

**VALE OF WHITE HORSE DISTRICT COUNCIL
LOCAL PLAN 2031: PART 1**

EXAMINATION IN PUBLIC STAGE 2

MATTER 8

**REPRESENTATION ON BEHALF OF
MACTAGGART AND MICKEL HOMES LTD**



January 2016

1.0 INTRODUCTION

1.1 This statement is made in response to the Vale of White Horse District Council's Local Plan 2031 ("The Plan") Stage 2 Examination in Public ("EiP") on behalf of Mactaggart & Mickel Homes Limited who have an interest in the Land East of Kingston Bagpuize with Southmoor.

1.2 In his Matters and Questions for the Stage 2 hearings, under matter 8 the Inspector asks:

"Other than in connection with Green Belt issues (considered in Matter 5) are the Strategic Housing Allocations listed in policy CP8 soundly based and deliverable?"

- (a) North of Abingdon-on-Thames (site 2)
- (b) North-West of Abingdon-on-Thames (site 1)
- (c) North-West of Radley (site 4)
- (d) South of Kennington (site 3)
- (e) South of East Hanney (site 6)
- (f) East of Kingston Bagpuize with Southmoor (site 7)

1.3 This Statement sets out how the allocation of East of Kingston Bagpuize with Southmoor (site 7) in the Plan is indeed soundly based and deliverable.

1.4 The representation supports the Council's decision to allocate Land East of Kingston Bagpuize with Southmoor at Core Policy 4 and 8 in its Local Plan 2031. The site is being promoted by Mactaggart and Mickel Homes on behalf of the landowners and is available for development immediately.

2.0 Vale of White Horse Local Plan 2031: Part 1 - Strategic Sites and Policies

2.1 Preparation of the Council's new Local Plan started in November 2007 and has been through a number of iterations since. The Council published its Local Plan 2031: Part 1 – Strategic Sites and Policies in February 2013 with housing targets based on those in the South East Plan (13,294 new homes over the plan period). However, the South East Plan was revoked in March 2013 meaning that it no longer had any statutory weight in planning terms.

2.2 Since then, an Oxfordshire Strategic Housing Market Assessment (SHMA) has been produced jointly between all the Oxfordshire local planning authorities. This assessed housing need in all of the Oxfordshire housing market areas. The results showed a higher housing need for the Vale of White Horse District than that being provided for in the February 2013 plan. As a result, housing targets for the Council were increased. This was reflected in a further Strategic Sites and Policies 'Housing Delivery Update' version of the plan published for consultation in February 2014. This version had a higher target of 20,560 new homes which matched the requirement for the Vale in the SHMA.

2.3 Following the February 2014 Housing Delivery Update consultation, a number of amendments have been made to the plan. These are now being consulted on prior to its submission to the Secretary of State.

3.0 Allocation of Land at East Kingston Bagpuize with Southmoor

- 3.1 Land at East Kingston Bagpuize with Southmoor is a new allocation in the Abingdon-on-Thames and Oxford Fringe Sub-Area as identified at Core Policy 4 and 8 of the plan. Mactaggart & Mickel fully supports the allocation and can confirm that the site is available and deliverable. Early development of the site would assist the Council in achieving its housing targets. The site can be fully developed in accordance with the allocation within five years of the receipt of an outline planning permission.
- 3.2 Page 36 of the plan sets out the 'Settlement Hierarchy' for the district and designates Kingston Bagpuize with Southmoor as a larger village with employment, services and facilities. Page 33 of the plan explains the sustainable strategy for the Vale. Part of the strategy is to allocate housing growth at the larger villages to help sustain their services and facilities. The allocation at East Kingston Bagpuize with Southmoor is consistent with this strategy.

4.0 Suitability and Deliverability of Land at East Kingston Bagpuize with Southmoor for Allocation.

- 4.1 In July 2015 in accordance with the draft Local Plan an outline planning application was submitted in respect of the site at Kingston Bagpuize for the following:

“Development of up to 280 dwellings with access from Witney Road and Oxford Road and associated open space and landscaping.”

- 4.2 The application was accompanied by a suite of application documents including the following:

- Flood Risk Assessment,
- Utilities and Drainage Statement,
- Design & Access Statement,
- Ecology Report,
- Transport Assessment,
- Noise assessment,
- Landscape and Visual Impact Assessment,
- Air Quality Assessment,
- Noise Assessment,
- Geo Environmental Assessment,
- Heriatge Assessment,
- Tree report,
- Travel plan,

- 4.3 The above application documents addressed all relevant issues guiding the parameters of the development including the main access of the A415 with limited access via Oxford Road, the protection of the verge along Oxford road to protect the habitat of newts from the millennium common on the opposite side of Oxford Road, the retention of trees on site and the introduction of a noise bund along the northern boundary to protect the amenities of occupiers from the noise from the A420 beyond.

- 4.4 Feedback from a public consultation event that was held prior to the submission of the planning was a new community facility was required. As a result, and over and

above what the Local Plan requires, an area of land within the site has been offered to the community for their use and forms part of the planning application.

- 4.5 There have been no objections or issues raised by statutory consultees which indicate that planning permission should not be granted and prevent the site being developed. The application is being considered at Planning Committee on 13th January 2016 and is recommended for approval subject to the completion of a s.106 and conditions. A copy of the committee report is appended to this statement.
- 4.6 On the basis that planning permission is granted there is no reason why the site cannot be developed without delay.

5.0 Reducing Pressure on the Green Belt.

- 5.1 Kingston Bagpuize lies within the Abingdon on Thames and Oxford Fringe sub-area. Paragraph 5.1 of the Local Plan 2031 explains that 40% of this sub-area is within the Oxford Green Belt. It also states that:

'The sub-area provides housing for residents working in Oxford and also functions as a significant employment area in its own right. The sub-area has good access to the strategic road network, including the A34 and A420.'

- 5.2 As this sub-area helps to relieve some of the housing pressure for Oxford by providing housing in a location with good access to the city, and as such a high percentage of the sub-area is Green Belt, it is inevitable that there will be pressure to take land out of the Green Belt to provide housing sites.

- 5.3 Government guidance is clear on the protection of the Green Belt. Paragraph 79 of the National Planning Policy Framework (the Framework) states that:

'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

- 5.4 The allocation at Kingston Bagpuize will help reduce pressure on the Oxford Green Belt by providing a site for housing in a sustainable location which is not Green Belt. The land is available, suitable and achievable and benefits from good access to Oxford. The site will also deliver a significant number of affordable homes close to the City of Oxford, where the need for new housing is greatest.

