



Chadwick Town Planning

PLANNING STATEMENT

Proposed Conversion of Existing Outbuildings to Dwelling
and Associated Works

The Willows, Eynsham Road, Cassington, Oxfordshire,
OX29 4DF

For
Mr & Mrs Hill

June 2023

Chadwick Town Planning Limited
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1.0 INTRODUCTION

- 1.1 This Planning Statement ('the Statement') has been prepared by Chadwick Town Planning Limited ('CTPL') on behalf of Mr & Mrs Hill ('the Applicants') in support of a planning application for the conversion of existing outbuildings to a dwelling for the Applicants' family's use and associated works ('the proposal' or 'proposed development') at The Willows, Eynsham Road, Cassington, Oxfordshire, OX29 4DF ('the application site' or 'the site').
- 1.2 The existing range of single-storey outbuildings have been present on the site for over 20 years and are used for workshop, storage of farm machinery/other items and animal stabling purposes in association with the use of the Applicants' wider family's use of 8 acres (3.2 hectares) at The Willows for animals, nature and wildlife.
- 1.3 The Applicants moved to The Willows in 2017 to help Mrs Hill's grandparents, who are in their eighties, manage the land as it had become a wilderness being too much for them to cope with and manage. The Applicants live in cramped accommodation at The Willows with their two children, which is becoming increasingly constrained and difficult for the family as the children get older. Understandably they want to remain in Cassington and at The Willows, maintaining and managing the smallholding, woodland, lakes, animals and wildlife so propose to convert the substantial outbuildings into a three-bedroomed dwelling for their own use and occupation. The outbuildings and smallholding sit on the edge of Cassington, at the rear of The Willows, with the outbuildings set back even further from the A40 with access onto the A40 close to the signalled junction to the south of The Willows. The site is described more fully in Section 2.0 of the Statement with the planning history of the site briefly set out in Section 3.0 of the Statement.
- 1.4 The proposal, which is described more fully in Section 4.0 of the Statement was the subject of a request for pre-application advice from West Oxfordshire District Council ('the Council') in January 2023

(23/00113/PREAPP). The Council's positive response on 23rd February 2023 – see Appendix 1 - concluded as follows:

'...it is clear that the decision-making process for the determination of any application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits or whether there are specific policies in the Framework [NPPF] that protect areas or assets of particular importance which provide a clear reason for refusing the development proposed.

Whilst the proposed buildings are not considered worthy of retention or conversion and there is insufficient information to advise whether the dwelling would comply with the neighbourhood plan, in this instance given the tilted balance is engaged, officers do not consider that there are any significant or demonstrable harms that outweigh the minimal benefit of one additional dwelling in a relatively sustainable location in terms of the principle of development.

However given that the neighbourhood plan is close to being made (which would allow officers to give it full weight) care needs to be taken to ensure that the development complies with the policies within the Neighbourhood Plan.'

- 1.5 In Section 5.0 the Statement sets out how the relevant Local Plan and Neighbourhood Plan policies have been taken into account and includes an appraisal of the proposal against the Development Plan and other material considerations, including the National Planning Policy Framework, the Council's own West Oxfordshire Design Guide 2016 and Design Code accompanying the Cassington Neighbourhood Plan.
- 1.6 Cassington is defined as a 'village' in the settlement hierarchy in the West Oxfordshire Local Plan, 2031 ('WOLP') and is 'washed over' by the Oxford Green Belt. Policy H2 of the WOLP relating to the delivery of new homes sets out that new dwellings will be permitted at the Main Service Centres, Rural Service Centres and Villages, which includes Cassington, in a range of circumstances, including on previously developed land – which includes

the existing outbuildings - within or adjoining the built-up area provided the loss of any existing use would not conflict with other Plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in the WOLP. The Council accepts that the proposal involves some previously-developed land and lies within the built-up area of Cassington, which is consistent with Policy OS2 of the WOLP as it is in a relatively sustainable location given its proximity to the A40 and the Rural Service Centre of Eynsham. The proposal is therefore in accordance with Policies H2 and OS2 and supported by Policy E2, which states that the conversion of existing buildings to residential use is appropriate within Service Centres and Villages with services and facilities (see Policy H2) and Policy E3, which supports the re-use of non-traditional buildings, including modern farm buildings within or adjoining Service Centres or Villages, or where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme under Policy E2 or where re-use would address a specific local need which cannot be met in an alternative way.

