

## REPORT TO STEEPLE ASTON PARISH COUNCIL ON HOUSING SITE ALLOCATIONS

Special PC meeting: 27<sup>th</sup> November 2023

**SUMMARY:** This report presents to the PC the results of its request to the MCNP Site Assessment Team to review its assessments and recommendations in the light of concerns expressed at the PC meeting on October 16<sup>th</sup> by two landowners and some members of the public.

This report should be read in the context of the earlier materials provided in advance of the previous meeting, particularly (though not limited to) the transcript of the 13th September 2023 public meeting and the current Mid Cherwell Neighbourhood Plan and its Appendices, which underpin the rationale of the site assessment team's review, assessments and recommendations.

Throughout this document certain words such as "*suitable*", "*available*" and "*achievable*" appear in italics when they have a specific meaning, as defined by Cherwell DC's site assessment protocol (see section 3.2)

**ACTION REQUESTED:** The PC is asked to consider the results of the review and to approve the revised recommendations, so that they can be incorporated into the Review of the Mid-Cherwell Neighbourhood Plan (MCNP) ready for public consultation.

**1. REVISED RECOMMENDATIONS:** The PC took the decision at its meeting on 16<sup>th</sup> October to support the development of about 30 new dwellings in Steeple Aston during the Plan period, with between 10 and 15 dwellings on each of two or three sites. As requested, the team has subsequently been in touch with all landowners of eligible sites to ask them whether that decision influences their views on availability or the area of their sites for development. Most responded with no changes, but the owner of site 4 submitted a revision to the site area and access location.

The assessment team has therefore now conducted the review requested, with full details of the allocated and reserve sites given in Appendix D. All sites that remain eligible for allocation are included in that Appendix for comparison purposes.

The team now makes the following recommendations:

### Allocated sites

The following two sites are regarded as "*deliverable*" in accordance with CDC's definitions (see Section 3.2 below – para.4.23):

- **Site 8** be allocated for a housing scheme of between 10 and 15 dwellings, with access from South Side. Details of tenure, housing mix and form to be determined in consultation with the

landowner, and subject to further consideration by the PC in due course. The allocation policy is to be subject to certain requirements, to be decided.

- **Site 6** be allocated for a housing scheme of between 10 and 15 dwellings, with access from Fenway. Details of tenure, housing mix and form to be determined in consultation with the landowner, and subject to further consideration by the PC in due course. The assessment team wishes to include a condition that development is limited to a frontage site, and cannot at a later date be extended northwards. It also wishes to see the existing bridleway retained in its current form. Suitable criteria are to be drafted for the allocation policy.

#### Reserve site

- **Site 3** is designated as a **Reserve Site** for allocation of between 10 and 15 dwellings, with access from Grange Park. Details of tenure, housing mix and form to be determined in consultation with the landowner, and subject to further consideration by the PC in due course. The allocation policy is to be subject to certain requirements, to be decided. The assessment team regard this site as *not suitable* (see Appendix D) but are prepared to include it if sites 8 and 6 are unable to fulfil the aim of achieving up to 30 new dwellings. Therefore, it is intended that the allocation policy will include a condition that the site should only be developed in the second half of the Plan period (ie 2032 – 2040). This is in accordance with CDC's definition of a "*developable site*" (see Section 3.2 below – para. 4.23).

#### Rural Exception sites

**Sites 1 and 7** are, as recommended in our previous report, ineligible for allocation but are considered to be possible Rural Exception Sites.

#### Other sites

- **Site 4** should not be included in the proposed housing allocations because it is considered to be "*not available*" according to Cherwell's site assessment criteria (see 4.16 of CDC HELAA report, which is reproduced below in Section 3.2). The assessment team has serious concerns regarding legal impediments affecting the site (see Section 4 below). Further information on these issues may in due course permit re-assessment of the site.
- **Sites 2 and 15** remain, as in our previous report, not supported by the assessment team for allocation. The revised site assessment forms provide the details.
- **Sites 13/14** have been removed from consideration following a direct request on behalf of the landowner. However, the team wishes to record that should these sites become *available* at some point in the future, they would be strongly favoured on the grounds that they scored the highest of all the sites assessed in terms of RAG suitability ratings, and also because they are well-located to spread the load of development across the village.

The order of preference for development of sites in Steeple Aston is therefore **8,6,1,7,3 and 4**, although as explained elsewhere in this report the differing status of each site means that this sequence may not be enforceable as development plan policy. The proposed status of the sites will

be reviewed following the Regulation 14 consultation. The purpose of stating the order of preference in this report is to make clear the priority order for preferred sites, in order to deliver the number of dwellings in the Plan period that the Parish Council has supported. The cut-off on the sequence will depend on how many dwellings are in due course actually proposed on each site.

**2. ACTIVITY SINCE THE LAST PC MEETING:** The review conducted by the assessment team since the PC meeting on 16<sup>th</sup> October has involved careful analysis of all the comments made by landowners and members of the public at the meeting and in comments submitted by email. All comments relating to possible bias or unfairness in the assessment of certain sites have been addressed in **Appendix C: Analysis of comments**. The results of this are as follows:

- A small number of unintentional errors have been identified and corrected on the relevant site assessment proformas. These changes are listed in the Action column of Appendix C in bold type. Community Feedback has also been updated on the assessment proformas (Appendix D).
- The corrections have been reflected, where appropriate, in the planning balance, which in turn leads to the team's conclusions about the site.
- The outcome of the review of assessments is reflected in the recommendations in Section 1 above.

The team has produced **Appendix F: Frequently Asked Questions**, which aims to respond to common concerns expressed by landowners, members of the public, and councillors. Some of the responses in this Appendix add further detail to the responses in Appendix C.

**Site visits:** The team asked to visit all the sites which were eligible for allocation. They had, of course, previously visited all the sites, but as this was at an early stage it was deemed sensible to re-visit in the light of subsequent analysis and updated information. The visits took place on Monday 6<sup>th</sup> November 2023 with landowners' permission, and with three of them present for their site visit.

**3. SITE ASSESSMENT:** In our previous report we outlined the criteria used to determine the sites for allocation.

### 3.1 Criteria

- Immediate adjacency to the village settlement area as defined in MCNP policy PD1 (some exceptions to this were included at the request of landowners or developers)
- The 31 criteria (based on a form provided by Cherwell DC) and the Red/ Amber/ Green scoring system devised for it
- Planning policy: how do existing national, District and MCNP policies apply to the site?
- Planning history: had planning applications, "call for sites" submissions, tree preservation orders, etc been associated with the site?

- Strategic Environmental Assessment (SEA): how did the independent report by MCNP’s consultants (AECOM) rate the site in terms of its potential environmental impact? (NB this report is *available* digitally, on request).
- Advice from consultants: was any other site-specific advice received from MCNP’s consultants?
- Legal impediments: were there any known legal issues that might affect development?
- Site owner’s comments: any views or wishes expressed by the owner
- Community feedback: what comments were made by members of the public before, at, and after the public meetings?
- Assessment Team views: points arising from the team’s consideration of the sites

### **3.2 Assessment process**

A proforma was devised to capture all the above, and the detail assembled for each *available* site. The proforma concludes with a statement of the “planning balance”, which in the view of the team, taking all the above considerations into account, was the outcome of its deliberations for each site.

The team’s review of its assessments included a review of how other neighbourhood plans have conducted site assessments, and the team also sought and received advice on best practice from consultants in reaching a clear set of evidence-based recommendations.

The assessment process was also checked against that used by Cherwell DC (from CDC Housing & Economic Land Availability Assessment (HELAA) January 2018), from which the following relevant extracts have been taken:

#### ***Assessment of Suitability***

*4.10 When assessing the suitability of sites, consideration was given to the site submissions, constraints and officer site visits, and only where no feasible development potential could be demonstrated were sites deemed to be unsuitable. This may be due to certain constraints that currently exist such as flooding, where no information was available to show how the constraints could be overcome. As such, unsuitable sites will remain in the HELAA process and will be reassessed for their suitability when further information becomes available.*

*4.11 Consideration was given to the location and accessibility of sites, the availability of services, facilities and infrastructure, the ability to build communities and the environmental constraints and opportunities, whether development would be compatible with neighbouring uses, whether it would be likely to benefit the quality of an area or cause harm to the local area, e.g. impact on character of built environment, impact on the landscape. In particular regard was given to the following factors:*

- *Physical limitations such as topography or problems with access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;*
- *Potential impacts including the effect upon landscapes including landscape features, nature*

*and heritage conservation;*

- Appropriateness and likely market attractiveness for the types of development proposed;*
- Contribution to regeneration priority areas;*
- Environmental/amenity impacts;*

*4.14 In order to help inform the Council's conclusion on site suitability and development capacity, the Council has where necessary and possible taken account of specific site evidence prepared to support plan-making (for example, on landscape sensitivity and capacity).*

#### **Assessment of Availability**

*4.15 A site will normally be considered available, based on the best information available if the site is in the ownership of a developer or landowner who has expressed an intention to develop or sell land for development. This was ascertained primarily through the Call for Sites process.*

*4.16 Sites with unresolved ownership problems such as multiple ownerships with no agreements, ransom strips, tenancies and covenants were not considered available unless there is reasonable prospect the constraints can be overcome.*

*4.17 If availability is unknown, the site has been kept under review as part of the HELAA process until further information becomes available.*

#### **Assessment of Achievability**

*4.18 In accordance with the PPG (Government Planning Policy Guidance) a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period. (PPG para ID 3-021-20140306)*

*4.19 In general, only sites which have been assessed as suitable or potentially suitable, and available or potentially available have been assessed for achievability (since sites that do not meet the suitability and availability requirements are by definition not achievable).*

*4.20 Assessing the achievability of sites requires a specialised knowledge and understanding of the market factors, cost issues and delivery of development which is key to understanding and considering the development potential of a site.*

#### **Overcoming Constraints**

*4.21 Where constraints have been identified in examining the suitability, availability or achievability of a site the Council considered if there were any actions which could be taken to remove or mitigate the constraints, for example the provision of new infrastructure.*

#### **Deliverability and Developability**

*4.22 An assessment of deliverability and developability has been made having regard to national guidance. The definitions of 'deliverable' and 'developable' sites are set out within the NPPF (para.47 footnotes).*

*4.23 The assessment of each site was classified into the following categories:*

*- Deliverable – The site is in a suitable location, is available now and is achievable with a realistic prospect that the defined use will be delivered on the site within 5 years;*

*- Developable – The site is in a suitable location and there is reasonable prospect that the site is available and could be viably developed in years 6-10 or 11-15.;*

- *Non-developable – Sites with significant policy and/or environmental constraints making it unsuitable, not likely to be made available and with no reasonable prospect of becoming achievable.*

#### **Assessment of Timescales and Rate of Development**

*4.24 Once the suitability, availability and achievability of site have been assessed, and any constraints identified, the likely timescale and rate of development for each site were assessed.*

- 4. RATIONALE:** In order to arrive at our revised recommendations, the team has developed the following rationale, which involves a process of sequential decision-making as advised in Cherwell's and other guidance.

**Unavailability:** two of the sites that had been in contention – namely sites 13 and 14 – were declared to be *unavailable* by the owner's representatives. These were therefore removed from further consideration. Site 2 was also eliminated as it was significantly outside the settlement area and did not therefore meet one of the key criteria. Site 15 was eliminated as being undeliverable due to the absence of vehicle access (a key point accepted by the owner).

**Sites outside the settlement area:** site 1 (alongside site 2) is well outside the settlement area. The owners specifically wish to develop the site exclusively for affordable housing, and for that reason asked the team to include their site in the assessment process. It is therefore an ideal candidate to be put forward to Cherwell DC as a Rural Exception Site. The site has been removed from the allocation process but, as a Rural Exception Site, may be progressed by other means.

As regards site 7, this is also outside the settlement area, but in this case the owner, who also had requested the team to include the site for assessment, has expressed a clear preference for a development of market housing for elderly people on the site. Indeed, the owner has engaged a possible developer to that end. This proposal does not, however, conform with NPPF guidance on Rural Exception Sites, where some market housing may be permitted if the primary aim is to deliver affordable housing. The team proposes to further discuss the nature of development on this site with the owner in order to see whether compromise can be reached, which would meet MCNP, CDC and national criteria for rural exception sites. As a result of its location, the site has been removed from the allocation process.

With regard to sites eligible for allocation, the team is therefore left with sites 3,4,6 and 8, each of which is capable in principle of delivering between 10 and 15 dwellings. However, the sequential process requires further criteria to be applied, as follows.