6.0 Summary and Conclusion.

- 6.1 Mactaggart & Mickel fully support the allocation of land east of Kingston Bagpuize with Southmoor at Core Policy 4 and 8 of the Local Plan.
- 6.2 The site is available for development immediately. Moreover, there are no land ownership or other issues that would prevent the site from coming forward.
- 6.3 The site's close proximity to Oxford means that the development will provide much needed housing to help reduce the pressure on Oxford City. Kingston Bagpuize with Southmoor sits within the Abingdon-on-Thames and Oxford Fringe sub-area, 40% of

which is in the Green Belt. Therefore, the allocation of the site reduces the pressure to find other sites which may have been in the Green Belt.

APPLICATION NO.	P15/V1808/O
APPLICATION TYPE	OUTLINE
REGISTERED	4.8.2015
PARISH	KINGSTON BAGPUIZE
WARD MEMBER(S)	Eric Batts
APPLICANT	Mactaggart and Mickel Homes Ltd
SITE	Land South of A420 and East of A415, Witney Road, Kingston Bagpuize, OX13 5AN
PROPOSAL	Outline application for the development of up to 280 dwellings with access from Witney Road and Oxford Road and associated open space and landscaping. (as amended by plans and information received 12 November 2015)
GRID REFERENCE	440979/198462
OFFICER	Stuart Walker

SUMMARY

This application is referred to committee in light of an objection from Kingston Bagpuize with Southmoor Parish Council and the receipt of six letters of objection from local residents.

The application is seeking outline planning permission for the erection of up to 280 dwellings (including up to 112 affordable units). The applicants seek consent for means of access only at this stage, with appearance, landscaping, layout and scale being reserved for future consideration. The site lies in the open countryside and is located within the North Vale Corallian Ridge landscape.

The report seeks to assess the planning application details against the national and local planning policy framework where relevant and all other material planning considerations.

The main planning issues that have been considered are:

- The principle of the proposed development in this location in relation to planning policy context.
- Whether the proposal is suitable to meet the five year housing supply deficit in terms of the sustainability of the site.
- The cumulative impact of this proposal alongside other approved and proposed residential developments in the village.
- The proposed illustrative layout and design of the development within its context.
- The impact of the proposal on the North Vale Corallian Ridge landscape.
- The impact on highway safety.
- Implications for flood risk, foul and surface water drainage, ecology, heritage assets and archaeology.

The principle of the development to help to address the council's current shortfall in housing supply is acceptable. Kingston Bagpuize with Southmoor has a range of facilities, including a school, church, pub, post office and shop and the site is sustainably located in relation to these facilities. The provision of additional housing is acceptable and contributions are sought to offset cumulative impact on physical and social infrastructure. The parameter plans demonstrate an acceptably designed development can be achieved on site that mitigates landscape and visual impact of the proposal. Technical issues relating to highway

impact, drainage / flood risk, ecology, heritage assets and archaeology are acceptable subject to conditions.

Overall the development is considered to amount to sustainable development, and is recommended for approval subject to conditions and a S106 agreement.

1.0 INTRODUCTION

1.1 Kingston Bagpuize with Southmoor is defined as a large village by policy H11 of the adopted Local Plan. The Town and Villages Facility Study Update 2014 also identifies Kingston Bagpuize with Southmoor as one of the district's larger villages with a range of services and facilities, including a shop, community facilities, a primary school, some limited employment opportunities and access to a regular public transport service serving larger towns.

1.2 The 11.66 hectare greenfield site is situated on the eastern edge of the village and is identified as a potential strategic housing site in the emerging local plan 2031, part 1 for up to 280 dwellings. It is bounded by the A420 dual carriageway to the north and Oxford Road to the south. To the east is a mixed woodland plantation with further agricultural land beyond. To the west is the A415 Witney Road along the northern section of the site and existing housing development along the southern section.

1.3 The site lies within the North Vale Corallian Ridge landscape (policy NE7) and comprises two agricultural fields, partially enclosed by hedgerows and trees and planted with arable crops. The topography of the site is broadly flat and is rural in character. Overhead power lines traverse the southern part of the site. A grade II listed building, Appleby Cottage, lies to the north west of the site. Three other listed buildings lie nearby, to the south of the site on Oxford Road (Appleby House and The Spinney) and to the west, on Witney Road (Hinds Head Public House). To the south west lies the Kingston Bagpuize Park conservation area.

1.4 The site is accessed via both the Witney Road (A415) and the Oxford Road.

1.5 A location plan is **attached** at appendix 1.

2.0 PROPOSAL

2.1 This is an application seeking outline planning permission for the erection of up to 280 dwellings with the associated provision of new accesses for cars and pedestrians, amenity space and landscaping. The detailed matter to be considered at this stage is access. Landscaping, appearance, layout and scale are reserved matters that will be subject of a further detailed application should outline permission be granted.

2.2 In addition to the residential development on the site, a 0.1ha (10,332m²) area of land is proposed to be passed to the parish council (though a S106 with the Vale and / or the parish council as appropriate) to enable the provision of a community use on site. It is currently proposed this land would be used in connection with a new scout hall.

2.3 The primary access to the site, which will serve the majority of housing, will be from a ghosted right hand turn lane when heading north along the A415 Witney Road. A secondary access point will be provided to the south of the site off Oxford Road.

2.4 The proposed development, although made in outline, seeks to set parameters for development to ensure that the layout mass and heights of building are appropriate for its location and will not adversely affect adjacent buildings.

- 2.5 The Land Use Parameter Plan shows the general extent of the built footprint, the disposition of land uses across the whole site, the points of access and the areas of open space. It governs the future uses approved for different zones and the broad location of the land uses for the development.
- 2.6 The Building Heights Parameter Plan identifies the logical graduation and distribution of building heights across the development and the maximum upper limit of height within each development zone. The heights of the residential properties range from a minimum of 1.5 storeys (8m) to up to a maximum of 3 storeys (12m).
- 2.7 It is expected that all subsequent reserved matters applications will be in accordance with the principles of these parameter plans.
- 2.8 The proposal achieves an average minimum density of 24 dwellings per hectare. A total of 15% of the site area will be used as public open space. The green infrastructure plan that accompanies the application shows different types of open space including a main area of open space in the centre of the site which takes the form of a village green. It is also proposed to use this central area to locate either a Local Equipped Area of Play (LEAP) or a Parkour facility.
- 2.9 In terms of other landscape features, a 3.2m high bund is proposed along the north and north west boundary of the site. This is required to protect the proposed housing along the northern and north western edge from noise generated by vehicles on the A420 north of the site and the roundabout at the intersection of the A420 and A415. It is also proposed to relocate the existing electricity pylons and wire underground in Oxford Road as part of the development of the site and their relocation has been agreed in principle with the utility provider.
- 2.10 A full suite of surveys and assessments have been undertaken to support the application, including the submission of an illustrative layout plan. All plans and supporting technical documents accompanying the application are available to view online at www.whitehorsedc.gov.uk. Extracts from the parameter plan drawings are **attached** at Appendix 2 and have been amended to take account of technical officer comments.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