1.7 The Cassington Neighbourhood Plan ('CNP') has not yet been "made" part of the Development Plan but is well-advanced, having received a supportive Examiner's report and is to be the subject of a referendum on 22nd June 2023 so carries significant weight. Policies CAS1, CAS2, CAS3, CAS5 and CAS8 are relevant. As set out in Section 5.0, the proposal satisfies the requirements of the CNP in that the new home would address a local need, is located within the village, re-uses an existing resource, supports local services, is well-designed having regard to the Design Code, is part of a site identified in the CNP as important deciduous woodland, ensures the rural character of the village is preserved, facilitates safe, accessible and convenient means of walking and cycling in the parish, avoids light pollution, enhances biodiversity and addresses energy efficiency, low carbon and sustainability issues.

1.8 The proposal is also supported by "other material considerations". The Government's National Planning Policy Framework's ('NPPF') advice on Green Belts (Paragraph 150) states inter alia that the re-use of buildings is not inappropriate development provided that the buildings are of permanent and substantial construction, preserve its openness and do not

conflict with the purposes of including land within it. The outbuildings are clearly of 'permanent and substantial construction' so satisfy the requirements of Paragraph 150 d) of the NPPF as being "appropriate" development in the Green Belt. In its pre-application advice, the Council also accepted that the proposal would comply with Paragraph 148 of the NPPF as 'the proposed development would not result in any harm to the Oxford Green Belt due to the location of the development within the village of Cassington and in relation to the dwelling The Willows.'

1.9 Finally, the proposal also satisfies Paragraphs 119 and 120 of the NPPF relating to the effective use of previously-developed land, the Council's Design Guide and CNP Design Code, which aim to ensure well-designed buildings are provided that are sympathetic to the surrounding built environment, setting, context and landscape.

1.10 In summary, the proposal has received positive pre-application support from the Council and it is demonstrated in this Statement to be in accordance with the requirements of the relevant policies in the Development Plan and also supported by other material considerations. Therefore, in line with Section 38(6) of the Planning and Compulsory Purchase Act, 2004 and Section 70(2) of the Town and Country Planning Act 1990, we respectfully request that this application be approved.

2.0 THE SITE AND SURROUNDINGS

2.1 The Willows is a large, extended detached dwelling situated within about 8 acres (3.2 hectares) of land, with pasture, outbuildings, woodland and lakes all located to the north of the A40 Eynsham Road, within the village of Cassington.

2.2 The Willows is set back from the A40 and has access onto the section of Eynsham Road running from the A40 into the village and another access directly onto the A40 close to the signalled junction to the south of The Willows. The outbuildings sit at the rear of The Willows, within a line of other buildings and structures set back even further from the A40. See Figure 1.



Figure 1 – Location of Outbuildings at The Willows (courtesy of Google Earth)

2.3 Within the settlement hierarchy in the supporting text of Policy OS2 of the WOLP, Cassington is identified as a village. It has a population of over 750 (Census 2011) and is in a relatively sustainable location given its services, proximity to the A40 and the Rural Service Centre of Eynsham. It lies within the Oxford Green Belt. The site lies outside the village's designated Conservation Area and there are no listed buildings in close proximity to the site.

2.4 The permanent, single-storey outbuildings have been in existence for over 20 years and are used for a range of workshop, storage of farm machinery/other items and animal stabling purposes. See Figure 2, taken in 2004.



Figure 2 – Existing Outbuildings (courtesy of Google Earth, 2004)

2.5 The existing structures on the site fall into the category of previously developed land and have been used in conjunction with the dwelling on site (The Willows), which is within the built up area of the village of Cassington, and surrounding land used for a variety of amenity, wildlife and other purposes. The buildings are constructed of concrete blockwork with mono-pitched, metal roofs and timber windows and doors. See photographs of outbuildings at Figures 3 and 4.



Figure 3 – End Elevation



Figure 4 – Rear Elevation

3.0 PLANNING HISTORY

3.1 The overall site has a limited planning history.

3.2 The Council's online planning records show only three planning applications relating to the site dating back to 1947 which include:

W93/1247 - Erection of a first floor extension with dormer windows over existing flat roof to form additional accommodation - Approved - 24th November 1993.

W98/1554 - Construction of a covered swimming pool - Refused - 16th December 1998.

19/02586/HHD - Alterations and erection of single storey extension - Approved - 2nd December 1019.