**Key issues from RAG ratings:** the lowest possible score derived from applying the 31 criteria is 31, and the best possible is 155. The eligible sites in this assessment ranged from a worst score of 97 to the best at 134 (see Appendix E). All the sites chosen are in the third or upper quartile, which indicates that while none are excellent, at least there are also none that are mediocre. The scores themselves, though, assume that each of the criteria has equal weight. There are also other material issues affecting sites that are not included in the 31 criteria (such as legal impediments). At this stage of the assessment, therefore, it is useful to pick out those issues that are considered to be of most importance in differentiating one site from another. The team considers these issues to be as follows:

**Potential disturbance to existing homes:** Sites 6,7, and 8 are located at the western edge of the settlement and are therefore gateway sites; sites 3 and 4 are located more centrally in the village on sites where development would be less visible. However, this attribute brings with it greater proximity to existing dwellings and consequent disturbance to a significant number of people both during construction and later in use. Site 3 is particularly poor in this regard. The edge sites 6,7 and 8, by contrast, are accessible from the A4260 without having to pass any dwellings in the settlement area.

**Deliverability of access:** there are complications regarding sites 3 and 4. Both sites require the insertion of a new access between existing dwellings, where none was originally intended. The team regards this as intrinsically less desirable than sites where access can be created without being immediately adjacent to existing homes. In addition, site 3 relies on the purchase and demolition of a house in order to provide that access. There has to be an element of doubt as to whether that is deliverable, as it relies on the parties reaching a mutually worthwhile agreement.

**Legal issues impeding deliverability:** site 4 is the only site under consideration that has potential legal impediments, of which there are two distinct areas. One affects whether access of acceptable standard could be created across land alleged to be owned by a neighbour (often referred to as a ransom strip). The neighbour has advised the assessment team that: "The owner of The Old Quarry House is not correct in stating that there would be no scope for a legal disagreement as to access." The other involves restrictive covenants in the deeds of six neighbouring properties which the assessment team understands to be capable of inhibiting development of any kind on the site. The assessment team has been told by some of those who benefit from the covenants that they would be prepared to take legal action to enforce them. The team has also been made aware of a judgement by the Court of Appeal that would suggest they might be successful. Site 4 is therefore "*not available*" in accordance with CDC's definitions (see Section 3.2 – para. 4.16), unless and until there is reasonable prospect that these constraints can be overcome.

**Loss of valued landscape:** the team had already registered in its assessments that site 3 was previously estate parkland associated with The Grange, and that site 4 had numerous TPOs on and around it. The site visits conducted on November 6<sup>th</sup> 2023, however, impressed on the team that both sites present landscapes of high quality which give them intrinsic value. Partial development of either site would result in harm, possibly even substantial harm, to these landscapes which, although not in themselves protected as heritage assets, are both clearly significant assets to the parish and community of Steeple Aston. The quality and arrangement of trees and other planting on and around the sites is the principal driver of these landscapes. They contrast starkly with the other sites still under consideration, which are principally open fields with perimeter hedges and tree belts. Site 6, being part of a very large and open field, presents a more typical agricultural landscape, as does site 8 (although it has a stronger sense of enclosure by hedges and trees). The conclusion of the team is that, in regard to landscape value, development on sites 3 and 4 is less desirable than on sites 8 and 6.

**Conclusion:** The team has concluded that sites 8 and 6 are preferable in a number of respects to sites 3 and 4. Further, site 3 is preferable to site 4 because of the respective levels of concern about legal impediments. If the owners of sites 8 and 6 are willing to proceed on the basis of 10-15 dwellings on each site, then it would not be necessary to include any additional sites in the allocation. However, the team considers it prudent to include one of the remaining sites as a reserve site in case one of the other two is unable to proceed. Site 3 is therefore designated as a reserve site for 10-15 dwellings.

A summary of the assessment outcomes for all the sites is reproduced at Appendix B, and the ranking by scores relating to the 31 criteria and the SEA is at Appendix E. The revised individual proformas for each of the *available* sites are provided in Appendix D.

- 5. NEXT STEPS:** The recommendations in this report, if approved, will be incorporated into the draft policies for the Regulation 14 Pre-Submission Consultation of the MCNP review. Consultation will run for a minimum of six weeks. The draft Plan together with numerous supporting documents (including this report) will be available on MCNP's website, and on each of the member parishes' websites. Hard copy of some documents will also be available. During the consultation period MCNP will hold public meetings in each of the member parishes, where a presentation will be made and feedback welcomed.

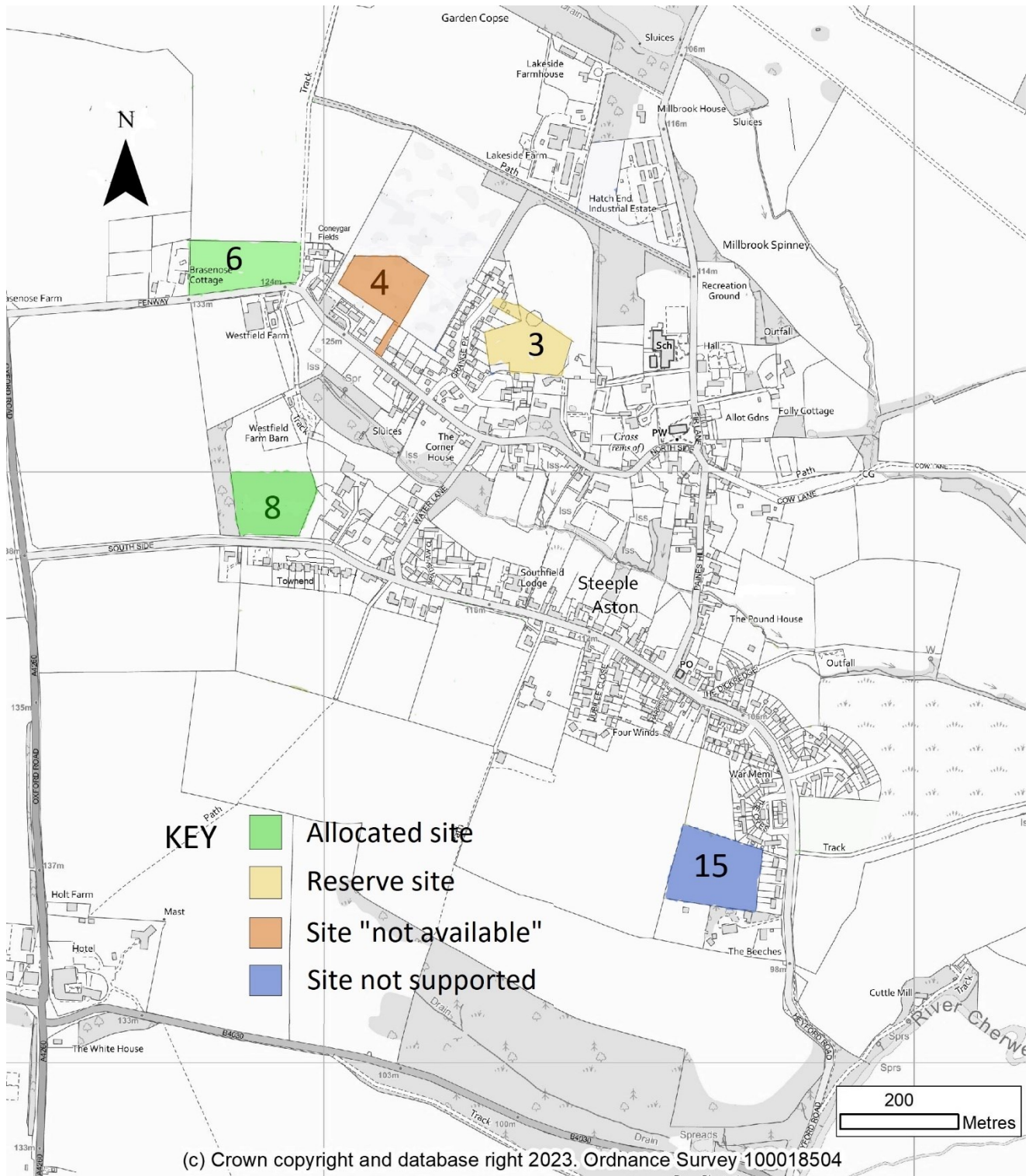
The Review team will then collate all the responses to the consultation, including those from statutory consultees (including Cherwell District Council), and consider whether the draft policies – including the preferred sites - align with the majority view of the community and other respondents, and can be progressed to formal submission following amendment. The next iteration will then form the Submission Documents for the Regulation 16 stage, which it is hoped will occur in February/March 2024. It is then CDC's responsibility to consult again for a another six-week period, after which a final version of the Plan will be produced by MCNP Forum. This then goes to an Examiner, who will decide whether the revised Plan can proceed to Referendum. All being well, that should occur in the early summer of 2024, at which point the revised Plan will officially supersede the existing Plan.

## **APPENDICES**

- A Revised assessment outcomes map**
- B Summary of all site assessments**
- C Analysis of comments**
- D Amended site assessment forms**
- E Ranking of sites by RAG and SEA criteria**
- F Frequently Asked Questions and Definitions**



**APPENDIX A: REVISED ASSESSMENT OUTCOMES MAP**



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**Appendix B: Summary of Site Assessments** using Cherwell DC template and definitions (see Section 3.2 of Report)

Site ref	Site location	Site area (ha)	SUITABILITY	AVAILABILITY	ACHIEVABILITY	Overall Assessment
SA1	1 Old Poultry Farm, Fir Lane	0.35	<b>NOT SUITABLE</b>	<b>AVAILABLE</b>	NOT ASSESSED	<i>Not suitable</i> for allocation but to be investigated as a prospective <b>Rural Exception Site</b>
SA2	Land adjacent to Hatch End Business Park	0.95	<b>NOT SUITABLE</b>	<b>AVAILABLE</b>	NOT ASSESSED	<i>Not suitable</i>
SA3	Field adjacent to Grange Park and the Beeches	1.5	<b>SUITABLE BUT WITH CONCERNS</b>	<b>AVAILABLE BUT WITH CONCERNS</b>	<b>DEVELOPABLE IN 2032- 2040</b>	<i>Suitable</i> but with concerns regarding access
SA4	Old Quarry, Fenway	1.02	<b>SUITABLE</b>	<b>NOT AVAILABLE</b>	NOT ASSESSED	<i>Not available</i> because of potential legal impediments
SA5	Paddock adjacent to Coneygar Fields	3.0	<b>SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	
SA6	Field adjacent to Fenway and Coneygar Fields	1.55	<b>SUITABLE</b>	<b>AVAILABLE</b>	<b>ACHIEVABLE</b>	<i>Suitable, available and achievable</i>
SA7	Field adjacent to Westfield Stables, south of Fenway	2.2	<b>NOT SUITABLE</b>	<b>AVAILABLE</b>	NOT ASSESSED	<i>Not suitable</i> for allocation but to be investigated as a prospective <b>Rural Exception Site</b>
SA8	Field opposite Townend, South Side	1.7	<b>SUITABLE</b>	<b>AVAILABLE</b>	<b>ACHIEVABLE</b>	<i>Suitable, available and achievable</i>
SA9	Field to south of and behind Townend	3.3	<b>SUITABLE BUT WITH CONCERNS</b>	<b>WITHDRAWN</b>	NOT ASSESSED	

SA10	Kinch's field, South Side	2.6	<b>NOT SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	
SA11	Land behind The Pound, and off The Dickredge	1.4	<b>NOT SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	
SA12	Field adjacent to The Dickredge path	0.9	<b>NOT SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	
SA13	Former allotments off Heyford Road, adjacent to Nizewell Head	1.4	<b>SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	To be kept under review for possible future consideration
SA14	Former allotments south of track off Heyford Road	1.8	<b>SUITABLE</b>	<b>WITHDRAWN</b>	NOT ASSESSED	To be kept under review for possible future consideration
SA15	Field behind Heyford Hill houses, adjacent to The Crescent	1.7	<b>NOT SUITABLE</b>	<b>AVAILABLE</b>	<b>NOT ACHIEVABLE</b>	<i>Not suitable and not achievable</i>