3.2	Kingston Bagpuize with Southmoor Parish Council	<p>Object.</p> <ul style="list-style-type: none"> • Proposed access from A415 is dangerous and will cause congestion. • Dwelling densities and heights are too large. • Inadequate parking levels. • Inadequate boundary treatments. • School capacity issues. • Sewer capacity issues. • S106 monies will be required to improve village amenities, bus services, improvements to Oxford Road (footways), and for a controlled pedestrian crossing across the A415. • Request for parkour facility to be provided on site in the public open space. • A copy of their full responses is attached at Appendix 3.
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<p>Fyfield & Tubney Parish Council</p>	<p>Object.</p> <ul style="list-style-type: none"> • Significant increase in housing on a rural village. • Impact on infrastructure. • Traffic generation. • Inadequate road network. • Access too close to A420 roundabout. The proposed pedestrian crossing at the northern edge of the site will only exacerbate vehicular problems. • Loss of farmland. • Inadequate noise protection for new residents (the acoustic bund is too small). • The revised plans do not address these issues.
<p>Neighbours / local residents</p>	<p>Five letters of objection have been received. The objections expressed may be summarised as follows:</p> <ul style="list-style-type: none"> • Application is premature and should not be determined until the Local Plan process has been completed. • Too many houses. • Impact on infrastructure – school capacity, lack of doctors' surgery, no public sewer connection / capacity and impact on leisure facilities. • Traffic generation and impact on local highway network. • Concern on use of A415 for access and highway safety. • Inappropriate location of bus stops impacting on highway safety / vision lines. • Density out of keeping with village. • Proposed heights of dwellings too high. • Impact on setting of the listed building, Appleby Cottage. • Potential impact on great crested newt population in nearby ponds. • Whilst most people in the village are keen to see youth and recreation facilities are enhanced there is no evidence that parkour is a village priority. • The amended plans do not address these issues.
<p>1st Longworth Scout Group</p>	<p>Objection.</p> <ul style="list-style-type: none"> • <i>We remain concerned that the additional houses will place an increased burden on the infrastructure (roads, transport, water, sewerage and energy) demands of the village.</i> • <i>However we are supportive of the revised planning proposal in that it now allows for a public space in a location that would be suitable for the construction of a new Scout/ Guide / Youth Centre for the enlarged population of young people in the village.</i> • <i>We feel that the developers should not only provide the land but also be required using Section 106 monies to provide a significant contribution to the construction costs of the new facility.</i>
<p>Oxfordshire County Council</p>	<p>No objection. Their full response is available to view online. <i>Highways</i></p>

	<ul style="list-style-type: none"> No objection, subject to conditions and contributions towards the provision of a pedestrian crossing on the A415, amendment to the statutory speed limit, parking restrictions, A420 pedestrian / cycle crossing improvements, bus services and two new bus stops. <p><i>Archaeology</i></p> <ul style="list-style-type: none"> No objection. <p><i>Education</i></p> <ul style="list-style-type: none"> No objection, subject to contributions for primary school, secondary school and SEN expansion. <p><i>Property</i></p> <ul style="list-style-type: none"> No objection, subject to a contribution towards expanding Witney library. <p><i>Minerals and Waste</i></p> <ul style="list-style-type: none"> No objection. <p><i>Ecology</i></p> <ul style="list-style-type: none"> Defer to council's in-house ecologist's advice.
Stagecoach	<p>Support.</p> <ul style="list-style-type: none"> Additional houses will help support both the 66 and the X15 service. Query the position of bus stops on the A415.
Thames Valley Police	<p>No objection.</p> <ul style="list-style-type: none"> Seek contributions towards increased policing for the area.
Thames Water	<p>No objection, subject to conditions.</p> <ul style="list-style-type: none"> Identified an inability of the existing waste water infrastructure to accommodate the development. Propose a Grampian condition requiring a drainage strategy to be approved detailing any on and/or off site drainage works prior to development commencing.
Drainage Engineer	<p>No objection, subject to conditions.</p>
Countryside Officer	<p>No objection, subject to conditions.</p>
Tree Officer	<p>No objection, subject to conditions.</p>
Landscape Officer	<p>No objection subject to conditions.</p> <ul style="list-style-type: none"> <i>The proposed mitigation scheme is appropriate in helping to reduce the landscape and visual impacts of the proposed development. Although the site is located within the North Vale Corallian Ridge, the development of the site would not "harm the prevailing character and appearance of the North Vale Corallian Ridge" due to the landscape character and availability of views of the proposed sites location adjacent to the existing built form of the village of Kingston Bagpuize with the main roads of the A420 to the north and the A415 to the west.</i> <i>If the scheme is to be approved then a Landscape Implementation and Management plan is required before the commencement of works starting on site, this should cover</i>

	<p><i>the different types of open space proposed in the scheme such as the management of the existing tree stock and proposed formal and informal areas of open space. Hard, soft and boundary details will also be required as well as adequate rooting areas for trees to establish adjacent to areas of hard surfacing.</i></p> <ul style="list-style-type: none"> • <i>Details of the proposed POS and LEAP should be submitted, including play equipment proposed, seating, bins and planting.</i>
<p>Urban Design Officer</p>	<p>No objection, subject to conditions.</p> <ul style="list-style-type: none"> • <i>My previous response to this application (dated 9 September) identified two fundamental flaws with the proposed scheme; the poor internal connectivity and legibility of the proposed movement framework and a weak landscape strategy and network of green spaces. The revised Access and Movement Parameter Plan provides a movement network with much greater connectivity for all users, which provides a choice of routes and follows a clearer and more logical street hierarchy.</i> • <i>At reserved matters stage further consideration will need to be given to how the inclusion of shared surfaces support the proposed street hierarchy.</i> • <i>The updated Green Infrastructure Plan is an improvement and addresses the points that I raised, but will need further consideration at Reserved Matters stage and a clear and robust landscape strategy will need to be prepared that demonstrates how the landscaping has shaped and influenced the urban structure of the proposed development.</i> • <i>In addition, at reserved matters stage a number of points will also need further consideration as they were previously translated poorly into the Illustrative Masterplan. The Illustrative Masterplan has not been revised, and will not form part of any planning approval and should not be used as a basis for a reserved matters application. More details regarding these issues can be found in my previous comments.</i> <p>The officer's full comments are available to view online.</p>
<p>Leisure Team</p>	<p>No objection, subject to contributions.</p>
<p>Conservation Officer</p>	<p>No objection.</p> <ul style="list-style-type: none"> • <i>The DAS suggests that there will be a landmark building to the north-east of Appleby Cottage. Whilst this will be an opportunity to define the entrance to this development it is important that this does not overbear the listed building and indicative views through existing gaps along the Witney Road should be provided at reserved matters stage. It will be important that at that later stage that opportunities are taken to ensure high quality detailing and landscaping are used to integrate the views of this new development into the existing settlement.</i> • <i>The access with Witney Road as proposed with this outline application is unlikely to materially harm the special interest of</i>

