

APPLICATION NO.	P24/S2426/FUL
SITE PROPOSAL	Middle Road Stanton St John, OX33 1EX Demolition of existing stonewall and addition of new 5 bar gate to provide agricultural access to neighbouring fields. Realignment of the stone wall either side of the gate to provide the necessary vision splays for the new access. The wall to be rebuilt from material derived from the demolished existing stone wall (amended by drwgnos 877-P01-G and 877-P03-A received on 22 October 2024).
AMENDMENTS	Amended by drwgnos 877-P01-G and 877-P03-A received on 22 October 2024
APPLICANT	Land Agent, New College
APPLICATION TYPE	FULL APPLICATION
REGISTERED	8.8.2024
TARGET DECISION DATE	31.10.2024
PARISH	STANTON ST JOHN
WARD MEMBER(S)	Tim Bearder
OFFICER	Will Darlison

1.0 INTRODUCTION

- 1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.
- 1.2 The application is referred to planning committee because the recommendation conflicts with the views of the Stanton St. John Parish Council.
- 1.3 The application site comprises a section of stonewall located adjacent to Middle Road in the village of Stanton St John. The site is washed over by the Stanton St John Conservation Area and the Oxford Green Belt. Listed buildings, The Star Inn and Bassett House are in the vicinity of the site.
- 1.4 The application is a materially similar resubmission of a scheme approved under application P20/S2406/FUL, which was granted on 12 June 2020 and has now lapsed.
- 1.5 A plan identifying the site can be found at **Appendix 1** to this report.

2.0 PROPOSAL

- 2.1 The application seeks planning permission for the demolition of part of an existing stonewall and the addition of a new 5 bar gate to provide agricultural access to neighbouring fields. It involves the realignment of the stone wall either side of the gate to provide the necessary vision splays for the new

access. The wall is to be rebuilt from material derived from the demolished existing stone wall.

2.2 The application has been amended to correct a drawing inaccuracy on the proposed site plan.

2.3 Reduced copies of the plans accompanying the application can be found at **Appendix 2** to this report. All the plans and representations can be viewed on the Council’s website www.southoxon.gov.uk under the planning application reference number.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Publicity

Neighbours and consultees were notified of the application on 13 August 2024. A site notice was displayed at the site for the period covering 22 August 2024 to 13 September 2024.

3.2 Statutory Consultee responses

Representation	Comments
Stanton St John Parish Council	<p>Object</p> <ul style="list-style-type: none"> - Note the application has been approved before but has expired. - The proposal now includes a splay in the wall and while this is safer for vehicles entering and exiting, large farm vehicles will need to exit through the centre of the village as the Talkhouse junction is one way. - Although unlikely that the application will be turned down, we raise an objection in that we suggest a condition be put on any approval to restrict the access to 2 axelled vehicles or 7.5 tonne vehicles. - Suggest that occupants use the field entrance on B4027 for larger and trailered vehicles.

3.3 Council - professional officer comments

Representation	Comments
County Archaeological Services	No objection
Heritage Officer (South and Vale)	No objection – request conditions from previous approval.
Highways Liaison Officer (Oxfordshire County Council)	No objection subject to conditions.

3.4 **Public responses**

Representation	Comments
1 no. neighbour objection	<ul style="list-style-type: none"> - Disruptive to have farm vehicles drive through the village. - Noise and fume disruption from vehicles stopping adjacent to, and driving close to the boundary of a private house. - The width of Middle Road is insufficient to allow farm vehicles and attachments to negotiate coming in and going out without a vision space. - The level change from the field to Middle Road is of concern in that any grading of the surface will undermine Nimrod’s fence foundations and patio areas. - The wall line should remain in its current position. It is part of the character of the village. - The access out of the field will be obstructed by the height of the stone wall, telegraph pole, and Nimrod’s fence. - It will destroy a structurally sound, aesthetically pleasing village stone wall.

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development	Decision and date
4.1 P20/S2406/DIS	Discharge of condition 3 - method statement on application ref. P20/S1424/FUL	Details Agreed (03/09/2020)
	Demolition of existing stonewall and construction of new 5 bar gate to provide agricultural access to neighbouring fields. Realignment of the stone wall either side of the gate to provide the necessary vision splays for the new access. The wall to be rebuilt from material derived the demolished existing stone wall.	
P20/S1424/FUL	Demolition of existing stonewall and construction of new 5 bar gate to provide agricultural access to neighbouring fields. Realignment of the stone wall either side of the gate to provide the necessary vision splays for the new access. The wall to be rebuilt from material derived the demolished existing stone wall.	Approved (12/06/2020)