3.3 Other "historic" applications are referred to under the property history but details are not available online.

4.0 THE PROPOSAL

- 4.1 The proposal is to convert the existing range of single-storey outbuildings, into a three-bedroomed dwelling to be occupied by Mr & Mrs Hill and their two children along with associated works (e.g. drainage).
- 4.2 The conversion involves very minimal alterations and none that would change its form, bulk and design, which are in keeping with their rural surroundings. Nor does the scheme involve any extension or related change to the buildings. In visual terms, there would be an improvement to the appearance of the outbuildings with the addition of vertical stained timber boarding to the elevations, which would also help retain its low key and simple agricultural appearance.
- 4.3 Access to the site is via an existing gated access onto the A40, which will be improved in due course with the implementation of the A40 HIF2 Infrastructure Scheme referred to in the Cassington Neighbourhood Plan.
- 4.4 Drainage will be via a private treatment plant and soakaways with the optimum location found within the red-lined site and sited to avoid affecting any trees and well away from the proposed dwelling. See Drainage Proposals supplied by IHS Systems Ltd and Klargester documentation for the suitably-sized treatment plant.
- 4.5 The Willows and surrounding land and buildings have been in the Applicants' family since 1956 (Mrs Hill is the fourth generation) and is a beautiful pocket of nature in Cassington, enjoyed by many. Indeed, some of the deciduous woodland is identified in the CNP.
- 4.6 Mr and Mrs Hill moved to The Willows in 2017 to help Mrs Hill's grandparents, who are in their eighties, manage the land because it had become a wilderness being too much for them to cope with and manage properly. This suited Mr & Mrs Hill as they have two young children, who are now thriving in a village school, and enjoy managing the smallholding/wildlife habitats with an ever increasing number of rare breed animals (registered Oxford Sandy and Black pigs in particular). They also have their own successful small business - Thames Liquid Waste

Disposal – which is located in Cassington, employs local people and serves all of Oxfordshire. The office is based at The Willows.

- 4.7 Mrs Hill’s grandparents are desperate to keep the land at The Willows for animals, nature and wildlife. The Applicants and their growing family understandably want to remain in Cassington and at The Willows, helping to maintain and manage the smallholding, woodland, lakes, animals and wildlife. However, they are currently living in cramped accommodation which is part of The Willows, which is becoming increasingly constrained and difficult for the family as the children get older.
- 4.8 The Applicants therefore want to have their own, separate accommodation in the outbuildings at The Willows so they can look after the land, tend to the animals 24 hours a day/7 days a week, maintain security, undertake lambing and farrowing and other essential activities on the smallholding, which has also recently suffered extensive storm damage to trees that needed addressing and then future management.
- 4.9 Mrs Hill’s grandparents have four children in total. Eventually the time will come when The Willows will need to be sold and divided up equally between their children. The land at The Willows has been left to Mrs Hill’s mother and she is keen for the family to retain and maintain the smallholding as it is at present, for the benefit of future generations.
- 4.10 In short, the Applicants and their children are desperate to live on this land as it is their life incorporating their family, passion and business. They have examined other options but these are not as suitable, feasible or viable as the proposal, which better uses an existing under-used asset, is large enough to provide sufficient accommodation for the family, located on the smallholding, separate but very close to Mrs Hill’s grandparents and enabling their children to remain at their existing schools in the locality.
- 4.11 The Applicants are encouraged by the Council’s positive response to their pre-application proposals, which have remained largely the same but are augmented by more detailed submissions in support of the proposal.

5.0 DEVELOPMENT PLAN & OTHER MATERIAL CONSIDERATIONS - APPRAISAL

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act, 2004 and Section 70(2) of the Town and Country Planning Act, 1990 require that planning applications be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 5.2 The West Oxfordshire Local Plan 2031, adopted in September 2018, is the principal element of the statutory Development Plan relevant to the consideration of this application. It sets out the overall planning framework for the district from 2011 to 2031 and makes provision for housing to help meet Oxford's unmet housing needs. It is – subject to the outcome of a referendum on 22nd June 2023 – likely to be accompanied by the Cassington Neighbourhood Plan, which has also been assessed in this section of the Statement along with supporting documents, such as the Design Code.
- 5.3 The National Planning Policy Framework and the Council's Design Guide (2016) are important material considerations along with the National Design Guide and Planning Practice Guidance.
- 5.4 In summary, given the above and the Council's pre-application advice included at Appendix 1 of the Statement, there are no significant planning policy barriers that should restrict a development such as this and in this location, which is supported by the Development Plan, the NPPF and other considerations.
- 5.5 It comprises the suitable, sensitive and sustainable re-use of an under-used set of outbuildings [previously-developed land] to meet a local need for a family that wishes to remain in Cassington and contribute towards the management of the small-holding, local wildlife habitats and the natural environment whilst enhancing the appearance of the site. This is consistent with the Development Plan, the new CNP, NPPF and other guidance and should therefore, in our opinion, be supported.