	<p><i>Appleby Cottage. However, if this application is to be approved it will be important that the access does not prohibit possible revisions to the layout in order to appropriately masterplan the development at reserved matters stage.</i></p> <p>The officer's full comments are available to view online.</p>
Housing Development Team	<p>No objection subject to 40% provision.</p> <ul style="list-style-type: none"> <i>The current policy H17 requiring 40% affordable housing on eligible sites (15 or more units in urban areas or 5 or more units in rural locations) is still applicable and therefore for a scheme of 280 units, 112 should be delivered as affordable housing.</i>
Environmental Health – Protection Team	<p>No objection, subject to condition.</p> <ul style="list-style-type: none"> <i>The site lies adjacent to the A420 and is affected by road noise. Subject to the full implementation of the mitigation measures identified in the acoustic report, no objection.</i>
Waste Management Team	<p>No objection, subject to contributions for provision of new bins for each property.</p>

4.0 RELEVANT PLANNING HISTORY

4.1 None.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse District Council Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

- GS1 - Developments in existing settlements
- GS2 - Development in the countryside
- H11 - Development in the larger villages
- H13 - Development elsewhere
- H16 - Size of dwelling and Lifetime Homes
- H17 - Affordable housing
- H23 - Open space in new housing development
- DC1 - Design
- DC3 - Design against crime
- DC4 - Public art
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste collection and recycling
- DC8 - The provision of infrastructure and services
- DC9 - The Impact of development on neighbouring uses
- DC10 - The effect of neighbouring uses on new development
- DC12 - Water quality and resources
- DC20 - External lighting
- HE1 - Preservation and enhancement: implications for development
- HE4 - Historic buildings; setting
- HE9 - Archaeology
- HE10 - Archaeology
- HE11 - Archaeology

- NE3 - Geologically important sites
- NE4 - Other sites of nature conservation value
- NE7 - North Vale Corallian Ridge

5.2 The emerging Local Plan 2031, Part 1, Core Policies

The draft local plan part 1 is not currently adopted policy. As per paragraph 216 of the NPPF, at present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

- 1 – Presumption in favour of sustainable development
- 3 – Settlement hierarchy
- 4 – Meeting our housing needs
- 7 – Providing supporting infrastructure and services
- 8 – Spatial strategy for Abingdon on Thames and Oxford Fringe Sub-Area
- 22 – Housing mix
- 23 – Housing density
- 24 – Affordable housing
- 26 – Accommodating current and future needs of the ageing population
- 33 – Promoting sustainable transport and accessibility
- 35 – Promoting public transport, cycling and walking
- 36 – Electronic communications
- 37 – Design and local distinctiveness
- 38 – Design strategies for strategic and major development sites
- 39 – The historic environment
- 40 – Sustainable design and construction
- 41 – Renewable energy
- 42 – Flood risk
- 43 – Natural resources
- 44 – Landscape
- 45 – Green Infrastructure
- 46 – Conservation and improvement of biodiversity
- 47 – Delivery and contingency

5.3 Supplementary Planning Guidance (SPG)

- Design Guide – March 2015

The following sections of the Design Guide are relevant to this application:-

Responding to Site and Setting

- *Character Study (DG6) and Site appraisal (DG9)*

Establishing the Framework

- *Existing natural resources, sustainability and heritage(DG10-13, 15, 19)*
- *Landscape and SUDS (DG14, 16-18, 20)*
- *Movement Framework and street hierarchy (DG21-24)*
- *Density (DG26)*
- *Urban Structure (blocks, frontages, nodes etc.) DG27-30*

Layout

- *Streets and Spaces (DG31-43)*
- *Parking (DG44-50)*

Built Form

- *Scale, form, massing and position (DG51-54)*
- *Boundary treatments (DG55)*
- *Building Design (DG56-62)*
- *Amenity, privacy and overlooking (DG63-64)*
- *Refuse and services (DG67-68)*

- Open space, sport and recreation future provision – July 2008
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006
- Oxfordshire Local Transport Plan, April 2014
- S106 interim guidance 2014

5.4 **National Planning Policy Framework (NPPF) – March 2012**

5.5 **Planning Practice Guidance (NPPG) – March 2014**

5.6 **Neighbourhood Plan**

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

5.7 To date a neighbourhood plan has not been submitted to the Council.

5.8 **Environmental Impact**

This proposal is for more than 150 dwellings and the site area exceeds 5ha in size and is therefore, above the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. As required by the above Regulations officers have undertaken a screening opinion. Taking into account government guidance on thresholds in paragraph 58 of the NPPG and having considered the potential for significant effects of the proposal in accordance with Schedule 3 of the Regulations, it has been considered that in this case this proposal is not EIA development.

5.9 **Other Relevant Legislation**

- Written statement by Secretary of State on sustainable drainage systems (18 Dec 2014)
- Written statement by the Secretary of State on car parking (25 March 2015)
- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

5.10 **Human Rights Act**

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.

5.11 **Equalities**

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

6.0 **PLANNING CONSIDERATIONS**

6.1 The relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Cumulative impact
3. Use of land
4. Locational credentials
5. Affordable housing and housing mix
6. Design and layout
7. Residential amenity
8. Landscape and visual Impact
9. Open space, landscaping and trees
10. Flood risk and surface / foul drainage
11. Traffic and highway safety
12. Ecology and biodiversity
13. Heritage assets
14. Archaeology
15. Delivery and developer contributions

6.2 **The principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

6.3 The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.4 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.

6.5 Paragraph 47 of the NPPF expects local planning authorities to *"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area"*... The authority has undertaken this assessment through the April 2014 SHMA which is the most up to date objectively assessed need for housing. In agreeing to submit the emerging Local Plan for examination, the Council has agreed a housing target of at least 20,560 dwellings for the plan period to 2031. Set against this target the Council does not have a five year housing land supply.

6.6 Paragraph 49 of the NPPF states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*. This means that the relevant housing policies in the adopted Local Plan are not considered up to date and the adverse impacts of a development would need to significantly and

demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.