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 N/A

6.0 **POLICY & GUIDANCE**

6.1 **National Planning Policy Framework and Planning Practice Guidance**

6.2 **South Oxfordshire Local Plan 2035 (SOLP) Policies:**

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

ENV6 - Historic Environment

ENV7 - Listed Buildings

ENV8 - Conservation Areas

ENV9 - Archaeology and Scheduled Monuments

STRAT1 - The Overall Strategy

STRAT6 - Green Belt

TRANS5 - Consideration of Development Proposals

6.3 **Emerging Joint Local Plan 2041**

The Council is currently preparing a Joint Local Plan (JLP) for South Oxfordshire and Vale of White Horse, which, once adopted, will replace the existing local plans. The JLP has reached the Regulation 19 stage, with the pre-submission version open for representations between 1 October and 12 November 2024. In line with paragraph 48 of the National Planning Policy Framework (NPPF), decision-makers may give weight to relevant policies in emerging plans depending on several factors: the stage of preparation, the extent of unresolved objections, and the degree of consistency with the NPPF. The starting point for decision taking remains the policies in the current adopted plan(/s). The JLP is at an advanced stage of preparation and carries some weight. However, as the examination process has not yet commenced, the weight must be tempered by the potential for any necessary modifications. Whilst the representations period is ongoing there will not be sufficient information to assess which policies are the subject of objections or the extent to which they may be resolvable. Even when the representation period has ended, particular care will need to be given when considering any unresolved objections to policies, which may limit the weight assigned to certain policies until further clarity is achieved through the JLP examination process. Therefore, limited weight can be attributed to its policies at this stage.

6.4 **Stanton St John Neighbourhood Plan:**

Stanton St. John Neighbourhood Area was formally designated on 29 March 2017. The parish council has started the process of gathering evidence and engaging with the local community. This is to give the plan a direction and draft policies that will form the neighbourhood plan.

6.5 **Supplementary Planning Guidance/Documents**

6.6 South Oxfordshire and Vale of White Horse Joint Design Guide 2022

7.0 **PLANNING CONSIDERATIONS**

7.1 **The relevant planning considerations are the following:**

- **Principle of development.**
- **Impact on the openness of the Oxford Green Belt.**
- **Highway impact.**
- **Impact on neighbours.**
- **Impact on the character and appearance of the Stanton St John Conservation Area.**
- **Impact on the setting of the listed buildings.**
- **Impact on trees.**
- **Carbon reduction.**
- **Other issues.**

7.2 **Principle of development.** Whilst the development is not specifically referred to in a policy beyond those which refer to highway safety implications the creation of a new access is considered acceptable in principle. It is also a material consideration that planning permission for a similar proposal has been granted previously.

7.3 **Impact on the openness of the Oxford Green Belt.** The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is set out in Section 13 of the advice from Central Government in the National Planning Policy Framework and supported in Policy STRAT6 of the SOLP.

7.4 The five purposes of the Green Belt are;

- to check the unrestricted urban sprawl of large built up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.5 In addition, there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. 'Very special circumstances' to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other circumstances.

7.6 Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with very specific exceptions.

7.7 Paragraph 155 goes on to list the other forms of development which are not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it. These are;

- 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;
 - 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 brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 7.8 In my view the creation of an access and the works to remove/rebuild a section of the wall and levelling of the raised ground to create the space to provide the access amount to engineering works. As such it falls within a form of development as not inappropriate in the Green Belt and not harmful to its openness.
- 7.9 **Highway impact.** With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows: *Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.* The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.
- 7.10 Policy TRANS5 seeks to ensure that development does not harm highway safety and provides for sufficient parking and turning areas.
- 7.11 Initial comments received from the Highway Officer at Oxfordshire County Council recommended refusal of the development on a lack of information. However, these comments did not take into account the change in speed limit on the road which has been reduced from 30mph to 20mph the previous planning permission for a similar proposal.
- 7.12 The Highway Officer has reconsidered their views following a site visit and has no objection to the proposal subject to conditions. The carriageway fronting the site is subject a 20mph speed limit and a one-way system and visibility splays measuring 29m in either direction using a 2m setback have been demonstrated. This level of setback is appropriate given the relatively low vehicular traffic and speeds along Middle Road.
- 7.13 The Highway Officer has also responded to the Parish Council request for a condition limiting the size of vehicles accessing and egressing the site via the new access. They state that it is not clear whether such a condition could be enforced and if it not, it would fail the tests that conditions must meet to be considered appropriate. I agree that monitoring such a condition would very difficult and that it would not be enforceable. It should also be noted that the previous permission did not include such a condition and I do not believe that it is appropriate to impose it on this application.