## **APPENDIX C ANALYSIS OF COMMENTS**


**ANALYSIS OF COMMENTS BY SITE 4 LANDOWNER**

**As per email of 14/10/23**

	<b>COMMENTS</b>	<b>RESPONSE</b>	<b>ACTION</b>
1	<p><b>Ecological History and Community Opposition:</b> The current ecology status is private well-maintained amenity grassland. The CDC Examiner's Report in 2019 (attached) found limited impact on the village residents and insignificant ecological species (Section 29 see below). My garden curtilage is private and does not provide any amenities to neighboring properties, the garden is very well screened and as such will be the same effect should houses be built upon my land.</p> <p>An ambiguous comment made is that 'The owner's wish to meet all the village's housing needs on the site does not chime with views expressed in the community regarding a spread of sites, particularly away from this end of the village'. A benefit of my land is that it is POSSIBLE to meet all the village housing needs, although this has been highlighted as a negative. A spread of sites carries a variety of negatives, such as increased construction traffic, non-continuity of village character and image, lack of place making and is not seen to be a sustainable use of land (contrary to CDC policy).</p>	<ul style="list-style-type: none"> <li>• The site assessment refers to a species list that was made by a local ecologist, and states that the species' current status is unknown. The planning balance refers to this ecological history as one of several concerns. That is thought to be reasonable statement to make, as no other site being assessed has had a species list made for it. This occurred because the site is calcareous sand grassland, which is quite rare in Oxfordshire. There is therefore a real possibility that the ecology of the site remains special.</li> <li>• The history of community opposition to development of the site is mentioned in the planning balance, but is not detailed in the assessment. It is therefore accepted that this should not be mentioned in the list of concerns.</li> <li>• The site owner has stated that the site could deliver approximately 50 dwellings, and did not revise that figure when he reduced the area of the site. That is therefore the basis of the assessment.</li> <li>• The team has not heard a single voice other than the landowner who thinks that all new housing in the village should be on one site.</li> </ul>	<p align="center"><b>Remove reference to community opposition in the planning balance.</b></p>
2	<p><b>Potential Isolation of Residents:</b> Development would be limited to Grange Park's extent. And as I've stated previously, I would leave it to the MCNP to decide the right amount,</p>	<ul style="list-style-type: none"> <li>• We have not given much weight to statements by any of the landowners of that nature, as at this early stage they are easy statements to make and possibly less easy to implement.</li> </ul>	

	<p>type and layout of housing it thinks best for the village. Grange Park residents aren't isolated so those on my site wouldn't be either.</p>	<ul style="list-style-type: none"> <li>• See also the answer in Appendix D: FAQs Q4.</li> <li>• "Isolation" is perhaps too strong a word. A tendency not to integrate with the wider village is a better description of the concern.</li> </ul>	<p><b>Reference to isolation in the Planning Balance to be re-worded</b></p>
<p>3</p>	<p><b>Loss of Amenity to Nearby Residents:</b> See first point above, and section 29 of Examiner's report extract listed below.</p> <p><i>Section 29 Examiners Report 2019: "Although the Parish Council has supported the designation, almost all the representations received in response to the regulation 16 consultation were from the occupants adjoining the site. The site is not very visible in the landscape except to immediate neighbours and even the limited views into the wooded part of the site from the footpath on the northern boundary the views do not differ greatly from those of the neighbouring land on other parts of the path. While there is undoubtedly a range of wild and plant life and this has been recorded by a qualified person, it has not been demonstrated to be of particular ecological significance. It is difficult to see how the site functions as a community asset"</i></p>	<ul style="list-style-type: none"> <li>• The examiner of the MCNP in 2019 was commenting on nomination of site 4 to be a protected Local Green Space. He was not commenting on the possibility of housing development. Even so, it is a fact that there are significantly more existing dwellings surrounding this site than any of the other sites we have assessed - more than twice as many as any other site. The potential exists for more homes to have their amenity affected than elsewhere. We can't really say at this stage what exactly that would mean for any of the sites, so we have simply looked at numbers affected.</li> <li>• What might loss of amenity mean? It means the proposed development could harm the amenity of another property, through noise, overlooking, overshadowing, smells, light pollution, loss of daylight, loss of privacy, dust, vibration or late night activities.</li> </ul>	



<p>4</p>	<p><b>Traffic Concerns:</b></p> <p>Assessment team view comments raised in regards to Fenway Rd being problematic as it is largely a single track road: This is an assumption and any proposed development will need to be reviewed and approved by the Highways Authority. Fenway Rd ranges from 5.5m – 7.0m wide, but also has the benefit that most residing properties have off-road parking resulting in a lack of vehicles obstructing/ parking on the road.</p> <p>Heyford Rd leading to South Side Rd has a large amount of properties which do not benefit from off-road parking and as such a large amount of dwellings have to utilise on-road parking. Fir Lane leading to Paines Hill is also heavily obstructed with vehicles utilising on-road parking. Out of the five main roads into Steeple Aston, Fenway is the least affected with vehicles obstructing the road due to a lack of off-road parking.</p> <p>Construction Traffic within the village can also be minimised from utilising the Oxford Rd leading onto Fenway Rd for the development of my land, of course, this will be in accordance with a Construction Management Plan which would be approved by the Council.</p>	<ul style="list-style-type: none"> <li>• The Highways Authority does not get involved in site assessments. They will comment on planning applications.</li> <li>• Fenway is a single-track road. This is not an assumption but a fact (see photo). Vehicles often have to stop on Fenway to let other vehicles pass.</li> <li>• The team considers Fenway to be <i>unsuitable</i> for construction traffic.</li> <li>• We agree that the residential section of Fenway is the least obstructed of the four entry roads in the village. We can avoid it becoming like the others by being careful about where new development is located.</li> <li>• The issue of construction traffic is mentioned under Assessment Team Views, but is not referred to in the planning balance. Contrast that with our assessment of Site 3, where many more homes would be impacted by construction traffic, and therefore we have weighed it in the planning balance in that case. That is a good example of our being objective and unbiased.</li> </ul>	 <p>photo</p>
<p>5</p>	<p><b>Distance from Community Facilities:</b></p> <p>My site is in fact well-located, being among the closest to the village hall, play area, open sports facility, and primary school. Site 8 is commended as being close to the Shop, but it's the same distance my site is from the above mentioned arguably more important amenities.</p>	<ul style="list-style-type: none"> <li>• There is in fact very little difference in the way we have scored the two sites on the question of distance from amenities. It isn't the main reason for the sizeable difference in the RAG scores of the two sites.</li> </ul>	

6	<p><b>Possible Demolition of Dwelling:</b> I have received professional opinion that an access can be formed on the west side of the property. From the property to the boundary, there is 11 meters of which a 5.5m road can be designed which will also accommodate two 1.0 meter pathways either side to form a 7.5m access into the development whilst retaining the existing dwelling and achieving vis-play requirements.</p> <p>Alternatively, access can be provided via taking down the existing property to allow central access into the land - but I have previously stated this would be solely at the discretion of the MCNP and is not essential for good access. Furthermore, I can provide technical drawings showing both options of access onto the site if so required.</p> <p>It seems odd that the flexibility I have offered to the MCNP is listed as a negative...</p>	<ul style="list-style-type: none"> <li>• A site that does not require a house to be demolished in order to gain access is viewed as more favourable than one that might.</li> <li>• We have checked whether we have been fair to both sites 3 and 4, where demolition is mentioned. We discovered that we failed to mention it in the planning balance of Site 3.</li> </ul>	<p><b>Add demolition of a dwelling as a concern in the planning balance for Site 3.</b></p>
7	<p><b>Environmental Impact Score and RAG Score:</b> The RAG score is sometimes inconsistent with other site scores. For example when compared to site 8 for point 9 (Setting precedent for further development) my site should also be rated G, as it would round off the settlement boundary with Grange Park and Coneygar Fields. Meanwhile the poor environmental score is based on an irrelevant assumption of 120 houses. This has been calculated at twelve units per acre of which is completely unachievable and highly misleading to the PC, and also once placed in the public domain will have detrimental effect. Various technical and planning constraints would make the</p>	<ul style="list-style-type: none"> <li>• We do not agree that the reduced site for Site 4 “rounds off” the settlement area. You could have chosen to draw a diagonal line to achieve that effect, but didn’t.</li> <li>• Our consultants have used Cherwell's density standard of 30 dwellings per hectare for rural developments in order to have a standard way of comparing one site with another. It doesn't mean that anyone thinks that is the appropriate number of houses for the site, and we agree with you on that point. All the sites have been assessed in the SEA on the same basis, so we can't change it. Larger sites do tend to score worse than smaller sites on the environmental</li> </ul>	

	development of 120 dwellings in this location impossible and I therefore ask this to be replaced. Especially as I have said that the MCNP would be free to decide the amount of houses built on my site, which has already been suggested by the MCNP as a maximum of 30 with a preferred 15 per site.	criteria that AECOM are using (in line with national policy).	
8	<p><b>Protracted Disagreement Over Land for Access:</b> Please see attached Land Registry Title plan for Westfield which shows their title specifically excludes the blue section representing the road and verges up to my property as this is Adopted Highway. Therefore there would be no scope for a legal disagreement as access, as with all other considered sites with road frontage, is at the discretion of Oxfordshire County Council.</p> <p>Quote from the Title Register View: "ON230777 There is excluded from the registration of the land tinted blue on the title plan any land which is highway maintainable at public expense".</p>	<ul style="list-style-type: none"> <li>We have been told that there most definitely is scope for disagreement. The team has seen the evidence presented by the other party to this potential dispute. They believe, based on this evidence, that you have been wrongly advised. We simply do not know at this stage who is correct, but we have to acknowledge the issue as a legal impediment.</li> </ul>	
	Benefits nor recognised		
9	<p><b>Full Control for MCNP:</b> I am to grant the MCNP full control over deciding the housing type, quantity, and access, including whether or not to demolish my existing house.</p>	<ul style="list-style-type: none"> <li>See response to point 2.</li> </ul>	
10	<p><b>Not Greenfield nor in Conservation Area:</b> The site is not listed as Greenfield unlike the favoured site 8 and is outside the conservation area. This is cited as a benefit of sites 13 and 14 - two sites which the owner appears to have declined development of.</p>	<ul style="list-style-type: none"> <li>We understand that former quarries may not be classified as greenfield.</li> <li>It weighs against site 8 in the planning balance that it is greenfield, whereas yours does not. If it turns out that we are wrong, this status would count against your site. So we have been very fair to your site in our judgement on this.</li> </ul>	

		<ul style="list-style-type: none"> <li>Site 13/14 are in a Conservation Area and that should be specifically referenced in the planning balance.</li> </ul>	<p><b>Add reference to Conservation Area status in the planning balance for both Sites 13 and 14.</b></p>
11	<p><b>Direct Access Off Fenway:</b> The property benefits from direct access off an adopted highway with no access issues.</p>	<ul style="list-style-type: none"> <li>see response to point 8.</li> </ul>	
12	<p><b>Direct Access to Beeches Lane:</b> The site can provide direct walking access to Beeches Lane, promoting pedestrian access to key village amenities.</p>	<ul style="list-style-type: none"> <li>This is mentioned in the first bullet point of Community Feedback. It is incorrect to say that it is a benefit not recognised.</li> </ul>	
13	<p><b>Close proximity to Key Village Amenities</b> A positive listed for site 8 is access to the village shop, but this is the same distance as my site is from more important facilities like the play area, playing field, village hall and school - approx 690 meters. This also raises the question: why isn't the fact that site 8 will promote car use for all other key facilities like village hall, school, playground etc NOT listed as a negative for that site? This action of focusing on positives for one site and negatives for another suggests bias.</p>	<ul style="list-style-type: none"> <li>That's a fair point. It should be dealt with in the same way for both sites 4 and 8.</li> </ul>	<p><b>Remove references in the planning balance to distance from community facilities for Sites 3, 4 and 8.</b></p>
14	<p><b>Preventing Village Creep:</b> The site is localised and can prevent village expansion outwards and maintain the current building line. Though bizarrely the Planning Policy Issues section on the first page notes 'Development, depending on extent, would possibly extend the settlement into open countryside (contrary to CDC policy)' yet development would only extend to 'Grange Park' which was, at one point a village extension creating a new settlement boundary. Development of my land should be measured on</p>	<ul style="list-style-type: none"> <li>You approved a sketch which showed your reduced site as it is shown in the site assessment. While that is roughly in line with the settlement area on its east side, it certainly is not on the west side. That's not "rounding-off". Even so, this issue is not mentioned in the planning balance, which means it is not amongst the most important negatives.</li> </ul>	

	the same basis of 'Grange Park' and should be seen to 'round-off' the settlement boundary in a clean fashion and be stated as a benefit in the same way how site 13 and 14 would round off with Nizewellhead is stated as a benefit for that site.		
15	<b>Character Preservation:</b> The location ensures that the village's character isn't adversely affected, especially compared to sites at the village entrances.	<ul style="list-style-type: none"> <li>This wasn't an important factor in our assessment of sites. It has more to do with the design of any future development, and we are at too early a stage to consider that. See also Appendix D: FAQs Q5.</li> </ul>	
16	<b>Shielded from View:</b> Mature trees and TPOs provide screening from any development for neighbouring properties. And the woodland area at the top provides screening from Beeches Lane. This has not been stated as an advantage whereas the tree line for site 8 has.	<ul style="list-style-type: none"> <li>The team takes the view that development on your site would mostly be out of view, and we simply differ on whether that is an advantage. Again, see Appendix D: FAQs Q4.</li> </ul>	
17	<b>Good views from the site:</b> The mature trees on the site create a peaceful and tranquil environment for potential future residents. But this has not been listed like as a benefit as it has for sites 13 and 14 which aren't even <i>available</i> .	<ul style="list-style-type: none"> <li>Sites 13 and 14 have middle-distance views over the valley. That is a separate point to the amenity value of trees which, while true, is not mentioned in the planning balance of these sites or Site 4.</li> </ul>	
	<b>Other</b>		
18	<b>Personal bias:</b> The assessment team is led by ML who lives in Grange Park, was involved with the campaign to get TPOs on Site 4, and is trying to sell his house. There may be an element of subconscious bias against potential development close by.	<ul style="list-style-type: none"> <li>The team considers this attempt to undermine the credibility of a member of the assessment team is unworthy of the landowner.</li> </ul>	
19	<b>Restrictive Covenants:</b> There are some ancient covenants on site of which I have already	<ul style="list-style-type: none"> <li>The assessment team has been advised that these covenants may be acted on by affected</li> </ul>	<b>Add a reference to restrictive covenants having the potential to inhibit</b>

