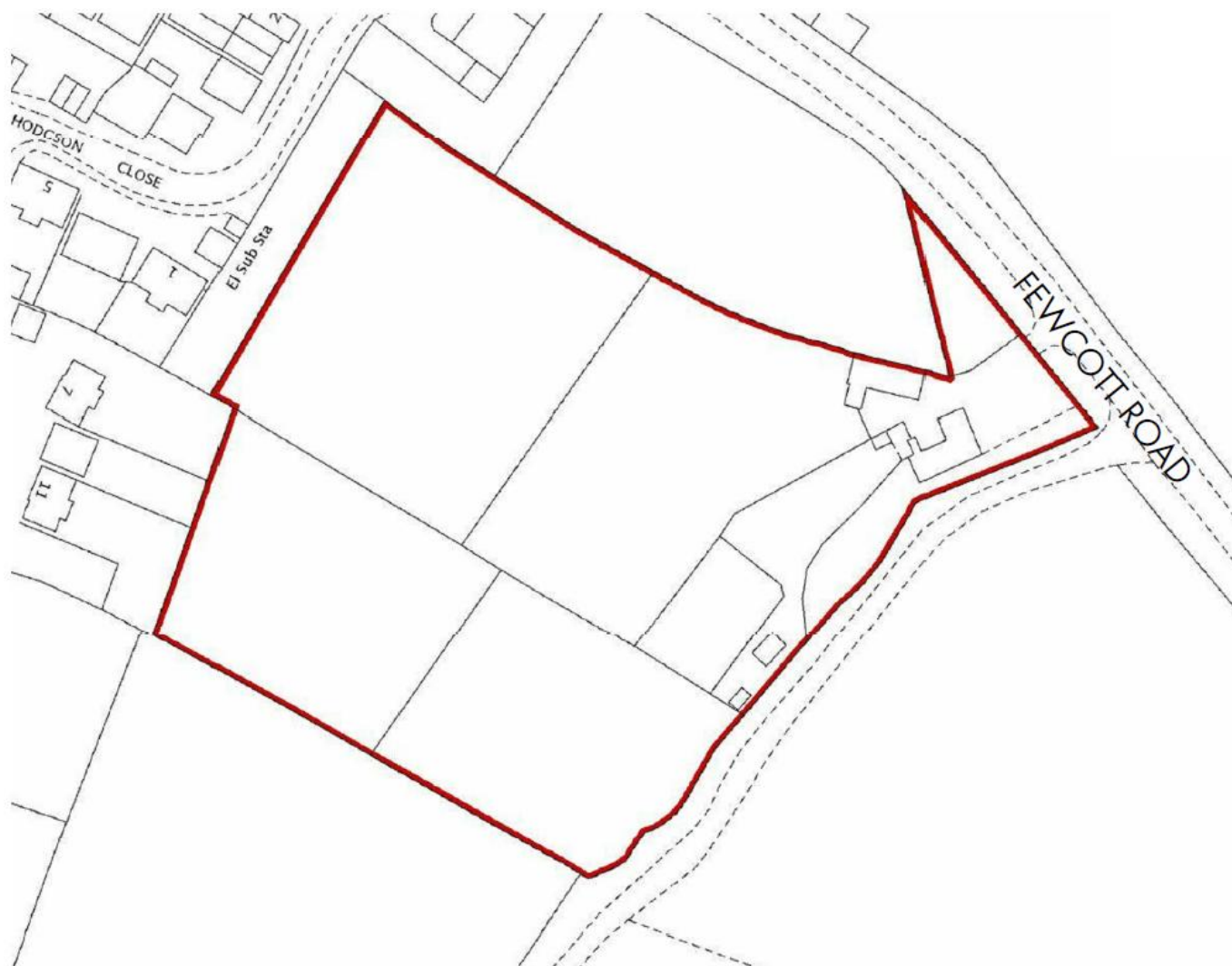


be granted unless:

*“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework when taken as a whole; or specific policies in this framework indicate that development should be restricted.*

- 8.8 The housing delivery trajectory shown in the Council's latest AMR (2015) indicates that the 750 dwellings for the Category A villages are expected to be delivered over the next five years to maintain a five year supply. The applicant has a recent, local, history of bringing sites forward quickly for development, and this application site presents the opportunity to make a valuable contribution to the supply of new housing over the next five year period.
- 8.9 The benefits of granting planning permission for this development, detailed in this planning statement include: the opportunity for a high quality and sustainable residential development to improve housing land supply and meet objectively assessed needs; a boost to the local economy through the creation of jobs and increasing the local workforce; the provision of affordable housing; the opportunity for enhancements to habitats for wildlife; the opportunity to reinforce the landscape edge to Fritwell. The proposed development accords with the Development Plan and this application is accompanied by a suite of technical reports which demonstrate that there will be no adverse impacts arising from the development which would significantly or demonstrably outweigh the benefits of granting planning permission.
- 8.10 Overall, this proposal is considered to represent a sustainable form of development in a location that is sustainable and it would make a valuable contribution towards the continued supply in the District. In light of this, the proposal should be considered favourably by the Local Planning Authority in accordance with the policy within the NPPF, particularly the presumption in favour of sustainable development.

## Appendix 1 – Site Location Plan



Site Location Plan (adapted from Cala Homes, 2016).



## Appendix 2 – Appeal Decision- APP/C3105/W/15/3134944

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