- 5.6 The WOLP states that in line with national policy in the NPPF, the Local Plan is underpinned by a presumption in favour of sustainable development. In other words, development that is shown to be sustainable in the West Oxfordshire context will be permitted. In this context, the WOLP seeks to locate development in the right places (Policy OS2) as this influences how people choose to travel, where children go to school, how an area changes physically and socially and where people live and work. The WOLP considers that putting development in the right places can also help to reduce development pressures on sensitive locations (e.g. Cotswolds AONB). The WOLP includes a settlement hierarchy in Policy OS2. This envisages most development going to Witney, Carterton and Chipping Norton but recognises there is a need for development elsewhere to help meet the unmet housing needs of Oxford City, to spread the potential benefits of growth and to help sustain the more rural parts of the District. Beyond the Rural Service Centres, such as Eynsham, Long Hanborough and Woodstock, some development is supported in the villages, which includes Cassington. This is limited to that which respects the village character and local distinctiveness and helps maintain the vitality of the local community.
- 5.7 Policy H2 of the WOLP supports new dwellings at villages in certain circumstances, whilst other policies (Policies E2 and E3) state that the conversion of existing buildings to residential use is appropriate within Service Centres and Villages with services and facilities (Policy E2) and support the re-use of non-traditional buildings, including modern farm buildings within or adjoining Service Centres or Villages, or where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme (Policy E3).
- 5.8 From this and the Council's pre-application advice, the key Development Plan and other considerations of the proposal are identified as follows:
- i. Principle of the proposed development
 - ii. Green Belt
 - iii. Siting, Design and Massing; and
 - iv. Other Matters including compliance with the Cassington Neighbourhood Plan.

i) Principle of the proposed development

5.9 The Development Plan is the starting point for decision-making¹. This is notwithstanding the fact that the NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. The NPPF states at Paragraph 11 that housing policies contained within development plans should not be considered up-to-date² if the Council cannot demonstrate a five year supply of deliverable housing sites.

5.10 In recent appeal decisions³ Inspectors have found that the Council cannot currently demonstrate a 5-year supply of housing land. The Council's own Housing Land Supply Position Statement 2022 – 2027 (published November 2022) demonstrates that there is only a 4.1 years' supply of deliverable housing sites at present.

5.11 As such, the provisions of paragraph 11d) of the NPPF are engaged and the tilted balance must be applied, which means granting permission unless:

i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.12 In this case, starting with the Development Plan, it is considered – and accepted by the Council in its pre-application advice – that the proposal complies with the WOLP, that there are no policies (e.g. Green Belt) that provide a clear reason for refusing the development and that there are no significant or demonstrable harms that outweigh the minimal benefit of one additional dwelling in a relatively sustainable location in terms of the principle of development.

¹ Paragraph 12 of the NPPF, 2021

² See Footnote 8 of the NPPF, 2021

³ Planning Appeal Reference: APP/D3125/W/22/3293656 and APP/D3125/W/22/3302410

5.13 This is based upon the Council's reasoning that the proposal involves the conversion of permanent structures on the site (which fall into the definition of previously developed land in the NPPF) which have been used in conjunction with the dwelling on site (The Willows), which is within the built up area of the village of Cassington. Within the settlement hierarchy in the supporting text of Policy OS2 of WOLP, Cassington is a village, in a relatively sustainable location given its proximity to the A40 and the Rural Service Centre of Eynsham.

5.14 Policy H2 of the WOLP states:

New dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:

On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan;

On undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2.

5.15 Paragraph 6.46 of the WOLP adds:

'In accordance with the overall strategy, conversion of existing buildings to residential use is more appropriate within our service centres and villages with services and facilities (see Policy H2).'

5.16 The buildings comprise previously-developed land as defined by the NPPF and The Willows site is within and closely related to the village of Cassington. According to the Council's own sustainability study⁴ the settlement includes a primary school, community building, public house, place of worship, playing fields, local employment [including the Applicants' own business], a principal transport route (A40) and a good level of bus services. The Council's study and pre-application advice also

⁴ West Oxfordshire Local Development Framework Settlement Sustainability Report - November 2016

notes that the village is just 1.7 miles from Eynsham via the A40 where shops are available. Oxford is about 5 miles to the south-east.

5.17 The proposed development clearly represents sustainable development of a previously-developed site that would comply with Policies OS2 and H2 of the WOLP and would help maintain the vitality of the community and the services offered within the village. It is within an accessible location providing easy access to a range of goods and services. The village has been subject to recent expansion (for example at Manor Farm Eynsham Road) pursuant to planning permission 17/00609/FUL illustrating that it is a suitable settlement appropriate to receive new development, albeit limited. These locational benefits weigh in favour of the proposal ensuring that the proposal is the “right development in the right place” as required by Policy OS2 and H2 of the WOLP.

5.18 The Council’s pre-application advice also refers to Policy E3 (Reuse of non-residential buildings)⁵ which states that the re-use of non-traditional buildings, including modern farm buildings, for employment, tourism and community uses will be supported within or adjoining Service Centres or Villages, or where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme under Policy E2 or where re-use would address a specific local need which cannot be met in an alternative way⁶. This is provided that the following criteria are met:

- the general character and form of the building(s) are not harmful to the surroundings; and
- the scale and type of use is suitable to its location and will not result in excessive alteration(s) or extension(s) to the host building.