	<p>undertaken indemnity insurance for. These covenants date back to 1953/1954. They do not restrict the erection of buildings or any development of the land.</p> <p>It is understood these covenants also apply to surrounding properties which has not prevented recent development in the village off Fenway being delivered.</p>	<p>parties in adjacent properties. There is case law that supports the interpretation of the wording of the covenants (which we have seen) that has been held to mean that building work on the site will breach such a covenant. As with the question of title to the highway verge (see item 8 above), we simply do not know who is correct. There is clearly scope for legal dispute which could lead to restrictions on, or even prohibition of, development on Site 4.</p>	<p><b>development to both the Legal Impediments and the Planning Balance sections.</b></p>
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**ANALYSIS OF COMMENTS BY SITE 3 LANDOWNER**  
**As per email of 18/10/23**

1	<p>S.41 Habitats at North end of site are not now for consideration</p>	<ul style="list-style-type: none"> <li>• The reference to S.41 habitats in the site description was amended to state that it was adjacent to the site.</li> <li>• Even so, the new proposal to link the site with The Beeches may cause disturbance to protected species.</li> </ul>	
2	<p>Loss of dwelling actually an advantage as replaced by new homes</p>	<ul style="list-style-type: none"> <li>• Sustainable development principles support the retention and improvement of existing buildings rather than demolition.</li> </ul>	
3	<p>A track exists from Fir Lane – not aware of this track!</p>	<ul style="list-style-type: none"> <li>• This is an error</li> </ul>	<p><b>Remove reference to track</b></p>
4	<p><b>Traffic:</b> Proposed access is by demolishing a dwelling or dwellings in Grange Park, a residential cul de sac served by North Side and Fenway, both <i>unsuitable</i> for increased traffic flows due to narrowness (much being single track). This is debatable but applies to sites 4;5;6 and 7. The whole village has and expresses concern for traffic flow. The roads in question on the list (I refer to comments on forum and social media). North Side and Fenway is no worse than forcing traffic between north and south side via</p>	<ul style="list-style-type: none"> <li>• A lot more residential properties in Grange Park would be affected by traffic accessing site 3 than for the other sites mentioned.</li> <li>• The assessment team would almost certainly agree with community views regarding existing traffic problems. However, despite asking those responsible we have been told that there are no comments on social media. It would be helpful to see them.</li> </ul>	<p><b>Request landowner to provide copies of public comments in forum and social media</b></p>

	Water Lane and Pains Hill. This site in particular would hopefully reduce peak time traffic with proximity to the school over other sites.		
5	<b>Access:</b> An access road into the site would need to be designed to safely take construction traffic, refuse vehicles, emergency vehicles, etc. It is not clear that a single dwelling plot width would be sufficient to achieve this. There appear to be mature trees on the site close to the access point. Proposed access is sufficient to accommodate the legal requirement plus pedestrian footways. The only mature tree near the proposed new access is sadly, in decline and of limited life.	<ul style="list-style-type: none"> <li>Detailed design of the access to meet acceptable standards has not been seen. The assessment team considers this to be a concern.</li> </ul>	
6	<b>Amenity:</b> The amenity of up to 12 existing dwellings adjacent to the site could be affected by development here, to a greater or lesser degree. Site on lower level to most. Define amenity in a planning respect as is not visible from any public area?	<ul style="list-style-type: none"> <li>Amenity covers a range of things in planning terms, regarded as material considerations: eg overlooking/loss of privacy, loss of daylight/sunlight or overshadowing, loss of outlook, noise. Any or all of these could be compromised by a development. In the absence of a planning application, It is a reasonable way of comparing one site with another to state how many properties could have their amenity affected.</li> </ul>	
7	<b>Isolation:</b> Residents of development here might feel isolated from the rest of the village. Residents of this proposed site would be surrounded on three sides by existing properties. Isolation is defined as being separated from others. Not possible in this case!	<ul style="list-style-type: none"> <li>“Isolation” is perhaps too strong a word. A tendency not to integrate with the wider village is a better description of the concern. The wording used for Site 4 is appropriate here too.</li> <li>The team considers that development on the site would mostly be out of view of many in the village. It would in effect be a cul-de-sac off an existing cul-de-sac.</li> <li>See also Appendix D: FAQs Q4 for discussion about this issue.</li> </ul>	<b>Amend wording of Assessment Team Views and Planning Balance</b>

8	<b>Community feedback:</b> numerous comments	<ul style="list-style-type: none"> <li>The assessment team has faithfully recorded on a spreadsheet (which has been made publicly <i>available</i>) what people have said. It is not for us to agree or disagree. Limited weight has been given to community feedback, and it is not mentioned in the planning balance.</li> </ul>	
9	<b>RAG scores</b> - proximity to community facilities: There are severe discrepancies in the scoring above.i.e. Scores for 25; 26; 27 and 28 are different but distance to access any of these facilities is exactly the same.	<ul style="list-style-type: none"> <li>The comment is not understood. All four of these criteria are scored as red. It is assumed that access will be by way of Grange Park. At the time of the assessment no suggestion of alternative access had been made.</li> </ul>	
10	<b>AECOM's SEA scoring:</b>	<ul style="list-style-type: none"> <li>Our consultants have produced a Strategic Environmental Assessment report which includes an environmental impact assessment of each site. The report explains in detail what the criteria are that they use and how they assess sites. The report is <i>available</i> on request.</li> </ul>	
11	<b>RAG rating:</b> inconsistent scoring by comparison with other ratings.	<ul style="list-style-type: none"> <li>The amber rating for distance to school made an incorrect, but helpful, assumption that a track (see item 3 above) existed that would provide a shortcut to the school.</li> </ul>	<b>We could change the rating from amber to red, but we have not done so.</b>

**ANALYSIS OF COMMENTS BY ROBERT PRESTON**  
As per email of 18/10/23

1	Access mentioned here has been made a moot point by proposed access via Grange Park.	<ul style="list-style-type: none"> <li>See response to Richard Preston – point 5.</li> </ul>	
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	Single dwelling width is more than adequate. Which can clearly be seen.		
2	Access via Grange Park and Fenway / Northside is as good for site 3 as site 1 which is for further consideration. Grange Park has wider roads than most of the village, and a wide entrance via Fenway (a road less cluttered by cars than most others).	<ul style="list-style-type: none"> <li>• See response to Richard Preston – point 4</li> </ul>	
3	There are heavily restricted views from the beeches footpath on the northern side. The houses on the northern side of grange park would keep their current view. The houses on the southern end generally have a restricted view. A view is a consideration, it isn't from a planning perspective, and its debatable whether site 3 is an an amenity.	<ul style="list-style-type: none"> <li>• See response to Richard Preston – point 6</li> <li>• We have not suggested that Site 3 is itself an amenity. It is the amenity currently enjoyed by surrounding properties to which we are referring.</li> </ul>	
4	Residents would enjoy no through traffic with good network coverage and be on an extension to an existing estate. I do not think they would feel isolated, and in fact site 3 is the only site that adds a public amenity. Would be residents of site 3, Grange Park residents, Fenway residents and everyone else would be able to access the school, village hall, church, recreation building, play area, Sports field, New coffee shop and yoga studio via a pleasant walk via new footpath joining the beeches. The northern end of site 3 would become an asset to village life, and truly an amenity.	<ul style="list-style-type: none"> <li>• See the discussion about culs-de-sac in Appendix D: FAQs Q4.</li> <li>• The National Design Code promotes the concept of permeability in the layout of new housing. No through traffic has disadvantages as well as benefits.</li> <li>• The suggestion of a new footpath had not been made at the time of the assessment.</li> </ul>	<b>As per 7 above, wording re “isolation” to be amended.</b>
5	I believe the RAG Rating had been marked down unfairly for site 3. I refer to these specific points- 7- marked as Red, but surrounded on three sides would be an extension of a current cul-de-	<ul style="list-style-type: none"> <li>• Scoring of 7 reflects the view of the team that Site 3 is a backland site.</li> <li>• On 22, the team has concerns about the proposed access between existing houses.</li> </ul>	

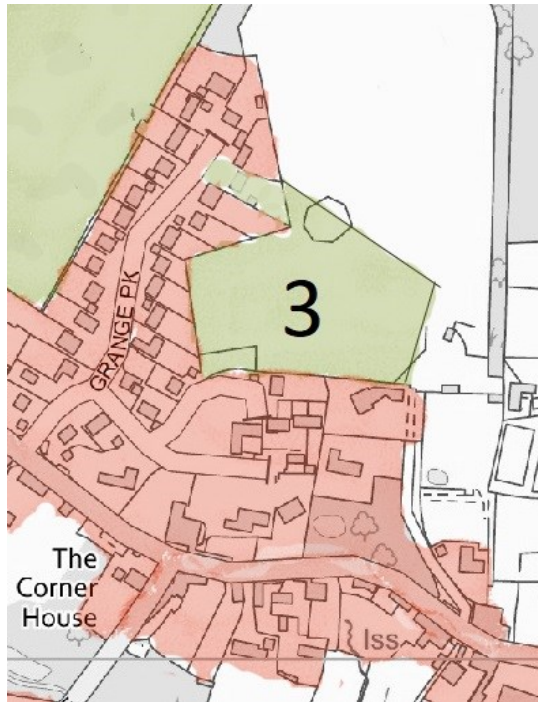
	<p>sac. I would have thought an Amber rating appropriate.</p> <p>22- Only at present. Would not be an issue with proposed access. Surely it needs to be marked on how it would be dealt with if considered.</p> <p>23- All development could arguably be Amber, but site 3 does not have a major impact on village centre.</p> <p>24,25,26,27,28 The development of site 3 would offer access to all these amenities within 250m on foot, and 500m by car. Emphasis to “on foot”. Reducing traffic from current dwellings unable to walk to them. Reducing traffic is a common goal of the village.</p>	<ul style="list-style-type: none"> <li>• 23 – more traffic would be using the Grange Park/ Fenway junction than before. Fenway has limited capacity.</li> <li>• See response to Richard Preston – point 9</li> <li>• We can debate these RAG scorings ad infinitum, but the overall score has not been mentioned in the planning balance as a concern.</li> </ul>	
6	<p>I cannot see the logic when comparing this section between sites. I bring attention to comparisons with sites 8,13,14.</p> <p>How does site 3 score adverse with air quality when 8,13,14 do not?</p> <p>How is site 3 a flood risk? It is not.</p> <p>How does site 3 effect climate change when 8,13,14 do not?</p>	<ul style="list-style-type: none"> <li>• Explanations are given by AECOM in their full report, which is <i>available</i> on request.</li> </ul>	

**APPENDIX D: AMENDED SITE ASSESSMENT FORMS**

Field adjacent to Grange Park and the Beeches

**AVAILABLE AREA** (ha.): 1.5 **POTENTIAL NO. OF DWELLINGS:** 45**SA3 reduced****OWNER**

Richard Preston

**KEY POINTS OF SITE DESCRIPTION**

- Greenfield site
- Formerly the parkland of The Grange
- Backland site adjoining 12 dwellings and their gardens
- S.41 habitats at northern end of field adjacent to site
- Current access is by narrow gravel drive which is *unsuitable* for upgrading
- Proposed access is by demolishing a Grange Park house

**PLANNING POLICY ISSUES**

- Loss of greenfield land
- Loss of a dwelling

**CRITERIA ASSESSMENT SCORE**

Maximum = 155; see Appendix for detail.