- 6.7 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages.
- 6.8 The emerging Local Plan 2031 Part 1 continues a settlement hierarchy which focuses housing growth at the market towns and larger villages and identifies Kingston Bagpuize with Southmoor as a larger village for the Abingdon on Thames and Oxford Fringe sub-area. Within this emerging strategy, Core Policy 4 identifies the site as suitable for new housing and Core Policy 8 states 5,438 houses will be provided by 2031 for the sub-area, of which around 280 units will be provided for East of Kingston Bagpuize with Southmoor.
- 6.9 Local residents have raised objection to the site's allocation under the emerging local plan and consider determination of this application ahead of the plan being made is premature. The NPPG is clear however that in the context of the presumption in favour of sustainable development "*arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account.*"
- 6.10 The emerging Local Plan 2031 Part 1 was submitted to the Secretary of State on 18th March 2015. Stage 1 of the hearing sessions took place in September 2015 and the Council have been instructed that Stage 2 will take place. Although the Plan has been submitted and has progressed through some of the hearing sessions, in accordance with the NPPF (para 216), only limited weight can only be given to the emerging policies and proposals within the Local Plan 2031 Part 1 at this time.
- 6.11 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 year housing supply. Consequently the proposal has to be assessed under the NPPF where there is a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.
- 6.12 **Cumulative Impact**
Kingston Bagpuize with Southmoor has been subject to a number of planning applications for housing development that have been permitted including application no's: P12/V1302/O (50 dwellings), P12/V1836/O (63 dwellings and care home), P12/V2653/FUL (98 dwellings), P13/V1827/FUL (30 dwellings), P15/V0251/O (resolution to permit 43 dwellings) and P15/V1795/FUL (resolution to permit 73 dwellings). Local residents and Fyfield & Tubney parish council consider the proposal is therefore a disproportionate increase to the village housing stock.
- 6.13 The NPPF does not suggest that populations of settlements should be limited in some way or not be expanded by any particular figure. It expects housing to be boosted

significantly. Additional housing can help support and secure local services and it may be possible to address infrastructure deficiencies through planning conditions or through a legal agreement. Cumulative impacts are considered further where relevant in the topics below.

6.14 Use of land

The NPPF identifies the need to protect the best and most versatile agricultural land from development (paragraph 112). This site, comprising arable fields, is in agricultural use. According to Natural England's agricultural land classification map it is grade 2 – very good, and the proposal will clearly result in the loss of this agricultural land. There will also be or potential for loss of other agricultural land with other housing proposals permitted and applications pending consideration. In an area such as this district where there is a limited supply of previously developed sites and a housing need, it is inevitable that some greenfield sites and agricultural land will be lost to housing. This issue has also been assessed and considered acceptable through the site allocation process undertaken by the Council. Furthermore, the harm in taking this grade 2 land and other land out of agricultural production needs to be balanced against the benefits of the proposal, and officers consider the loss of this land to housing from agricultural production is outweighed by economic, social and environmental benefits, given the current housing shortfall.

6.15 Locational Credentials

Kingston Bagpuize with Southmoor is located approximately 6 miles north of Wantage, 5 miles west of Abingdon and 10 miles south-west of Oxford and is well connected to each settlement via the A415, A420 and A338. The village is also identified as a 'larger village' in the adopted Local Plan and as such is considered to be a sustainable settlement that possesses a number of services and facilities and has good accessibility to public transport.

6.16 Officers consider the location of the site in relation to the village is a sustainable location that connects well with the village, and is a location that is supported by evidence base studies undertaken for the emerging local plan.

6.17 The village shops and village hall are located approximately 1200 metres from the site. The post office and primary school / recreation ground (the big rec) are approximately 550 metres and 750 metres respectively, all distances which are acceptable walking distances, according the Institution of Highways Transportation guidelines for providing journeys on foot (2000). The millennium green recreational space is directly opposite the site. Regular bus services also passes through the village providing access to Oxford, Swindon, Abingdon, Witney and beyond, and contributions towards improving these routes and new stops have been requested by the county council. The proposal is thus considered to be sustainably located in terms of the NPPF.

6.18 Affordable housing and housing mix

The applicant has based their initial affordable housing provision on this site on the draft Local Plan Core Policy 24, at 35% with a 75:25 split of rented (either social or affordable) and intermediate housing respectively. This emerging policy has limited weight due to the local plan process and officers consider policy H17 still applies. Through negotiation, the applicant has agreed to make provision for 40% affordable housing to accords with Policy H17 of the adopted Vale of White Horse Local Plan 2011. This however, is subject to a clause in any legal agreement that whichever policy is in place at the time of the affordable housing delivery the applicable threshold rate is applied.

6.19 As this is an outline application, the actual number of dwellings and precise mix that

might be accommodated on site is not known at this stage. Notwithstanding, officers will expect any reserved matters applications to closely comply with the April 2014 Oxfordshire Strategic Housing Market Assessment (SHMA) mix which is the most recent objective assessment of housing need, with an affordable housing mix to complement the expectations of the housing needs team (their comments on mix is available to view online).

6.20 Design and Layout

The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development.

- 6.21 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, and DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district.
- 6.22 This is an outline application with only access to be considered. The details of layout, scale and external appearance of dwellings and landscaping are reserved matters. It is therefore not intended to address design and layout in any detail in this report. The application is, however, supported by an illustrative master plan, parameter plans and a Design and Access Statement (DAS).
- 6.23 The illustrative master plan provides an indication of how the development of the site may come forward, but is considered by officers to poorly translate the design principles identified in the DAS and the parameter plans (see urban design officer comments above). As such, this plan will not form part of any planning approval sought under this application and thus should not be used as a basis for a reserved matters application.
- 6.24 The parameter plans have been assessed and subsequently amended to address concerns over poor connectivity, legibility and weak landscape strategy (see urban design officer comments in Section 3 and online). On the whole, the design principles identified in the DAS and the parameter plans are reasonable for taking forward a detailed scheme should outline permission be granted and a condition can be imposed to ensure all subsequent reserved matters applications will be in accordance with these parameter plans. But, to repeat to ensure matters are clear, the illustrative masterplan will not form part of grant of planning permission.
- 6.25 Principle DG26 of the design guide states that density should be appropriate to the location, and it requires a range of densities for larger development proposals. Policy H15 of the adopted local plan requires densities of at least 30 dwellings per hectare.
- 6.26 The proposed housing density varies across the site and is shown on the density parameter plan, with higher density areas in the centre of the site (36+) and lower densities alongside existing dwellings and Oxford Road. Overall the application proposes a density of approximately 24 dwellings per hectare. Whilst surrounding development is relatively lower in density (approximately 15 to 20 dwellings per hectare), taking into account the expectations of NPPF to boost the supply of housing, to make effective use of land and not being dissimilar to the wider area, the proposed density is considered acceptable.
- 6.27 Overall, the DAS and parameter set out a constructive framework to help ensure that the design and layout of the proposal will result in a high quality scheme as required by

the NPPF. Therefore, the details at Outline stage are acceptable in design terms with every opportunity to achieve a high quality scheme.

6.28 Residential Amenity

Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.