5.19 The supporting text to Policy E3 states that suitable buildings for re-use will be of substantial and permanent construction and that the Council may require structural surveys to demonstrate that buildings are capable of conversion. Paragraph 6.52 of WOLP adds that if the principle of

⁵ Policy E3 is the replacement policy for a number of previous policies in former Adopted West Oxfordshire Local Plan (2006) relating to the conversion or re-use of non-residential buildings

⁶ Policy E3 is also referenced in Policy H5 of WOLP, which encourages the re-use of existing buildings through custom/self-build projects and cross-refers to Policies OS2 and H2

conversion is accepted, it is important that detailed proposals respect or improve the original character of the building.

5.20 All of these requirements are satisfied by the proposal, which is accompanied by a Structural Survey Report by Ian Harban Consulting Engineers that demonstrates that the outbuildings are capable of conversion. The existing outbuildings are shown in Figure 5.



Figure 5 – Outbuildings to be converted

5.21 The proposed conversion involves the external cladding of the building with timber boarding and the insertion of windows and doors largely into existing openings. See Figure 6.

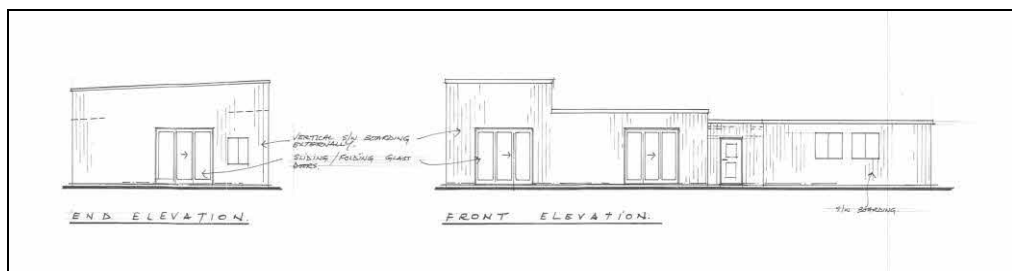


Figure 6 – Proposed Conversion

- 5.22 This would retain the simple, agricultural character of the outbuildings, improve their appearance and be compatible with the characteristics of the site and its surroundings. This includes the scale and context of existing outbuildings, local distinctiveness and the rural character of the locality in terms of form, proportions, architectural detailing and materials. This is consistent with Policy OS4 (High Quality Design) and Policy EH2 (Landscape Character) of the WOLP and advice in the Council's Design Guide (2016) and the Design Code associated with the Cassington Neighbourhood Plan.
- 5.23 In summary, given these factors the principle of the proposed development must be acceptable in relation to Policies OS2, H2 and E3 of the WOLP. It is located in Cassington, which is a sustainable settlement, involves a previously-developed site, the conversion of existing buildings that are of permanent and substantial construction and structurally sound, that meet the Applicants' needs - local people with a long history of residing in the village, who run a local business and who now require larger and more suitable accommodation for their growing family.
- 5.24 The proposal will also deliver "sustainable development" as required by the NPPF. As established in appeals⁷, sustainability does not just rely on location or transport. It is a concept to be assessed in the round.
- 5.25 In social and economic terms, the proposal would provide some benefit by adding a dwelling to the district's housing stock at a time when there is a lack of a 5-year supply of deliverable housing land [as required by the NPPF] in West Oxfordshire and bringing investment in the buildings and to the local economy. It would form a valuable addition to residential accommodation as with many Class Q (agriculture) and other conversions undertaken with planning permission or under "permitted development" in recent years. Thus, given the particular circumstances of this case, the benefits and re-use of the buildings would equate to an efficient re-use of an existing resource that would be sustainable and compatible with NPPF guidance on such proposals.

⁷ APP/G2713/W/16/3165649

5.26 More importantly it would enable the Applicants and their children to remain at The Willows - the "family" home - and in the local community, where they have lived and worked for a number of years, close to grandparents and friends, which is a significant social benefit. Paragraph 92 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles, especially where this would address well-being needs. These are important principles of sustainable development and would all be achieved with this proposal.

5.27 Finally, there would be environmental benefits achieved through the enhancement to the appearance of the outbuildings and its setting along with landscaping, biodiversity enhancements, sustainable construction and renewable energy facilities planned to be incorporated into the conversion scheme.

ii. Green Belt

5.28 Cassington is "washed over" by the Oxford Green Belt.

5.29 Policy OS2 of WOLP (Locating Development in the Right Places) defaults to NPPF provisions on the Green Belt for managing development proposals. Paragraph 148 of the NPPF states when considering any planning application with the Green Belt, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

5.30 The Council's pre-application advice is clear on this matter as it states:

'In this regard the proposed development would not result in any harm to the Oxford Green Belt due to the location of the development within the village of Cassington and in relation to the dwelling The Willows.'