**109****SEA IMPACT SCORE**

Maximum = 16; see Appendix for detail

**2****PLANNING HISTORY**

- Planning permission granted in 2001 for part of site to be the village cricket ground, accessed from a new track alongside the Beeches – not implemented.

### ADVICE FROM CONSULTANTS

- Owner must identify location of proposed access in order to remain in contention.
- Also must clarify extent of site *available* for development.

### ASSESSMENT TEAM VIEWS

- Only vehicle access currently is a narrow unmade track restricted in use for agricultural purposes, steep gradient, and very difficult blind turning at the bottom into North Side.
- Proposed access is by demolishing a dwelling or dwellings in Grange Park, a residential cul de sac served by North Side and Fenway, both *unsuitable* for increased traffic flows due to narrowness (much being single track).
- Construction traffic would be particularly problematical for about 60 households in Fenway and Grange Park, for a period of at least a year. Any application will need a Construction Traffic Management Plan to be approved by OCC.
- An access road into the site would need to be designed to safely take construction traffic, refuse vehicles, emergency vehicles, etc. It is not clear that a single dwelling plot width would be sufficient to achieve this. There appear to be mature trees on the site close to the access point.
- The amenity of up to 12 existing dwellings adjacent to the site could be affected by development here, to a greater or lesser degree.
- Residents of development on this backland site might have a tendency not to integrate with the wider village.
- A shorter walking route to the school is possible across the excluded part of the site to the Beeches footpath.
- Former estate parkland site with considerable landscape value that would be harmed by partial development.

### LEGAL IMPEDIMENTS

- Access would rely on a future transaction with another property owner, the terms of which can not be known at the present time.

### SITE OWNER'S COMMENTS

- Land is not visible from public roads other than from 11 properties situated on Grange Park. Access could be made by removal of one property within Grange Park and adjacent to the proposed site.
- The entire site could be considered but realistically, the northern end of the site would extend the village boundary outside of the existing build line. Following the public meeting earlier in the year it was obvious from the general consensus that there was a need for both "affordable" homes and retirement bungalows. This site could provide both with minimal impact to the rest of the village as it is well placed in what was historically, parkland and could provide a potential development site to meet both needs within the village.
- Reduced site area submitted and location of access identified.

## COMMUNITY FEEDBACK

- For the elderly this site might prevent them getting to the shop with its social benefits
- On wrong side of village to bus
- Could bus be re-routed to include a stop on Northside?
- Fenway Grange Park corner too tight for construction traffic
- Fenway already rat run to school and difficult to pass
- Horses on road, more dangerous with more traffic
- Entry onto Fenway - a single track road with already dangerous corner
- Fenway traffic means not *suitable* for OAPs
- Destroy heritage parkland
- House has to be pulled down for access
- Grange Park sewers already having problems
- Lead to isolated community, especially *unsuitable* for the elderly
- Not *suitable* for elderly
- Poor mobile coverage, dangerous for elderly
- New development should be elsewhere in the village

## PLANNING BALANCE

Concerns over:

- the inconvenience to a large number of residents during construction
- loss of amenity to a significant number of neighbouring residents
- the loss of part of a valued greenfield landscape
- the unsuitability of Fenway and Grange Park to serve additional traffic
- The backland nature of the site and its possible tendency to reduce integration with the wider community
- demolition of an existing dwelling to create access
- creation of a *suitable* vehicular access

outweigh the benefit of choosing this site for housing allocation:

It is stated by the owner and his son that the site:

- *does not impact the appearance of the village from any entrance. This means the village retains its character entrance from all roads.*
- *does not move the village out in to green space or expanding the village out on a limb, creating dwellings further and further away from facilities and amenities.*
- *benefits from not being visible from public road*

## RECOMMENDATION

**The site is not considered *suitable*, but the team are prepared to designate it as a “reserve site” for allocation if other sites are not able to proceed.**

## APPENDICES

### RAG RATING FOR THIS SITE

CRITERIA	RAG RATING
1. Current Use	A
2. Relationship with Settlement Boundary	G
3. Topography	G
4. Greenfield or Previously Developed Land	R
5. Agricultural Land Classification	G
6. Landscape Character (sense of place)	R
7. Relationship with existing pattern of built development	R
8. Site Visibility	A
9. Likelihood of setting precedent of further adjacent development	A
10. Important Woodlands, Trees & Hedgerows	G
11. Local Wildlife Designations (LWS or LNR)	G
12. Proximity to habitats with potential for protected species	G
13. Listed Building or important built assets and their setting.	G
14. Impact on the Conservation Area or its setting.	G
15. Ancient monuments or archaeological remains.	G
16. Impact on Registered Park and Garden	G
17. Flood Zone Classification	G
18. Any surface water flooding/drainage issues	G
19. Any known contamination issues	G
20. Any existing public rights of ways/bridle paths.	G
21. Safe pedestrian access to and from the site.	A
22. Safe vehicular traffic to and from the site.	A
23. Impact on existing vehicular traffic.	A
24. Safe access to a bus stop with current service	R
25. Distance to village hall	R
26. Distance to equipped area of play (LAP, LEAP, NEAP)	R
27. Distance to amenity green space (LGS)/ outdoor sports facility	R
28. Distance to Primary School	R
29. Distance to village shop	R
30. Overhead electricity transmission network.	G
31. Noise impact on site.	G

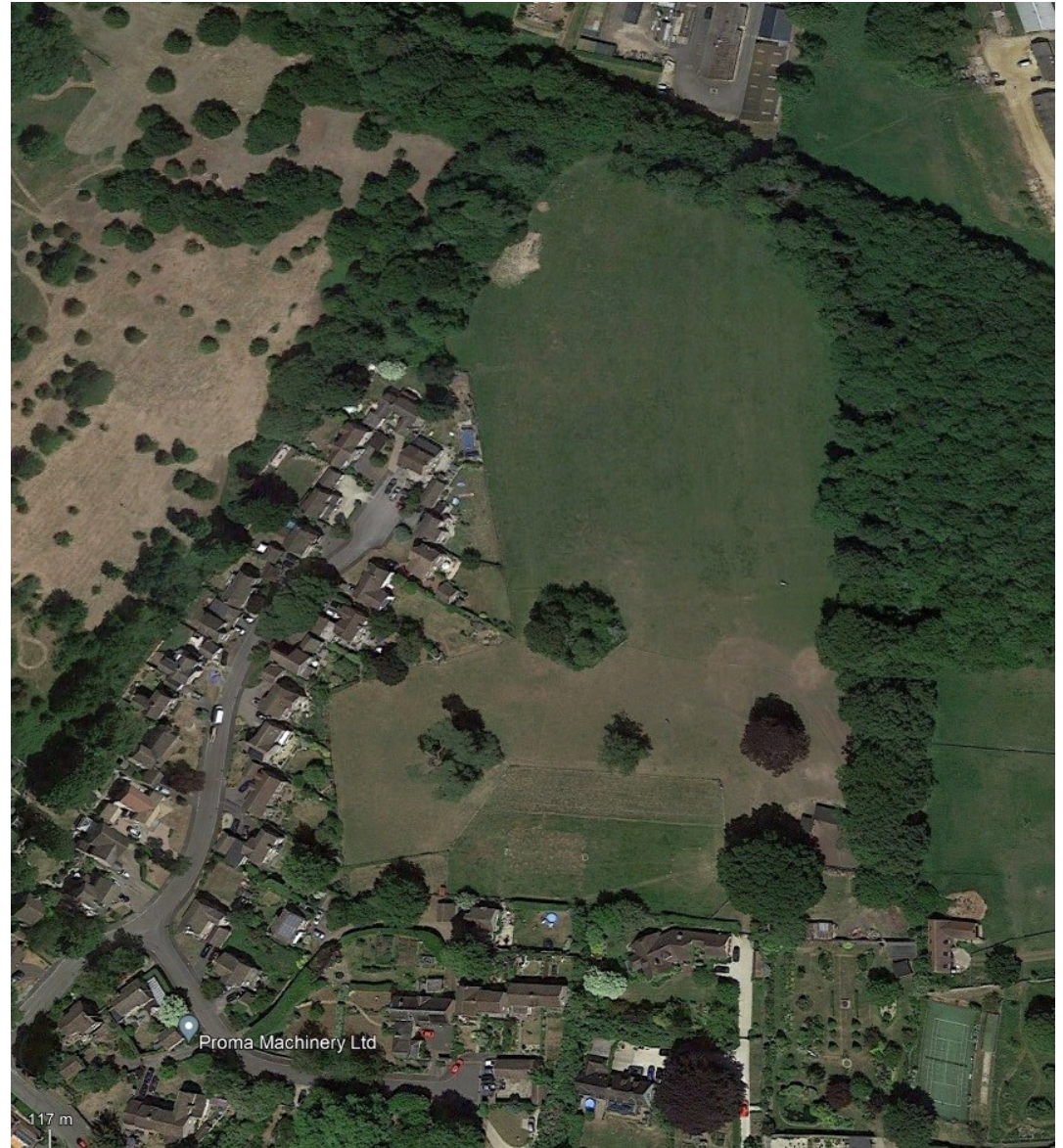
### AECOM'S APPRAISAL OF ENVIRONMENTAL IMPACT

Adverse (Red) = 0, Neutral (Blue) = 1, Positive (Green) = 2

SEA topic	Likely effect
Air quality	-
Biodiversity	0
Climate change and flood risk	-
Community wellbeing	-
Historic environment	-
Land, soil, and water resources	-
Landscape	-
Transport and movement	0

**PLANNING HISTORY**

**PHOTOS**





Old Quarry, Fenway

AVAILABLE AREA (ha.): 1.02

POTENTIAL NO. OF DWELLINGS: 31

**SA4 reduced**

**OWNER**

Matthew Watson



**KEY POINTS OF SITE DESCRIPTION**

- Former sand quarry. Not classed as a greenfield site (Government guidance).
- Backland site with access adjoining neighbouring dwellings
- The site includes The Old Quarry House and its garden, which give access to the backland area
- The site is part of an extensive area with individual, group and woodland TPOs both within and adjacent to the proposed development site. The TPOs are the result of a local campaign to protect the site in 2017.
- The northern end of the adjacent area is next to the Beeches footpath, where there are S.41 habitats.
- Adjacent to the Conservation Area, which includes Fenway itself

**PLANNING POLICY ISSUES**

- Cherwell TPO No.5 2018 applies to the site.
- The proposed access is within the village settlement area as defined in MCNP policy PD1. However, the main development site is outside the settlement area.

**PLANNING HISTORY**

- Was glebe land, part of which was allotments in 1923; quarrying commenced in 1940s and stopped in 1976, when the site was sold. The house appears to have been constructed in 1962.
- Unsuccessfully nominated by MCNP in 2018 as a Local Green Space
- Submitted in Cherwell DC Call for Sites in 2017; received a negative response (see Appendix)
- Current owner applied for planning permission for a “forestry building” on the site in 2022. Approval granted with conditions following expressions of concern from SAPC and MCNP Forum regarding management of protected trees and potential for further development.

**CRITERIA ASSESSMENT SCORE**

Best = 155; see Appendix for detail.

**107**

**SEA IMPACT SCORE**

Best (least impact) = 16; see Appendix for detail

**4**

### ADVICE FROM CONSULTANTS

- Owner must clarify extent of site *available* for development.

The site area was subsequently revised to omit the woodland area at the northern end of the site (email of 27.9.23).

The site area was further revised following a decision by Steeple Aston Parish Council on 16.10.23 to limit housing development to schemes not exceeding 15 dwellings. Site area now 1.02 ha.

### ASSESSMENT TEAM VIEWS

- Former quarry has steep embankments enclosing several areas of the site. Lengthy period from 1950s when site was “wild” and untended, permitted development of species and habitats. A species list was made by a local ecologist – current status unknown.
- Mature hedges and trees provide good screening in summer; not so good in winter.
- Dependent on scale of development, additional traffic on Fenway is problematical as it is largely single track, and the junction with A4260 is potentially dangerous.
- Construction traffic would be particularly problematical for about 15 households in Fenway, for a period of at least a year.
- The amenity of a number of existing dwellings adjacent to the site could be affected by development here, to a greater or lesser degree.
- Housing on this site will be largely out of public view and be likely to nurture a community that feels separate from the existing village.
- The newly-reduced site does not show any connection to the Beeches footpath, as claimed in correspondence. Nor is it clear how or where biodiversity net gain would be achieved on a such a reduced site.
- A shorter walking route to the school is possible across the excluded part of the site to the Beeches footpath.