6.29 It is not possible to consider the amenity impact of the proposal in detail at this stage as no firm details on layout or house types accompany this outline application. Should outline permission be granted, it would be more appropriate to assess amenity when considering any reserved matters applications.

6.30 The NPPF states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from noise pollution (paragraph 109).

6.31 The site is located adjacent to the A420 and road noise from traffic using this road could potentially affect residents of the proposed development. The applicant has provided an acoustic report which recommends mitigation and the environmental health protection team raise no objection to the proposal, subject to the full implementation of the mitigation measures. It is considered this can be secured by condition. The proposal is thus acceptable in terms of residential amenity of future occupiers and complies with policy DC9 and the NPPF.

6.32 Landscape and Visual Impact

The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). In NPPF terms this is not a valued landscape, nor statutorily protected. Policy NE7 of the adopted Local Plan designates the site as part of the wider North Vale Corallian Ridge which is a distinctive landscape and valued for its own quality. Paragraphs 7.61 and 7.62 of the adopted local plan explains that *“the council remains committed to protecting the ridge from development which would harm its special character”* and that *“the ridge has a striking landform with a steep north facing scarp slope separating the clay vale from the Thames valley.”*

6.33 In considering the site as part of a possible strategic housing site this authority commissioned a landscape and visual impact appraisal in February 2015 as part of Phase 1 Landscape Capacity Study 2014: Site Options as part of the Emerging Local Plan Evidence Base. This report (the Kirkham report) notes that there is potential for development of this area subject to more detailed study, particularly of the settlement pattern and Conservation Area.

6.34 The applicant has undertaken a landscape and visual impact assessment. The key features of the assessment are:

Landscape Character

- The site itself is located to the south of the ridgeline on low lying ground, its setting influenced by the A420 and A415, as well as built form within Kinston Bagpuize and therefore not wholly characteristic of the North Vale Corallian Ridge.
- Due to the limited localised changes within large scale national and regional

landscape character areas, the overall landscape character effect has been assessed as low.

- On completion, the adverse landscape effect upon landform will become medium/low due to the bunds being seeded/planted. The adverse landscape effect upon woodland, trees and hedgerows will become medium/low, due to the introduction of additional areas of planting.

Visual Assessment

- There are no distant views towards the site. Medium distance views of the site are restricted to those from the north and south, where the landscape is generally open, and free from built development, but contained some substantial blocks of vegetation.
- During construction there will be a short-term high/medium adverse visual effect from Oxford Road, due to the proximity of construction activity to the receptor and the open view toward the site and a short-term medium adverse visual effect from the A415 due to the proximity of construction activity and construction traffic to the receptor.
- On completion due to the proposed planting yet be visually effective, therefore, most visual effects will remain as stated during construction. The adverse visual effect from Oxford Road will reduce to medium/low, due to the fleeting nature of the view, the appearance of the noise bund and the set back of housing from the road.

6.35 Officers consider the landscape impact of the development to be low. The landscape officer raises no objection and considers *“Although the site is located within the North Vale Corallian Ridge, the development of the site would not harm its prevailing character and appearance...due to the landscape character and availability of views of the proposed site’s location adjacent to the existing built form of the village of Kingston Bagpuize with the main roads of the A420 to the north and the A415 to the west.”*

6.36 Overall, it is considered landscape and visual harm arising from this development would be low and not substantial to warrant refusal when balanced against the benefits of the proposal, including the lack of a five year land supply. The proposal is thus considered to accord with policy NE7 and the NPPF.

6.37 **Open Space, landscaping and trees**

Adopted Local Plan Policy H23 of the adopted Local Plan requires a minimum of 15% of the residential area to be laid out as open space and the application accords with this. The green infrastructure plan shows different types of open space including a main area of open space in the centre of the site which takes the form of a village green. It is also proposed to use this central area to locate either a Local Equipped Area of Play (LEAP) or a Parkour facility.

6.38 In respect of trees, a tree survey has been carried out which recommends that due to the scarcity of trees within the site that those across the centre of the site that split to the two fields are retained where possible. In addition the woodland on the eastern boundary should be retained. Both of these recommendations have been followed in the green infrastructure parameter plan. As such, the tree officer has no objection to the proposal, subject to tree protection measures during construction.

6.39 The application is supported with a concept landscape strategy and has sufficient space to deliver a well landscaped scheme at the reserved matters stage. The landscape officer considers *“The proposed mitigation scheme is appropriate in helping to reduce the landscape and visual impacts of the proposed development”* and raises

no objection to the proposal subject to a Landscape Implementation and management plan being submitted and approved before the commencement of works starting on site. This can be secured by condition.

6.40 Flood Risk and Surface/Foul Drainage

The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). It states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109).

6.41 Adopted local plan policy DC9 provides that new development will not be permitted if it would unacceptably harm the amenities of neighbouring properties or the wider environment in terms of, amongst other things, pollution and contamination. Policy DC12 provides that development will not be permitted if it would adversely affect the quality of water resources as a result of, amongst other things, waste water discharge. Policies DC13 and 14 are not considered to be consistent with the NPPF, because they do not comply with paragraphs 100 to 104 which require a sequential approach to locating development and provide that flood risk should not be increased elsewhere.

6.42 The Environment Agency Flood Map shows the whole site to be located within the lowest risk category, Flood Zone 1, which are zones the least susceptible to flooding and preferred in flood risk terms for housing development.

6.43 The application is supported by a Flood Risk Assessment and development drainage strategy. A sustainable drainage scheme can be agreed and secured by planning condition thereby minimising the risks of flooding from this development. The drainage engineer has no objections to the proposal subject to further details being submitted under conditions.

6.44 Thames Water has identified a network capacity issue with the foul sewer network and has advised that a Drainage Impact Study is required to confirm if any off site reinforcement works are required and to identify where a connection could be made. Thames Water has been commissioned by the applicant to undertake this study work and two options have been identified and discussions are ongoing as to which is preferred.

6.45 Notwithstanding, Thames Water have a legal obligation under Section 94 of the Water Industries Act 1991 (WIA 1991) to provide developers with the right to connect to a public sewer, regardless of capacity issues. This, when read in conjunction with Section 91(1) of the Act in effect makes it impossible for the Council to refuse to grant planning permission for development on the grounds that no improvement works are planned or as yet are identified for a particular area. Paragraph 20 Reference ID: 34-020-20140306 of the NPPG states:

"If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants will be asked to provide information about how the proposed development will be drained and wastewater dealt with... The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to public sewage treatment works have been carried out."

6.46 A Grampian condition is therefore required to ensure that development does not

commence until a detailed drainage strategy for on and off site infrastructure (identifying exactly what is required, where and when) is submitted to and approved by the planning authority and implemented before any discharge to the public system is accepted. Officers consider this is a reasonable condition.