5.31 Paragraph 150 of the Government's NPPF advice on Green Belts states that the following forms of development are not "inappropriate" in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction [our emphasis];
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

5.32 The outbuildings are clearly of 'permanent and substantial construction' so satisfy the requirements of d) of Paragraph 150 of the NPPF as being "appropriate" development in the Green Belt subject to "openness" considerations and no conflict with the "purposes" of the Green Belt. The proposed conversion preserves the openness of the Green Belt as the proposal involves very minimal alterations and none that would change its form, bulk and design, which are in keeping with their rural surroundings. Nor does the scheme involve any extension or related development that would affect openness in physical, visual or spatial terms. This is accepted by the Council – see Paragraph 5.30 above. In visual terms, there would be an improvement to the appearance of the outbuildings with the addition of vertical stained timber boarding, which would also help retain its low key and simple agricultural appearance. See Figure 7.



Figure 7 - View of Buildings from the South Near to the Access onto A40

- 5.33 In terms of impacts upon the “purposes of including land within the Green Belt”, it should be noted that the proposal:
- (a) being the conversion of existing buildings does not lead to any increased sprawl of large built-up areas;
 - (b) has no effect upon neighbouring towns merging into one another;
 - (c) has no adverse impacts and assists in safeguarding the countryside from encroachment;
 - (d) preserves the setting and special character of historic towns; and
 - (e) helps assist in urban regeneration, by the more effective use of an under-used asset.
- 5.34 Therefore, for these reasons it can be safely concluded that the proposal satisfies Green Belt policy requirements in the NPPF.

iii. Siting, Design & Massing

- 5.35 The outbuildings are single-storey, have been present on the site for many years and are not untypical of similar structures found both at The Willows and on surrounding farms and smallholdings. Due to their location, siting relative to other buildings and topography they are not readily visible in the public domain. Their massing is low and insignificant and their siting is discrete, some distance back from the A40, seen in combination with other outbuildings and structures and set against a backdrop of existing mature trees (see also Figure 7). In short, the siting and massing of the outbuildings has little impact upon the surrounding landscape. Their residential use will also enable the management of the land at The Willows, which is important so that existing natural features and their settings are protected, managed and, where appropriate, supplemented by new planting of local native species. As such the proposal is totally consistent with Policy EH2 (Landscape Character) of the WOLP and guidance in the NPPF and the Council’s Design Guide.
- 5.36 The proposed conversion is considered to be of a design and construction (i.e. use of materials) that is sympathetic to the building and the rural context of the site. The proposed development would not cause harm but rather improve the present rather utilitarian appearance of the building by introducing sympathetic architectural elements and visual interest into the

outbuildings, making them suitable for occupation whilst enhancing the character and appearance of the area. The proposal meets the requirements of Policy OS4 of WOLP, which states that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings.

5.37 The Council in its pre-application advice referred to the low lying design and location of the outbuildings on the site which means that they will not be widely visible outside the site and within the wider landscape. Similarly they referred to there being no proposals for extensions or huge alterations to the buildings, which was welcomed ensuring that development does not spread further across the site.

5.38 Therefore, in light of these assessments and considerations it is reasonable to conclude that the siting, design and massing of the proposal is acceptable in relation to the Development Plan and other considerations, including the NPPF and the Council's Design Guide.

iv. Other Matters including compliance with the Cassington Neighbourhood Plan

Biodiversity

5.39 The application is accompanied by a Protected Species (Ecological) Survey and biodiversity enhancement scheme but the proposal is founded upon providing suitable residential accommodation for the Applicants to continue to contribute towards the management of the 8 acres of wildlife, woodland and habitats at The Willows. The WOLP recognised that the bulk of wildlife lives outside nature reserves and specifically protected areas so, in order to meet the Government's aim of minimising impacts on biodiversity and achieving net gains and improvements for nature biodiversity has been carefully considered in relation to the proposal to satisfy Policies EH2 and EH3 of WOLP.

Sustainable Construction

5.40 The application is accompanied by a Sustainability & Energy Efficiency Statement. This demonstrates the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in the converted outbuildings.

Residential Amenity

5.41 The converted outbuilding would only have a small garden but it is intended that the Applicants and family would, as at present, utilise the surrounding 8 acres as part of their residential amenity. There are no immediate neighbours or others that would be affected by the proposed conversion.

Cassington Neighbourhood Plan ('CNP')

5.42 Following an independent examination of written representations the Cassington Neighbourhood Plan is now to proceed to a neighbourhood planning referendum scheduled for 22nd June 2023.