- 7.14 In conclusion the proposal seeks to create a means of access to an agricultural field following the redevelopment of the adjacent site. Given that the proposal for a new vehicular access is unlikely to increase the risk to Highway Safety in this location and the movements associated are likely to be low and outside of the peak traffic periods, a 2.0m setback is acceptable in this instance. The proposal is unlikely to have a significant adverse impact on the highway network and accords with policy TRANS5 of the SOLP.
- 7.15 **Impact on neighbours.** Policy DES6 of the SOLP aims to ensure that development would not have significant adverse impacts on the amenity of neighbouring uses with respect to loss of light, dominance or visual intrusion, noise, emissions, pollution or external lighting.
- 7.16 The proposed new access would be located in close proximity to the front boundary of Nimrod, a residential property immediately to the north. The position of the rebuilt wall and access would be next to the front parking area of this neighbouring property. This spatial relationship is such that the use of the access by farm vehicles would not result in material harm to the amenity of Nimrod. This is by virtue of it being separated away from the areas of Nimrod with the highest level of amenity value such as its private rear garden space and next to any area that is predominantly functional in nature and already publicly overlooked.
- 7.17 **Impact on the character and appearance of the Stanton St John Conservation Area.** Policy ENV8 of the SOLP requires that proposals for new development should be sensitively designed and conserve or enhance its special interest, character and appearance. This includes the impact that development would have on the setting of conservation areas.
- 7.18 The Heritage Officer recognises that the works would result in the loss of a section of historic wall (not listed) but considers that the works would not be inconsistent with the character of the area. In addition, the proposed five bar gate would be in keeping with other agricultural accesses and preserve the rural character of the area.
- 7.19 **Impact on the setting of the listed buildings.** Policy ENV7 requires proposals for development affecting the setting of a listed building to conserve, enhance or better reveal those elements which contribute to the heritage significance, respect any features of special architectural or historic interest and be sympathetic to the setting of the listed building in terms of its siting, size, scale, height, alignment, materials and finishes (including colour and texture), design and form, in order to retain the special interest that justifies its designation.
- 7.20 In a similar manner to the impact on the conservation area, the works would not result in harm to the setting of the nearby listed buildings because the new access and rebuilt wall would retain the rural character of the area in my view.
- 7.21 **Impact on trees.** Policy ENV1 relates to both landscape and countryside. It states that South Oxfordshire's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted

where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire’s landscapes, in particular trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries.

- 7.22 There are trees of a significant size adjacent to the position of the new access. The impact of development was considered by the council’s Forestry Officer on the previous application. It was concluded that the trees are not of sufficient quality to be protected by a Tree Preservation Order and consent has previously been given for these trees to be removed. As before, if they are to be retained they should be protected but this is only to be acknowledged in an informative and not a specific planning condition.
- 7.23 **Carbon reduction.** Policy DES8 requires that all new development be designed to improve resilience to the effects of climate change, which include addressing increasing temperatures and wind speeds, heavy rainfall and snowfall events and the need for water conservation and storage.
- 7.24 The creation of the access would provide limited opportunities to incorporate sustainable design characteristics. It is therefore not intended to rigidly apply this policy in this instance.
- 7.25 **Other issues.** Neighbour comments have raised concerns about the level changes from the field to Middle Road and any grading of the surface undermining Nimrod’s fence foundations and patio areas. These comments are noted but the potential for development to cause damage or undermine nearby features if incorrectly implemented does not represent a reason to refuse permission. Any damage caused during the implementation of the development would be a civil matter to be addressed between the relevant parties.
- 7.26 The proposed development is not CIL liable.

8.0 Other Relevant Legislation

8.1 Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

8.2 Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 Officers recommend that planning permission is granted because the creation of the new access and loss of the extent of wall does not conflict with Green Belt policy or cause harm to the setting of listed buildings, the character and appearance of the conservation area or result in harmful impact to highway safety. It would not be materially harmful to the amenity of neighbouring properties and the development in conjunction with the attached conditions accords with the Development Plan.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full in **Appendix 3**.

10.0 **RECOMMENDATION**

10.1 **Planning Permission**

- 10.2
- 1 : Commencement 3 years - Full Planning Permission**
 - 2 : Compliance with approved plans**
 - 3 : Submission of details – mortar specification**
 - 4 : New vehicular access**
 - 5 : Vision splay protection**

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Appendix 3

Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement 3 years - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans *	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 877-P02 A, 877-S02, 877-L01 B, 877-P01 G, 877-P03 A and 877-S01 B, except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Submission of details *	<p>Details, including drawings as necessary, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development:</p> <p>a) Method statement including mortar specifications for the rebuilding of the wall.</p> <p>Thereafter the works shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the special character and appearance of the Stanton St John Conservation Area in accordance with Policy ENV8 of the South Oxfordshire Local Plan 2035.</p>
4	New vehicular access *	<p>The proposed means of access onto Middle Road is to be formed and laid out and constructed strictly in accordance with the</p>

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		<p>local highway authority's specifications and all ancillary works specified shall be undertaken.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
5	Vision splay protection *	<p>The vision splays shown on the approved plan 877-P01 G shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
6	Tree Informative	<p>If the trees within the site are to be retained they should be protected in accordance with British Standard BS8537 "Trees in Relation to Design, Demolition and Construction to Construction - Recommendations"</p>

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