6.47 Subject to the suggested drainage conditions, the proposal is acceptable in respect of flood risk and drainage.

6.48 Traffic and Highway Safety

Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF (Paragraph 32) requires plans and decision to take account of whether:-

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

6.49 Paragraph 32 of the NPPF goes on to state: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.50 The application is supported by a transport assessment. The site will principally be accessed direct from the A415 via a major-minor priority junction incorporating a right turn lane to facilitate turning movements into the development. The access point is located approximately 90 metres from the roundabout on the A420. A secondary access will be taken from Oxford Road to serve a small number of dwellings (up to 20).

6.51 The parish council and local residents have expressed concern that the new A415 access is too close to the roundabout and will adversely impact on traffic safety and capacity flows. The Transport Assessment includes an assessment of the proposed access arrangements and subject to mitigation, the proposed access would be acceptable. This has been reconfirmed by the highway officer who has assessed the site and the TA and advises *“The proposed access layout would be compliant with standards that are commensurate with the applied speed limit, which would be reduced from its current 60mph to 30mph.”* Therefore, on this basis it is considered that the highway arrangements are acceptable.

6.52 Local concern has also been expressed that the proposal would cause traffic congestion and that the proposal will increase traffic flows onto the A415 to the detriment of road safety.

6.53 The A415 is recognised as a busy road where queuing commonly occurs, especially at peak hours on the northbound approach. The development is expected to generate 139 two-way movements in the morning peak hour, and 149 two-way movements in the evening peak hour. It is considered this level of traffic generation will have no significant impact on the highway network. The proposal has been assessed by the County Highways engineer who raises no objection on traffic generation or highway safety grounds.

6.54 The parish council has raised concern on proposed parking levels. Whilst these are details to be considered under reserved matters, the applicant has confirmed that residential parking across the site will be provided in accordance with current

standards.

- 6.55 Local concern has been raised over the provision of new bus stops on Witney Road. It is proposed to provide a southbound bus layby to the north of the proposed site access junction, predominantly within the public highway, but with land forming the application site also dedicated where necessary to provide a bus shelter and footway link. The location has been carefully considered so that it does not reduce visibility upon egress from the junction. The northbound stop will be provided in the form of a bus cage to the south of the proposed pedestrian refuge crossing. The highway authority considers that these stops could be accommodated safely and requires that they are provided.
- 6.56 Overall, the proposal is acceptable in terms of highway impact and subject to conditions and contributions to strategic highway improvements, the proposal is considered to accord with policy DC5 and the NPPF.
- 6.57 **Ecology and Biodiversity**
The NPPF seeks to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible (paragraph 109). Paragraph 117 of the NPPF promotes the preservation, restoration and re-creation of priority habitats, whilst paragraph 118 sets out the basis for determination of planning applications. Paragraph 118 states that “...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...”
- 6.58 The application is accompanied by an Ecological Assessment. The main habitats comprise a mixture of arable fields with rough grassland margins, and a small plantation woodland. The arable land is under intensive agriculture and experiences regular disturbance. The arable habitat is therefore considered to be of negligible ecological value. The strip of rough grassland does not meet the criteria for valued grassland habitats within the UK Biodiversity Framework. Overall, the existing habitats are common and widespread and should not be considered as a constraint to the proposed development.
- 6.59 No evidence of protected species was found that are likely to cause a significant constraint to development. However, there is a known population of great crested newts (GCN) in a pond to the south of the site and some evidence of badger activity in the plantation woodland in the eastern part of the site. Both of these issues can be mitigated, and the countryside officer raises no in principle objection. The proposal is thus considered to accord with the NPPF, subject to the mitigation specified.
- 6.60 **Heritage assets**
Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.
- 6.61 Paragraph 132 of the NPPF confirms that “When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”. The NPPF adds at paragraph 133 that proposals causing substantial harm to or total loss of significance of a designated heritage asset should be refused unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Paragraph 134 of the NPPF explains that less than

substantial harm to the significance of the heritage asset should be weighed against the public benefits of the proposal.

- 6.62 Policy HE4 of the adopted local plan seeks to protect the setting of listed buildings. In this case it is important to consider the impact on the settings of listed buildings which the NPPF defines as *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*.
- 6.63 Officers consider that development on the application site would, in principle, have no adverse impact on the setting of the listed Appleby Cottage (or other nearby listed buildings). The conservation officer has assessed the application and raises no objection, stating *“The access with Witney Road as proposed with this outline application is unlikely to materially harm the special interest of Appleby Cottage. However, if this application is to be approved it will be important that the access does not prohibit possible revisions to the layout in order to appropriately masterplan the development at reserved matters stage.”* Officers are confident this can be achieved at the reserved matters stage, should outline permission be granted. The proposal therefore accords with adopted local plan policy HE4 and the NPPF.
- 6.64 **Archaeology**
Policy HE10 of the adopted Local Plan states that development will not be permitted if it would cause damage to the site or setting of nationally important archaeological remains, whether scheduled or not.
- 6.65 Geophysical survey and archaeological field evaluation (trial trenching) has been undertaken. No significant archaeological features or sites have been identified and thus there are no archaeological constraints to this application. The proposal accords with adopted local plan policy HE10 and the NPPF.
- 6.66 **Delivery and Contributions**
The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.
- Policy DC8 of the Adopted Local Plan provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.
- 6.67 The NPPG provides further guidance on how to apply the tests mentioned above and notes the following:
1. Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure.
 2. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.
 3. Planning obligations must be fully justified and evidenced. Where affordable housing contributions are being sought, planning obligations should not prevent development from going forward.

6.68 *Recreation/sports Provision*

Additional population will increase pressure on existing facilities in the village and at Wantage/Grove. It is reasonable to request contributions towards their improvement as no on site provision is being made as part of this proposal. The sums requested are set against planned and costed schemes. The amounts sought are proportionate to this development based on 280 dwellings.

6.69 *Parish Council Requests*

The Parish Council has requested contributions to improve community and recreational facilities in the village. However, the majority of the requests do not meet the statutory tests. No details have been set out explaining exactly what is expected for the sums sought for example. Similarly, a new Doctors surgery has not been requested by the NHS England (Thames Valley) and could not be justified. The developer has agreed to provide land for a new community building, but does not agree to shoulder the cost of providing the building which in effect would be used by the whole community.

6.70 *Education*

The County Council has confirmed expansion of John Blandy primary school is planned, and has sought a financial contribution of £997,874 for 72 pupil places, equating to £13,859 per pupil. The county council's request is justified in increasing pressure for new primary school places, reasonable and proportionate.

6.71 The secondary school request is to provide additional school space at Matthew Arnold School in Botley and a financial contribution of £1,179,029 is sought for 56 pupil places, equating to £22,674 per pupil. The request is justified in increasing pressure for new secondary school places, reasonable and proportionate.