5.43 The Council's pre-application advice requested an assessment of the proposal against policies in the Neighbourhood Plan, which subject to the outcome of the referendum, is likely to shortly become part of the Development Plan. The proposal's "performance" against the policies in the Neighbourhood Plan is set out in the table below using a "traffic light" system of compliance:

Policy	Title	Proposal
CAS1	Cassington Nature Recovery Network	An area of deciduous woodland at The Willows is shown as part of the Nature Recovery Network in the CNP. This is unaffected by the proposal but the dwelling will enable the Applicants to help manage the woodland and other features on the land.
CAS2	Active Travel	The site lies close to the A40 and other parts of the network. The Applicants'

		family support local access to the wildlife habitats at The Willows, which will be unaffected by the proposal. Enabling the re-use of the building will enable the Applicants and family to walk, cycle and support local services via the network.
CAS3	Dark Skies	The proposal does not require the installation of external lighting and is designed to minimise the occurrence of light pollution.
CAS4	Cassington Conservation Area	Not relevant
CAS5	Design Code for Cassington Village	The site is part of the later linear extension of the village. The proposal is a single building deep and has no undue impact upon views of the landscape beyond. The windows and doors are simple timber modules. There are no drainage issues as the site is in Flood Zone 1 and at very low risk from flooding from rivers and surface water according to the Government's Flood Risk website.
CAS6	Locally listed buildings	Not relevant
CAS7	Local services and community facilities	Not relevant
CAS8	Zero carbon building	The proposal follows the "Recycle, Re-use, reduce" strategy by using an existing resource and previously-developed land to capture their embodied carbon. Consideration has been given to energy/resource efficiency - see supporting Sustainability Statement.
CAS9	Infill residential development	Not relevant
CAS10	Affordable housing	Not relevant

5.44 It can therefore be concluded that the proposal complies, where relevant, with the emerging CNP in every respect.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 In summary, it is considered that the proposed conversion scheme is acceptable in principle and in detail in relation to the Development Plan, the emerging Cassington Neighbourhood Plan and NPPF policies, including on the Green Belt, which is an important material consideration in this case given the absence of a 5-year housing land supply in the district.
- 6.2 The Council accepted as much in the pre-application advice of earlier this year when it concluded that there were no significant or demonstrable harms that outweighed the minimal benefit of one additional dwelling in a relatively sustainable location in terms of the principle of development. The Council also considered that the proposed development would not result in any harm to the Oxford Green Belt due to the location of the development within the village of Cassington and in relation to the dwelling The Willows. Finally, the Council felt that the low lying design and location of the outbuildings on the site meant that they would not be widely visible outside the site within the wider landscape; with no proposals for extensions or huge alterations to the buildings this was welcomed ensuring that development does not spread further across the site.
- 6.3 For all of these reasons, it is considered that the proposal should be supported as it would improve the appearance of the buildings, have no adverse impact upon the openness of the Green Belt or the surrounding landscape but provide much-needed residential accommodation for the Applicants and their children, enabling them to stay on site, manage the land, operate their business, support their family and grandparents and put the outbuildings to good, new and socially and economically beneficial use, which is sustainable development, in accordance with the development plan and NPPF, an important material consideration especially given the absence of a 5-year housing land supply.
- 6.4 Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, 2004 and Section 70(2) of the Town and Country Planning Act, 1990, we respectfully request that the Council grants planning permission for this application.

APPENDIX 1.0

COUNCIL'S PRE-APPLICATION ADVICE

On Behalf Of:
C/o Duncan Chadwick
Chadwick Town Planning Ltd
7 Rectory Road
Hook Norton
Banbury
Oxfordshire
OX15 5QQ

Date: 23rd February 2023
Our Ref: 23/00113/PREAPP
Please ask for: Sarah Hegerty
Telephone: 01993 861713
Email: [REDACTED]

Dear Duncan,

Town and Country Planning Act 1990

APPLICATION: 23/00113/PREAPP

PRO POSAL: Proposed conversion of outbuildings to residential use.

AT: The Willows Eynsham Road Cassington

I write in regard to your enquiry received by the Council on the 16.01.2023 seeking the pre-application views of the Local Planning Authority. The relevant information is set out below. Please be aware of the disclaimer at the end of this letter. If you have any questions relating to the advice given, please contact the Case Officer.

Policies

OS2, OS4, H2, E3, West Oxfordshire Design Guide, NPPF and Cassington Neighbourhood Plan.

Site Characteristics and Constraints

Within the settlement hierarchy in the supporting text of OS2 Cassington is a village. It is in a relatively sustainable location given its proximity to the A40 and the Rural Service Centre of Eynsham. Cassington lies within the Oxford Green Belt.

There are permanent structures on the site (which fall into previously developed land category) which have been used in conjunction with the dwelling on site (The Willows) which is within the built up area of the village of Cassington. However the land itself serves as residential garden/small holding for the dwelling which falls outside of the previously developed land category.