### LEGAL IMPEDIMENTS

- See Site Owner’s Comments below - there are contradictory views regarding ownership of the grass verge fronting the site. The owner believes that the Highway authority owns it, while a neighbour has in fact succeeded in registering ownership at the Land Registry. This is important because it will have a bearing on the owner’s ability to create *suitable* vehicular access to the site.
- Restrictive covenants affect the site, which could inhibit development.

### SITE OWNER’S COMMENTS

- I have outlined a smaller section of land on Site 4, that I would make *available* for development of 2.52 acres, *suitable* for 15 homes. (email 21.10.23)

From previous scheme description:

- There is an existing Tree Preservation Order on site. These trees can and have been incorporated into the scheme's design along with Biodiversity Net Gain and further additional landscaping. There are no topographical constraints which will affect the development of the land.
- There are some ancient covenants on site of which I have already undertaken indemnity insurance for. These covenants date back to 1953/1954. They do not restrict the erection of buildings or any development of the land. It is understood these covenants also apply to surrounding properties which has not prevented recent development in the village off Fenway being delivered.
- My solicitor also established that Highways have adopted the roadway and verge up to my boundary, which supersedes a neighbour's title which ran under the roadway.

## COMMUNITY FEEDBACK

- Close to school (note: only if access *available* to the Beeches footpath)
- On other side of village to bus
- Could widen current entrance
- Fenway already rat run to school and difficult to pass
- Horses on road, more dangerous with more traffic
- Entry onto Fenway - a single track road with already dangerous corner
- Fenway already has traffic problems
- Loss of calcareous sand grassland
- Wildlife survey has been done
- There are restrictive covenants on houses down Fenway
- Cherwell turned site down for development recently
- Plant trees to screen Grange Park houses
- Backland site leads to isolated community
- Better to share new development around village
- Whole of one side of Grange Park view damaged
- Target housing type to village needs
- Some land may given to village where trees would protect view from the Beeches footpath
- Not visible, surrounded by houses and close to amenities
- Preferable to 8 as not hurting village entrance

Site 4 should not be included in the proposed housing allocations because it is considered to be “not *available*” according to Cherwell’s site assessment criteria (see 4.16 of CDC HELAA report, which is reproduced below in Section 3.2). The assessment team has serious concerns regarding legal impediments affecting the site (see Section 4 below). Further information on these issues may in due course permit re-assessment of the site.

## PLANNING BALANCE

Concerns about:

- The site’s ecological history and existence of TPOs on the site.
- Loss of part of a site with significant landscape value
- The backland nature of the site and its possible tendency to reduce integration with the wider community
- Possible loss of amenity to neighbouring residents
- The unsuitability of Fenway to take more traffic
- The potential for a protracted disagreement over ownership of land crucial to site access
- The potential for restrictive covenants to inhibit development on the site

Outweigh the benefits of allocating this site for housing.

The owner states that:

- The location can prevent village expansion and maintain the current building line.
- mature trees and TPOs provide screening from any development for neighbouring properties, providing a peaceful and tranquil setting.
- a potential community benefit of public use of the woodland area on the site is being offered.

The assessment team considers that the legal impediments may render the site “not *available*” (according to Cherwell DC criteria – HELAA report 4.16).

## RECOMMENDATION

**The site is not recommended for allocation as it is considered to be “not *available*” (see above), because of the potential for legal disputes.**

## APPENDICES

### RAG RATING FOR THIS SITE

CRITERIA	RAG RATING
1. Current Use	G
2. Relationship with Settlement Boundary	A
3. Topography	G
4. Greenfield or Previously Developed Land	A
5. Agricultural Land Classification	G
6. Landscape Character (sense of place)	R
7. Relationship with existing pattern of built development	A
8. Site Visibility	A
9. Likelihood of setting precedent of further adjacent development	A
10. Important Woodlands, Trees & Hedgerows	A
11. Local Wildlife Designations (LWS or LNR)	G
12. Proximity to habitats with potential for protected species	A
13. Listed Building or important built assets and their setting.	G
14. Impact on the Conservation Area or its setting.	A
15. Ancient monuments or archaeological remains.	G
16. Impact on Registered Park and Garden	G
17. Flood Zone Classification	G
18. Any surface water flooding/drainage issues	G
19. Any known contamination issues	G
20. Any existing public rights of ways/bridle paths.	G
21. Safe pedestrian access to and from the site.	G
22. Safe vehicular traffic to and from the site.	A
23. Impact on existing vehicular traffic.	A
24. Safe access to a bus stop with current service	A
25. Distance to village hall	R
26. Distance to equipped area of play (LAP, LEAP, NEAP)	R
27. Distance to amenity green space (LGS)/ outdoor sports facility	R
28. Distance to Primary School	R
29. Distance to village shop	R
30. Overhead electricity transmission network.	A
31. Noise impact on site.	G

### AECOM'S APPRAISAL OF ENVIRONMENTAL IMPACT

Adverse (Red) = 0, Neutral (Blue) = 1, Positive (Green) = 2

SEA topic	Likely effect
Air quality	-
Biodiversity	0
Climate change and flood risk	-
Community wellbeing	+
Historic environment	-
Land, soil, and water resources	-
Landscape	-
Transport and movement	0

## PLANNING HISTORY

CDC response to 2017 Call for Sites:

HELAA212 (2017):

Greenfield site outside the built-up limits. Steeple Aston is a Category A village in the adopted Local Plan Part 1, the category of the most sustainable villages in the district. The adopted Local Plan makes provision for some development (10 or more homes and small scale employment) at Category A villages. The site's only frontage with a highway is that of the Old Quarry House on the south western part of the site with residential properties either side. With the exception of the Old Quarry House, the site comprises an area of ancient woodland (*MCNP note: this is an incorrect designation*). The south eastern part of the site is adjacent to Steeple Aston Conservation Area. The north western boundary abuts NERC S41 habitats with an area of S41 habitats also within the north eastern corner of the site. Access works could have an adverse effect on the character and appearance of the area. The site is considered to be *unsuitable* for development as it has a rural character and relates much more to the countryside than to the built form of Steeple Aston.

## PHOTOS



Field adjacent to Fenway and Coneygar Fields **AVAILABLE AREA** (ha.): 1.55 **POTENTIAL NO. OF DWELLINGS:** 46

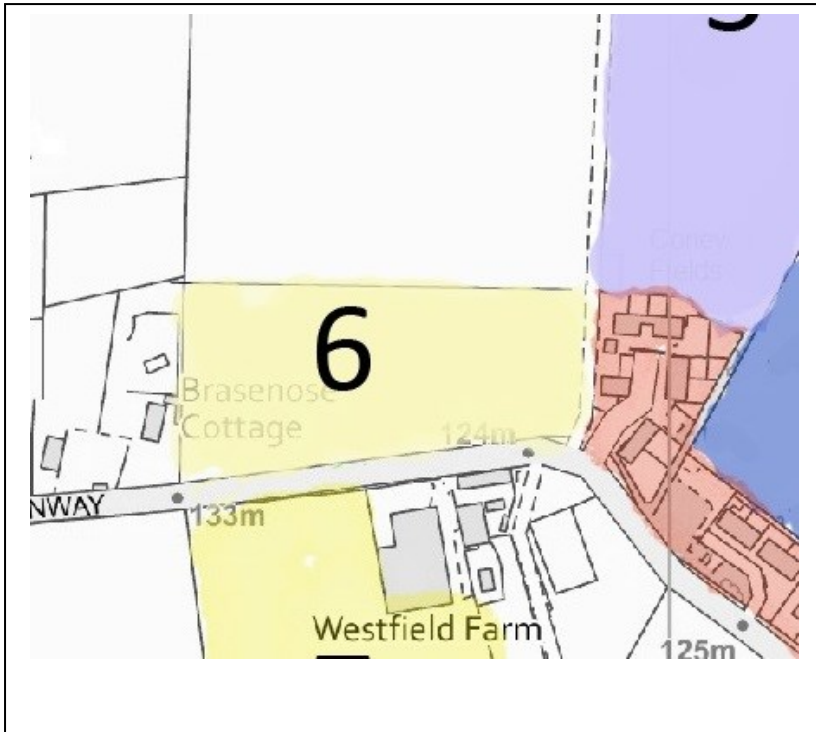
**SA6 reduced**

**OWNER**

Robert and Deana Barbour, Warren Farm

**KEY POINTS OF SITE DESCRIPTION**

- Greenfield site, under crop on good agricultural land
- Adjacent to settlement, separated by bridleway
- 3 residential properties adjacent to the site
- Frontage to Fenway
- Adjacent to bridleway
- Highly visible gateway site
- Site is adjacent to the Conservation Area, which extends to the Fenway bend.



**PLANNING POLICY ISSUES**

- May be regarded as intruding into open countryside.

**CRITERIA ASSESSMENT SCORE**

Maximum = 155; see Appendix for detail.

**99**

**SEA IMPACT SCORE**

Maximum = 16; see Appendix for detail

**3**

**PLANNING HISTORY**

- Site was submitted to CDC Call for Sites 2017: negative response as regarded as harming the character of the village (see Appendix)
- Owners re-submitted site for 2021 HELAA
- Thames Water laid a new large-bore water main down the entire length of the west side of the site in 2018.

#### **ADVICE FROM CONSULTANTS**

- Need to ask owner to clarify extent of site proposed for development (see Site Owner's comments)

#### **LEGAL IMPEDIMENTS**

- None known

#### **ASSESSMENT TEAM VIEWS**

- A mainly frontage scheme (say, in line with Coneygar Fields settlement area) might be more acceptable than one for the whole site.
- Some might argue that a frontage scheme is infill (although Brasenose Cottage is outside the settlement area).
- A larger scheme would be highly inconsistent with existing pattern of settlement.
- Noise from A4260 could be an issue
- Development of the frontage here would complement similar development on site 7 opposite, and together they would create an opportunity to widen Fenway, and to improve the bridleway.
- Fenway should remain a single track rural lane

#### **SITE OWNER'S COMMENTS**

- All of the land identified is *available* between now and 2040, as it is farmed in-house, in an arable rotation.
- There are no viability issues we are aware of, this land has freely draining soil and is accessed off the Fenway. There are utilities close to the site.
- Clarification: it is the whole of the site that is for consideration (26/9/23 email).
- Further response: We are happy for the site assessment team to review part of the site going forward if they see this as being more favourable for the village, and therefore we consent to a smaller site being given further consideration at this stage (5.10.23 email)

### COMMUNITY FEEDBACK

- Shock at considering green field site
- Would hurt initial impression of village
- On other side of village to bus
- Fenway already rat run to school and difficult to pass
- Horses on road, more dangerous with more traffic
- Entry onto Fenway - a single track road with already dangerous corner
- Good access to main road
- Share new development around village
- Bridleway appreciated, spoil its view.
- Good for young families
- Favour some housing on 6 and some on 7
- Preferred despite altering village entrance
- Needs mitigating tree planting to protect from bridleway
- Make a footpath down the side of 6, 7 and 8 to make a route from Fenway to Sixtyfoot

### PLANNING BALANCE

Concerns over:

- Loss of greenfield site of good agricultural land
- Sensitivity of the location as a gateway to the village adjacent to the Conservation Area, therefore likely to damage the character of the village setting in open countryside
- Damage to the setting of the bridleway
- Walking distance to village amenities, which will encourage use of cars
- Poor RAG rating and SEA impact score

Outweigh the advantages of this site, namely:

- its frontage location
- its good location relative to the A4260, reducing traffic movement through the village (but see the contrary point above)
- impact on very few neighbours
- possibility of combining with site 7 and achieving related improvements

### RECOMMENDATION

**The site is recommended for allocation, subject to conditions, including on the size of the site and number of dwellings.**



## APPENDICES

### RAG RATING FOR THIS SITE

CRITERIA	RAG RATING
1. Current Use	G
2. Relationship with Settlement Boundary	A
3. Topography	G
4. Greenfield or Previously Developed Land	R
5. Agricultural Land Classification	A
6. Landscape Character (sense of place)	G
7. Relationship with existing pattern of built development	A
8. Site Visibility	R
9. Likelihood of setting precedent of further adjacent development	A
10. Important Woodlands, Trees & Hedgerows	G
11. Local Wildlife Designations (LWS or LNR)	G
12. Proximity to habitats with potential for protected species	G
13. Listed Building or important built assets and their setting.	G
14. Impact on the Conservation Area or its setting.	A
15. Ancient monuments or archaeological remains.	A
16. Impact on Registered Park and Garden	G
17. Flood Zone Classification	G
18. Any surface water flooding/drainage issues	G
19. Any known contamination issues	G
20. Any existing public rights of ways/bridle paths.	A
21. Safe pedestrian access to and from the site.	A
22. Safe vehicular traffic to and from the site.	A
23. Impact on existing vehicular traffic.	A
24. Safe access to a bus stop with current service	R
25. Distance to village hall	R
26. Distance to equipped area of play (LAP, LEAP, NEAP)	R
27. Distance to amenity green space (LGS)/ outdoor sports facility	R
28. Distance to Primary School	R
29. Distance to village shop	R
30. Overhead electricity transmission network.	A
31. Noise impact on site.	A

### AECOM'S APPRAISAL OF ENVIRONMENTAL IMPACT

Adverse (Red) = 0, Neutral (Blue) = 1, Positive (Green) = 2

SEA topic	Likely effect
Air quality	-
Biodiversity	0
Climate change and flood risk	-
Community wellbeing	+
Historic environment	-
Land, soil, and water resources	-
Landscape	-
Transport and movement	-

## PLANNING HISTORY

Response from CDC to Call for Sites:

HELAA210 (2017):

Greenfield site outside the built-up limits. Steeple Aston is a Category A village in the adopted Local Plan Part 1, the category of the most sustainable villages in the district. The adopted Local Plan makes provision for some development (10 or more homes and small scale employment) at Category A villages. A restricted byway runs

along the eastern boundary of the site. The southeast corner of the site abuts the Conservation Area boundary. The western boundary of the site is adjacent to an Archaeological Constraint Priority Area. The site is considered to be *unsuitable* for development as the site is on the edge of the village and does not relate well to the existing village in terms of being able to accommodate development. It would not be possible to achieve a satisfactory form of development without harm being caused to the character and appearance of the area. The site would also be detached from Conyger Fields by the restricted byway and would result in two separate cul-de-sacs.

