



Supplement for

UPLANDS AREA PLANNING SUB-COMMITTEE - MONDAY, 3RD APRIL, 2023

4. **Applications for Development – 22/02947/OUT (Pages 23 - 42)**
Land East of Worton Road, Middle Barton

Purpose:

To consider applications for development, details of which are set out in the attached schedule.

Recommendation:

That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.

Page	Application No.	Address	Planning Officer
23-42	22/02947/OUT	Land East Of Worton Road, Middle Barton	Stephanie Eldridge

Report of Additional Representations

Application Number	22/02947/OUT
Site Address	Land East Of Worton Road Middle Barton Oxfordshire
Date	30.3.23
Officer	Abby Fettes
Officer Recommendations	Refuse
Parish	Steeple Barton
Committee Date	06 th December 2021

Application Details: Outline planning for development of up to 28 dwellings, vehicular access, green infrastructure including landscaping, and related drainage and other infrastructure works, (all matters reserved other than access from Worton Road

Applicant Details: Mintondale Development Ltd (C/O Agent

I Additional Representations

I.1 The applicant's agent has responded to objection comments as follows:

I refer to the report that is being presented to the Committee on Monday – following the deferral for a site visit at the Committee on 6th March 2023. I have the following comments.

Siting, Design and Form

I note that the following statement remains in the Report (paragraph 5.32):

'Your officers are of the opinion that the indicative planting is of insufficient depth to provide a meaningful buffer that would appropriately mitigate the visual impact of the development.'

On 22nd February 2023, an amended Landscape Strategy Plan was submitted to the LPA, Drawing No. 9457L.LSP.004 Rev A. With the timing in the preparation of reports to the Planning Committee, it was not clear whether the Case Officer had the opportunity to consider this amended Landscape Strategy Plan in the report to the Committee on 6th March. Nevertheless, the plan as acknowledged is indicative.

A landscape buffer can be provided of a depth which officers do consider 'would appropriately mitigate the visual impact of the development.' As you have noted, land to the north and east of the red line site forms part of one field, and is the same land ownership. The landowners are willing to extend the depth of tree planting/landscaping beyond the red line boundary.

National planning policy has an expectation for LPAs to consider 'whether otherwise unacceptable development could be made acceptable through the use of conditions' (Framework 55). It seems to me that the position of the Officers could be addressed by a planning condition worded in a negative form as follows:

'No development shall commence until details of a landscaping buffer on the north and eastern boundary of the site have been submitted to and approved by the LPA. The details shall include depth of tree planting; tree species; and specification of planting and arrangements for future management. The approved landscaping and buffer shall be implemented in full during the first planting season following the commencement of the development.'

This condition provides full control to the LPA to achieve, in the words of the report to the Planning Committee, 'a meaningful buffer.'

A planning condition is reasonably anticipated for the submission and implementation of a Landscape and Ecological Management Plan. This condition will secure future management of existing hedgerows/trees, and new hedgerow/tree planting.

Highways

The strategy of the Local Plan is to allow for 'limited development' in villages such as Middle Barton. This level of development is a consequence of the level of services, including public transport that is available in 'villages.' The Report acknowledges that this development would contribute to the 'windfall allowance' that is provided for within the Chipping Norton sub-area. In my submission, it is unfair on the one hand to acknowledge this level of development is the principle consistent with the level of growth assigned to the Chipping Norton sub-area as part of the windfall allowance, and then to criticise its location.

Clearly, as a matter of construction of Policy OS2, Middle Barton is a sustainable location for a limited scale of development. This proposal amounts to a 5% increase in dwellings which is properly to be regarded as 'limited.' Fundamentally, the identified local housing needs for the Bartons could not be suitably located in a higher order settlement. The local housing need is 'as it says on the tin' – local to the Bartons. The Government makes clear at Framework 105, that pragmatic judgement has to be made for the opportunity for sustainable travel in rural areas, stating:

'... opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account by both plan-making and decision-taking.'

S106

The Applicant, and Landowners will enter Planning Obligations as have been identified at paragraph 5.58 of the Report.

I ask that this submission is brought to the attention of the Planning Committee.