Assessment

Principle of Development

The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites paragraph 11 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date (Identified in footnote 8).

In a recent appeal decision the Inspector found that the Council cannot currently demonstrate a 5-year supply of housing land. As such, the provisions of paragraph 11d) of the NPPF is engaged and the tilted balance must be applied.

Policy H2 of the West Oxfordshire Local Plan (WOLP) states
New dwellings will be permitted at the main service centres, rural service centres and villages in the

following circumstances:

- On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan;
- On undeveloped land within the built up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2.

Policy E3 (reuse of non-residential buildings) states:

The re-use of non-traditional buildings, including modern farm buildings, for employment, tourism and community uses will be supported within or adjoining Service Centres or Villages, or where it forms part of an agricultural holding and the proposal is part of a farm diversification scheme under Policy E2 or where re-use would address a specific local need which cannot be met in an alternative way. This is provided that the following criteria are met:

- the general character and form of the building(s) are not harmful to the surroundings; and
- the scale and type of use is suitable to its location and will not result in excessive alteration(s) or extension(s) to the host building.

Green Belt

Paragraph 148 of the NPPF states when considering any planning application with the Green Belt, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. In this regard the proposed development would not result in any harm to the Oxford Green Belt due to the location of the development within the village of Cassington and in relation to the dwelling The Willows

Siting, Design and Massing

The red line area for the dwelling is relatively small with little private amenity space serving the dwelling indicated. The buildings themselves are not considered worthy of retention and therefore officers question whether they are suitable for conversion to a dwelling. However, their low lying design and location on the site means that they will not be widely visible outside the site within the wider landscape. Similarly there are no proposals for extensions or huge alterations to the buildings which is welcomed ensuring that development does not spread further across the site.

Cassington Neighbourhood Plan

Cassington Neighbourhood Plan is currently in the final stages and has been through the examination process and has been found sound subject to some amendments. Whilst Officers cannot give the plan full weight it does still carry significant weight.

CAS2: ACTIVE TRAVEL

Criterion B States Development proposals on land that lies within or adjacent to the Network should sustain, and where practicable, enhance the multi-functionality of the Network by virtue of their layout, means of access and landscape treatment.

Therefore any application submitted needs to indicate how active travel measures will be sustained or enhanced.

CAS5: DESIGN CODE FOR CASSINGTON VILLAGE

Within the Design Code, the site lies within the category of linear extension and whilst the application does not go into specific materials proposed for the site however if an application was to be submitted care should be taken of the design principles set out within this document to ensure the application complies.

CAS8: ZERO CARBON BUILDING is important in this instance because criterion C states that:

“All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted and will include a planning condition to require the provision of a Post Occupancy Evaluation Report to the Local Planning Authority within a specified period, unless exempted by Clause B. Where the Report identifies poor energy performance and makes recommendations for reasonable

corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.”

Conclusion

In view of the above it is clear that the decision-making process for the determination of any application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits or whether there are specific policies in the framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposed.

Whilst the proposed buildings are not considered worthy of retention or conversion and there is insufficient information to advise whether the dwelling would comply with the neighbourhood plan, in this instance given the tilted balance is engaged, officers do not consider that there are any significant or demonstrable harms that outweigh the minimal benefit of one additional dwelling in a relatively sustainable location in terms of the principle of development.

However given that the neighbourhood plan is close to being made (which would allow officers to give it full weight) care needs to be taken to ensure that the development complies with the policies within the Neighbourhood plan as the application of the NPPF differs and paragraph 14 is engaged in this instance.

Please be aware that a new checklist was introduced on 1st February 2023 and is required to be submitted with all applications. It can be found here: <https://www.westoxon.gov.uk/media/4g5pgnww/full-planning-permission-and-listed-building-consent-validation-checklist-feb-2023-v2.pdf>

West Oxfordshire District Council would encourage all applicants to consult with neighbouring properties prior to the submission of any application.

I trust this is of some assistance. If I can be of further help, please do not hesitate to contact me.

Yours sincerely,



Planner

Useful links

Sustainability Standards Checklist: <https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/>

West Oxfordshire District local plan: <https://www.westoxon.gov.uk/residents/planning-building/planning-policy/local-development-framework/local-plan-2031/>

Environment Agency: www.environment-agency.gov.uk enquiries@environment-agency.gov.uk

Thames Water: developer.services@thameswater.co.uk

Natural England: www.naturalengland.org.uk

NPPF: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Disclaimer

- Please note that this is an officer's opinion and is in no way binding Members of the Area Planning Sub Committee.
- The above advice is given for purposes relating to the Town and Country Planning Acts and for no other Council function.

West Oxfordshire District Council Planning Department promotes email correspondence as it is the quickest, easiest and most environmentally friendly way of contacting us.

Contact us at planning@westoxon.gov.uk