A major water main was installed under the western edge of the site in 2017.

## PHOTOS



Field opposite Townend, South Side

AVAILABLE AREA (ha.): 1.7 POTENTIAL NO. OF DWELLINGS: 51

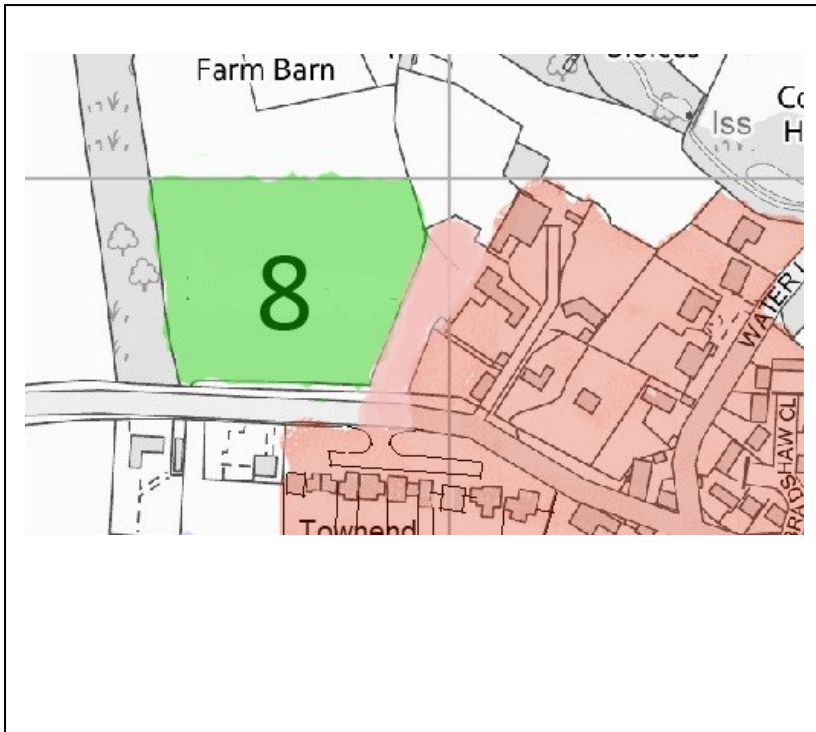
**SA8**

**OWNER**

Pauline Burwell

**KEY POINTS OF SITE DESCRIPTION**

- Greenfield site adjacent to the settlement area
- Frontage to Sixty-Foot
- A gateway site, together with Townend opposite
- Adjacent wooded area is a S.41 habitat and has a woodland TPO
- Trees fronting the site have TPOs
- Conservation Area boundary is close by, but separated from the site by the garden of Mulberry House.
- 2 residential properties immediately adjacent to site and some Townend houses are opposite the site.



**PLANNING POLICY ISSUES**

- Would meet adjacency test of MCNP policy PD1, with proposed amendments.

**CRITERIA ASSESSMENT SCORE**

Maximum = 155; see Appendix for detail.

**111**

**SEA IMPACT SCORE**

Maximum = 16; see Appendix for detail

**6**

**PLANNING HISTORY**

### **ADVICE FROM CONSULTANTS**

### **LEGAL IMPEDIMENTS**

- None known
- There is an informal agreement with the residents of Hill House that the field gate of site 8 is used to gain access from time to time to Hill House's rear garden, which otherwise is inaccessible by vehicle.

### **ASSESSMENT TEAM VIEWS**

- The settlement pattern in this locality is indistinct and untypical of the village, so the form of potential development should perhaps not be defined by vernacular traditions
- Tree belt should reduce A4260 road noise on site
- Good access to bus stops
- Fairly level access to shop
- The site is visible from Fenway but less so from Sixty Foot because of the tree belt
- TPO trees on frontage may mean that development behind would be somewhat cut-off from the village (on the other hand TPO trees opposite, fronting Townend, don't seem to have had that effect)
- Field gate exists on frontage immediately adjacent to tree belt
- Optimal access for construction traffic, not having to pass any existing dwellings

### **SITE OWNER'S COMMENTS**

I am in favour at the present moment of developing perhaps 2 acres of this land by the roadside. I confirm that I am the owner of this land and that there are no drainage or flooding issues with this land.

## COMMUNITY FEEDBACK

- Hurt initial impression of village
- Change entrance of village
- Site would not encourage walking to school.
- Good site for bungalows for elderly on flat ground near bus
- Goes out to relatively large road
- Bungalows *suitable* for site
- No footpath into village centre
- Chicane is dangerous so don't add to traffic using it
- Cannot sell house because of this uncertainty
- All trees on roadside have TPOs
- Next best after 6 and 7
- 8 better than 3,4 and 6 as frontage to larger road, bus, shop and pub easier, construction traffic easier
- Least bad
- Sixty Foot is two-way, unlike Fenway
- Make a footpath down the side of 6, 7 and 8 to make a footpath from Fenway to Sixtyfoot
- 8 is a good site but 15 houses too many for all trees to remain
- Good site, but is 15 too many here. Would 10 be preferable?

## PLANNING BALANCE

The benefits of developing this site, namely:

- Proximity to South Side and its access to buses
- Relatively shielded from long-distance views by woodland and frontage trees
- Good access to the highway in a relatively safe and *suitable* location
- Optimal access for construction traffic, not having to pass any existing dwellings

outweigh its disadvantages, for example:

- Loss of greenfield land
- Disturbance to a small number of neighbouring properties

## RECOMMENDATION

**The site is recommended for allocation, subject to conditions, including on the size of the site and number of dwellings.**

## APPENDICES

### RAG RATING FOR THIS SITE

CRITERIA	RAG RATING
1. Current Use	A
2. Relationship with Settlement Boundary	A
3. Topography	G
4. Greenfield or Previously Developed Land	R
5. Agricultural Land Classification	G
6. Landscape Character (sense of place)	A
7. Relationship with existing pattern of built development	G
8. Site Visibility	A
9. Likelihood of setting precedent of further adjacent development	A
10. Important Woodlands, Trees & Hedgerows	A
11. Local Wildlife Designations (LWS or LNR)	G
12. Proximity to habitats with potential for protected species	A
13. Listed Building or important built assets and their setting.	G
14. Impact on the Conservation Area or its setting.	A
15. Ancient monuments or archaeological remains.	G
16. Impact on Registered Park and Garden	G
17. Flood Zone Classification	G
18. Any surface water flooding/drainage issues	A
19. Any known contamination issues	G
20. Any existing public rights of ways/bridle paths.	G
21. Safe pedestrian access to and from the site.	A
22. Safe vehicular traffic to and from the site.	G
23. Impact on existing vehicular traffic.	G
24. Safe access to a bus stop with current service	G
25. Distance to village hall	R
26. Distance to equipped area of play (LAP, LEAP, NEAP)	R
27. Distance to amenity green space (LGS)/ outdoor sports facility	R
28. Distance to Primary School	R
29. Distance to village shop	R
30. Overhead electricity transmission network.	G
31. Noise impact on site.	G

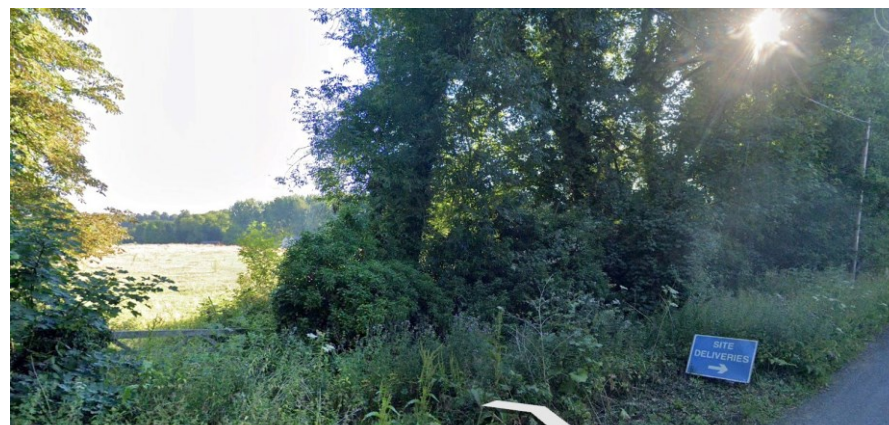
### AECOM'S APPRAISAL OF ENVIRONMENTAL IMPACT

Adverse (Red) = 0, Neutral (Blue) = 1, Positive (Green) = 2

SEA topic	Likely effect
Air quality	0
Biodiversity	0
Climate change and flood risk	0
Community wellbeing	+
Historic environment	-
Land, soil, and water resources	-
Landscape	-
Transport and movement	0

## PLANNING HISTORY

## PHOTOS



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### Appendix E: SUMMARY of RAG/ SEA ratings

<b>Site Ref</b>	<b>Location</b>	<b>RAG score max 155</b>	<b>SEA score</b>	<b>Total</b>	<b>Ranking</b>
<b>SA1</b>	1 Old Poultry Farm, Fir Lane	<b>121</b>	<b>3</b>	<b>124</b>	<b>3</b>
<b>SA2</b>	Land adjacent to Hatch End Business Park	<b>113</b>	<b>2</b>	<b>115</b>	<b>6</b>
<b>SA3</b>	Field adjacent to Grange Park and the Beeches	<b>109</b>	<b>2</b>	<b>111</b>	<b>8</b>
<b>SA4</b>	Old Quarry, Fenway	<b>107</b>	<b>4</b>	<b>111</b>	<b>7</b>
<b>SA5</b>	Paddock adjacent to Coneygar Fields	<b>97</b>	<b>3</b>	<b>100</b>	
<b>SA6</b>	Field adjacent to Fenway and Coneygar Fields	<b>99</b>	<b>3</b>	<b>102</b>	<b>9</b>
<b>SA7</b>	Field adjacent to Westfield Stables, south of Fenway	<b>97</b>	<b>5</b>	<b>102</b>	<b>10</b>
<b>SA8</b>	Field opposite Townend, South Side	<b>111</b>	<b>6</b>	<b>117</b>	<b>5</b>
<b>SA9</b>	Field to south of and behind Townend	<b>107</b>	<b>3</b>	<b>110</b>	
<b>SA10</b>	Kinch's field, South Side	<b>107</b>	<b>5</b>	<b>112</b>	
<b>SA11</b>	Land behind The Pound, and off The Dickredge	<b>105</b>	<b>5</b>	<b>110</b>	
<b>SA12</b>	Field adjacent to The Dickredge path	<b>105</b>	<b>5</b>	<b>110</b>	
<b>SA13</b>	Former allotments off Heyford Road, adjacent to Nizewell Head	<b>127</b>	<b>6</b>	<b>133</b>	<b>2</b>
<b>SA14</b>	Former allotments south of track off Heyford Road	<b>134</b>	<b>6</b>	<b>140</b>	<b>1</b>
<b>SA15</b>	Field behind Heyford Hill houses, adjacent to The Crescent	<b>113</b>	<b>6</b>	<b>119</b>	<b>4</b>
<b>SA16</b>	Field behind Lawrence Fields and The Crescent	<b>119</b>	<b>6</b>	<b>125</b>	