6.72 The SEN request of £51,357 is towards Fitzwaryn school in Wantage. It is noted that there have been some 56 previous contributions agreed towards SEN improvements in the district. The 2015 CIL Regulations only allow 5 contributions to be pooled towards an infrastructure project. In response to application no. P15/V2222/O which is another housing application under consideration in the district, OCC advises a contribution towards Fitzwaryn school is not requested due to pooling restrictions. Therefore, this request is not supported by officers.

6.73 *Transport*

The public transport request (£1,000 per dwelling) is justified in seeking to pump prime the existing 66 / X15 services through the village. A contribution towards a new crossing on the A415 is also sought and is considered reasonable. Two new bus stops on the A415 have been requested and it is reasonable to expect the bus stops to be sheltered and maintained.

6.74 *Property*

The County Council has also sought financial contributions of £68,800 towards the expansion for Abingdon Library, based on generic costings. No evidence has been provided to justify this figure and officers do not consider the request is reasonable or necessary to make this development acceptable.

6.75 *Thames Valley Police*

Thames Valley police has requested £39,428 towards staff set up, vehicles, ANPR cameras, and premises. Very limited detail has been provided as to how this request relates directly to this proposal and it appears the contribution would be pooled towards policing costs and not directly relevant to this proposal. In addition, pooling restrictions affect ANPR, vehicles, and mobile IT. The request is therefore not considered justifiable in planning terms.

Vale of White Horse District Council – Planning Committee – 13 January 2016

6.76 The following developer contributions have been requested. These contributions are considered fair and proportionate:-

Vale of White Horse District Council	<i>Proposed Contributions</i>
Public art (to be used in connection with the Parkour facility)	£84,000
Street naming	£3,052
Waste bin provision	£47,600
Parish litter picking & dog bin provision	£15,000
New scout hut	<i>£100,000 (no justification, so not included in total)</i>
Doctors facilities	<i>£112,000 (no justification, so not included in total)</i>
Parkour provision	£170,000
Tennis provision in Kingston Bagpuize with Southmoor	£28,195
New sports hall at Mably Way, Wantage	£145,709
Health & Fitness at Mably Way, Wantage	£57,069
New swimming pool facility at Mably Way, Wantage	£64,660
New AGP facility at Mably Way, Wantage	£18,676
Outdoor bowls club	£15,623
Public open space maintenance (if not management company)	£464,709
Play equipment maintenance (if not management company)	£52,800
Monitoring	£5,910
Total	£1,173,003
Oxfordshire County Council	<i>Proposed Contributions</i>
Signalised pedestrian/cyclist crossing on A415	£30,000
Conducting public consultation in respect of the signalised crossing	£5,000
Future maintenance of the signalised crossing on A415	£36,305.66
Promoting and making a Traffic Regulation Order for the amendment of the statutory speed limit	£3,000
Promoting and making a Traffic Regulation Order for the introduction of parking restrictions	£3,000
Improved bus services in Kingston Bagpuize	£280,000
Installing infrastructure at two new bus Stops	£20,000
Travel plan monitoring	£1,240
Expanded John Blandy primary school	£997,874
Expanded Matthew Arnold secondary school	£1,179,029
S106 monitoring	£10,223.86
Total	£2,565,870.52

Overall Total	£3,738,1873.52 (approx. 13,353 per unit)
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7.0 CONCLUSION

- 7.1 This application has been assessed against the National Planning Policy Framework (NPPF), relevant saved policies in the local plan and all other material planning considerations. The NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits. The NPPF also states that there are social, economic and environmental dimensions to sustainability and that conclusions must be reached taking into account the NPPF as a whole.
- 7.2 The proposed development would perform an economic role through increasing housing stock, it would contribute to an expansion of the local housing market and could potentially improve the affordability of open market housing. In addition, the additional houses would help maintain existing infrastructure, creating investment in the local and wider economy. In the Highworth Road, Faringdon appeal case (proposed up to 94 dwellings) it is noted that the Secretary of State considered that the *"benefits of the scheme would include the provision of much needed market and affordable housing to contribute towards acknowledged substantial shortfalls, and would generate considerable economic benefits of the type arising from housing development"* and that he gave these benefits significant weight (application no. P13/V1366/O, appeal reference APP/V3120/A/13/2210891). These economic benefits outweigh the limited economic benefits this site has in being agricultural land.
- 7.3 The scheme would have a social role as it will provide housing and affordable housing to meet the needs of present and future generations through the provision of a range of housing types and sizes and would meet the social dimension of sustainable development which should be afforded significant weight. Other social benefits will arise through the contributions to local infrastructure identified including towards local bus services and recreation and sport facilities which in turn could benefit existing residents of Kingston Bagpuize with Southmoor.
- 7.4 The proposal has an environmental role including providing housing in a reasonably accessible location, new highway infrastructure, provision of public open spaces and new tree planting.
- 7.5 The proposal will have some adverse environmental implications given the change in landscape as a result of the development. However, in view of the emphasis in the NPPF to boost significantly the supply of housing (paragraph 47) officers consider that the environmental impacts would not significantly and demonstrably outweigh the wider social and economic benefits of the development, which include a contribution to the council's five year housing land supply. In addition, the harm to the landscape has been evaluated and quantified through the site allocation process.
- 7.6 In conclusion, it is considered that this proposal meets the three strands of sustainable development. The impacts of the proposal are not considered unreasonably adverse and it is considered the harm identified does not significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. Consequently, the application is recommended for approval subject to conditions and a legal agreement to secure affordable housing and developer contributions.

8.0 RECOMMENDATION

- 8.1 **It is recommended that authority to grant planning permission is delegated to the**

head of planning, subject to the following:

1. A S106 agreement being entered into with the district council in order to secure contributions towards local infrastructure and to secure affordable housing; and
2. The following conditions:
 1. Commencement of development.
 2. Reserved matters to be submitted.
 3. Approved plans and documents.
 4. Detailed landscaping scheme, including acoustic bund details.
 5. Landscaping implementation.
 6. Tree protection details.
 7. On site open space provision.
 8. On site open space / parkour management plan.
 9. Sustainable drainage scheme to be agreed and implemented.
 10. Foul drainage strategy to be agreed and implemented prior to occupation.
 11. Vehicular access details in accordance with approved plans.
 12. A415 off-site highway works prior to commencement of development on site.
 13. Bus stop provision in accordance with approved plans.
 14. Provision of off-site footways and cycleway details to be agreed.
 15. Construction traffic management plan to be agreed.
 16. Ecological mitigation measures.

Informatives

1. Market housing mix to complement the SHMA.
2. Affordable housing mix to accord with housing team requirements.

Author: Stuart Walker
Contact number: 01235 540546
Email: stuart.walker@southandvale.gov.uk