## APPENDIX F: FREQUENTLY ASKED QUESTIONS, AND DEFINITIONS

*At public meetings on the proposed site assessments, in comments submitted by email, and at the Steeple Aston Parish Council meeting in October 2023, a number of questions were repeatedly raised. This note aims to provide answers to the most frequently asked ones.*

### **1. Q. What is a settlement area?**

**A.** The Cherwell Local Plan permits development in certain circumstances within “the built-up area” of some villages. Applicants want to know what exactly that means. MCNP chose to define that phrase by producing maps agreed by the parish council at the time. These maps were included in the Plan when it was consulted on and subsequently adopted. We used criteria that are widely used by other Councils to determine what should be included and what should not. Our interpretation was approved by the Examiner of our Plan. The detail was set out in the MCNP (Appendix C), but some relevant extracts are as follows:

*A ‘settlement boundary’ is the boundary between areas of built development (the settlement) and the open countryside.*

*AC1.3 Areas usually excluded were:*

- Curtilages of properties which have the capacity to extend the built form of the settlement. This includes large residential gardens;*
- Recreational or amenity space at the edge of settlements which primarily relate to the countryside. Registered village greens and ponds;*
- Community facilities, such as religious buildings, cemeteries, schools and community halls;*
- Isolated development which is physically or visually detached from the settlement (eg farm buildings).*

*AC1.4 With the above in mind, the boundary of the areas has been drawn fairly tightly around the existing pattern of settlement in each case. Agricultural land is generally excluded, as are outlying houses and farms which are not contiguous with the built-form of the settlement. Also excluded are isolated houses in their own grounds.*

*AC1.5 In most cases residential gardens have been included along with the dwellings to which they relate. In a few cases, however, where the gardens are particularly large, the boundary has been drawn across the garden in a way that more generally reflects the extent of nearby gardens. This is intended in those cases to discourage residential development on garden land which could be characterised as “backland”.*

*AC1.6 In such cases, where a large garden has been divided in this way, it is not intended to impact on small scale development associated with the dwelling to which the garden belongs – for example garden sheds, summer houses, garages, landscaping, etc. The intention of the division is purely to discourage the development of additional dwellings in these locations.*

*AC1.7 There are some cases where “gap sites” exist with road frontages, and these are included so that infill development can be supported where it is appropriate and sustainable.*

*AC1.8 Recreational and amenity spaces on the edge of settlements have been excluded: not to do so would be to encourage a perceived loss of countryside.*

*AC1.10 MCNP policies seek to encourage rural exception sites adjacent to Category A or B villages, where these are deemed suitable. The settlement areas defined here exclude such potential sites at this stage as they have not been identified with any certainty, and by definition would be “exceptions” and so do not need to be included.*

### **2. Q. Why do the sites being considered for housing allocation have to be “immediately adjacent to the settlement area”?**

**A.** In 2019, the local community voted in favour of adopting the Mid-Cherwell Neighbourhood Plan, following extensive engagement and consultation. One of the key policies in the Plan (policy PD1) supported a limited amount of new housing in Steeple Aston, Fritwell and Kirtlington on condition that development sites were “immediately adjacent to the settlement area”.

### **3. Q. So what is a Rural Exception Site?**

**A.** Landowners can ask Cherwell to consider designating a site that is not eligible for allocation (see above) to instead be permitted to take an affordable housing scheme. That generally means social housing of some description, rather than market housing. This is called a Rural Exception Site (RES), precisely because it would be an exception to the normal planning rules. RESs are not identified in Local or Neighbourhood Plans – effectively because they are not planned. They arise when there is a particular identified need for affordable housing and a site becomes *available* that would normally not gain planning permission.

### **4. Q. Why make the distinction between a “frontage site” and a “backland site”?**

**A.** There is an important aspect of backland sites that is inherent in their relationship to the settlement, and that is that they are, by definition, behind an existing dwelling or dwellings. Development of such sites changes the relationship of the new dwellings to the existing street pattern. It generally involves the creation of culs-de-sac, which are the source of much debate amongst planners. By comparison with development on existing streets, culs-de-sac:

- are more likely to encourage car use to local facilities because they can increase walking distances;
- are less likely to be served by buses which are routed along the existing street;
- introduce a side street where there was none before, making walking and cycling along the original street a little more dangerous.

There are also, of course, arguments in favour of culs-de-sac. Much depends on what we are trying to achieve in planning our villages. If a key goal is encouraging people to walk and cycle rather than use their cars, then frontage sites have the advantage. If another key goal is ensuring that the new residents will integrate smoothly with the existing community, then it is better not to be squirreled away in an enclave of sorts, where what may happen is that a sub-community is created, which does not interact much with the existing. If a development is mostly out of view of many in the village (as in a cul-de-sac off an existing cul-de-sac) this could lead to less interaction with the established community.

Much is said these days about “connectivity”. The MCNP Review is adding new policies to encourage walking and cycling, and to connect up our villages. It is consistent with the wider neighbourhood plan to state that backland sites are clearly less “connected” than frontage sites.

Historically, Steeple Aston has had a number of estates built over the past 100 years: The Crescent, Nizewell Head, Lawrence Fields, Bradshaw Close, Jubilee Close, and Grange Park. They could be said to have diluted the traditional street frontage character of the historic village. While most of these estates have over time become more or less integrated, the team does not favour encouraging more development that can create sub-communities if it has the choice not to do so. That is one of the reasons why frontage sites such as sites 8 and 13 are favoured over backland sites. It is a subtle difference, but it is nevertheless a difference.

These, however, are judgements that can be made or refuted, depending on priorities. The assessment team in Steeple Aston decided to draw the distinction in order to present the debate for consideration. We have not given undue weight to the issue in the planning balance.

### **5. Q. What does loss of amenity mean?**

**A.** It means that a proposed development could harm the amenity of those living at another property, through noise, overlooking, overshadowing, smells, light pollution, loss of daylight, loss of privacy, dust, vibration or late night activities.

**6. Q. Wouldn't it help maintain the character of the village if no more new houses are built on gateway sites (entry points to the village)? Wouldn't it be better if new houses were out of sight?**

**A.** Some areas of Steeple Aston have retained their historic character to a great extent (North Side or Paines Hill). Much of the rest of the village, though, has evolved through the 20<sup>th</sup> and the present century with the building of housing estates such as Nizewell Head, The Crescent, Bradshaw Close, Grange Park and Lawrence Fields. These have all introduced different building styles, often typical of their period. Some would say that is as it should be. The alternative is to attempt to copy some idealised period in time when the village was characterised by what are termed "vernacular buildings". This has led to developers creating a largely unfortunate menu of building features that they believe will be attractive to those moving into their rural idyll. Ironically, in the worst cases, the resultant pastiche has ended up looking artificial and out of place.

So what exactly is the character of Steeple Aston that the question implies? Do the entrances to the village really need to send a message that will in fact be contradicted by the variety of styles further down the street? A careful look at all four gateways to the village will reveal that these locations are not where the vernacular character resides – that is in the protected core. The existing gateways do not in fact have a consistent character that can be emulated. So, they do not present a reason to avoid development on these fringes. Indeed, some people think that new and welcoming gateway houses should reflect the technologies and materials of their time, making a statement instead about current rural values in the 21<sup>st</sup> Century.

However, that philosophy has limits. A very modern three-storey development at a gateway to the village would very likely be inappropriate as it is so unrepresentative of the nature of most of the village. All gateway developments must anyway be of the highest design quality.

**7. Q. Why are the "potential numbers of dwellings" on the assessment forms so high?**

**A.** Our consultants have used Cherwell's density standard of 30 dwellings per hectare for rural developments in order to have a standard way of comparing one site with another. It doesn't mean that that is the appropriate number of houses for the site. All the sites have been assessed in the Strategic Environmental Assessment on the same basis. Larger sites do tend to score worse than smaller sites on the environmental criteria that AECOM are using (in line with national policy). Even if a landowner states clearly that they only wish to build x houses, sites can change hands later, and applicants come under pressure from the local planning authority to provide higher density and more homes. Even if our NP policy clearly states what we would like to happen on the site, and the current owner does too, it doesn't mean that is how it will end up. There are numerous examples of modest schemes escalating into larger ones when the site area, or an adjacent site, allows. So the "worst case" number is a sensible yardstick for comparing one site with another. It is always the site, not its current owner, that is being assessed. It is also the case that once an allocation has been made, the site is included in the settlement area, and so it opens the door to further possible development adjacent.

**8. Q. Why have we recommended 30 new dwellings for the village?**

**A.** The assessment team has rejected the arbitrary nature of an imposed number of dwellings for the village based on equally arbitrary number of 500 for the District's rural areas (as stated in the Local Plan 2040 consultation). The eventual figures per village will depend on how many larger villages are eligible, based on criteria such as availability of bus services or a village shop, which can and do fluctuate from time to time, and certainly will within the Plan period. Some factors could improve (bus frequency), while others will deteriorate (pub closures).

The team has listened to points raised and evidence provided to build a case for the optimal number of extra dwellings on the basis of which sites are *available* and *suitable*. The proposed allocation of 30 new dwellings is based on the “bottom-up” approach that has been taken in conducting the site assessment process. All possible sites have been considered, the most *suitable* sites have been chosen, and then thought has been given to how many dwellings should be located on each site. A minimum of 10 has been chosen to ensure that Section 106 Agreements are possible if they are needed. The process has not at any time involved a desire to meet a quota of housing numbers imposed by others. The figure of 47 dwellings initially suggested by Cherwell in January 2023 was withdrawn, and anyway had no evidence to support it, so far as the assessment team is aware.

Community feedback (see the spreadsheet appendix to the PC report on 16.10.23) is clear that there is a preference for housing which is not in the form of an estate, building away from the main streets. There is also a clear preference for housing for older and younger people, which is supported by detailed evidence provided by our Housing Needs Assessment for the MCNP area (AECOM, March 2023).

In addition, there is a view that smaller-scale interventions over time are better for village life than large steps. So an estate of 30 houses, were that to be possible, would be less desirable than two or three sites, of between 10 and 15 houses, because of the smaller scale of each intervention. An increase of 20 dwellings was previously agreed by the PC for the period 2018- 2031, approximately 5% of the total, and this was incorporated into the Neighbourhood Plan policies. Only 10 houses have in fact been built, as only one site has so far come forward. It is one of the reasons for the decision to consider housing allocation in the review of the neighbourhood plan.

An analysis of development in Steeple Aston from 1923 to 2023 shows that 200 homes were built in the hundred years – approximately 2 per annum. For the 16-year period 2024- 2040, it is not unreasonable therefore to propose that around 30 dwellings should be completed, maintaining a similar rate of growth to previous years. We expect that the examiner of our NP Review next year will support this reasoning. If so, Cherwell’s Local Plan should equally accept the NP’s policy as part of the development plan. Numbers can however always be challenged at appeal hearings by developers who have had applications refused, and an Appeal Inspector’s findings are not predictable.

The assessment team has also borne in mind that the MCNP is founded on the principle that one of its member parishes – Heyford Park – is a strategic housing site, where a large number of new homes are being, and are still to be, constructed. As a consequence the MCNP area is a special case in Cherwell District, such that its “larger villages” - Steeple Aston and Kirtlington – should be treated on their merits for additional housing numbers, rather than having to accept a theoretical number.

This is not to say that no other development could take place within the Settlement Areas of the villages in the MCNP area (which includes Steeple Aston). There are a number of possible sites where small-scale “windfall” schemes could be supported if they were to come forward, thus assisting Cherwell in its aims to provide additional homes in rural areas.

**9. Q. What control does the village have over what developers want to build? Can the village decide on the size and type of houses that are built, and require road improvements?**

**A.** This is one of the reasons for having a neighbourhood plan. When the policies are adopted they should be applied by the local planning authority (Cherwell, in our case) as conditions that have to be met by the developer. For example, the MCNP already has a policy that requires existing off-road parking to be maintained in the case of an extension to a dwelling. It also has a policy regarding housing mix which, for example, required Rectory Homes to change its proposed development at Townend to have a higher proportion of three-bed homes, and fewer four-bed homes, than they originally wanted. It could not unfortunately stop them from getting consent to enlarge the houses

once they had received planning permission, which is a weakness in the planning system. Road improvements can also be required in our policies, subject to agreement of the Highways Authority.

**10. Q. What is the relationship between the Local Plan and the MCNP?**

**A.** Once a neighbourhood plan is adopted, it sits alongside the Local Plan with equal weight. Its purpose is to provide locally-specific policies that are particular to the 12 parishes of Mid-Cherwell. It also differs in an important way – the MCNP is the subject of a thorough democratic process that concludes with a local referendum before it can be adopted. This happened in 2019, and will happen again with the Reviewed Plan in 2024.